

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS  
YANKTON, SOUTH DAKOTA  
April 23, 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, Commissioner Elect Benson, Maibaum, Miner, and Moser. City Attorney Den Herder and City Manager Nelson were also present. Absent: None. Quorum present.

Action 18-121

Moved by Commissioner Johnson, seconded by Commissioner Ferdig, to approve the Minutes of the regular meeting of April 9, 2018 and Official Canvass of Election of April 10, 2018.

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

Motion adopted.

Mayor Hoffner read two proclamations regarding National Child Abuse Prevention Month and Science Olympiad.

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

During the public appearance section of the meeting, Dick Thompson of Mayor Signs, requested the commission to reconsider a portion of the sign ordinance relating to signs on trailers.

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

1. Establish public hearing for sale of alcoholic beverages  
Establish May 14, 2018, as the date for the public hearing on the request for a Special Events Retail (on-sale) Liquor License for 7 days, July 5, 12, 19, 26 and August 2, 9, 16, 2018, from Ben's Brewing Co. (Ben Hanten, Owner), Music at the Meridian, Parking Lot and Green Space Westside of Meridian Bridge & the enclosed area of Levee Street, Yankton, S.D.
2. Special Events Dance License  
Consideration of Memorandum 18-80 recommending approval of the application from Habitat for Humanity Clay & Yankton Counties for a Special Events Dance License for June 21, 2018.
3. Transient Merchant License  
Consideration of Memorandum 18-81 recommending approval of the application from Meridian District for a Transient Merchant License from May – October 2018.
4. Work Session  
Setting date of May 29, 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 Strategic Planning and Mount Marty Water Tower.

Action 18-122

Moved by Commissioner Ferdig, seconded by Commissioner Maibaum, to approve setting the date of

May 14, 2018 as the date for the public hearing on the request for a Special Events Retail (on-sale) Liquor License for 7 days, July 5, 12, 19, 26 and August 2, 9, 16, 2018, from Ben's Brewing Co. (Ben Hanten, Owner), Music at the Meridian, Parking Lot and Green Space Westside of Meridian Bridge & the enclosed area of Levee Street, Yankton, S.D. (Consent Agenda Item No. 1)

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

Motion adopted.

Action 18-123

Moved by Commissioner Moser, seconded by Commissioner Carda, to approve the application of the Special Events Dance License for June 21, 2018 by the Habitat for Humanity Clay & Yankton Counties. (Memorandum 18-80) (Consent Agenda Item No. 2)

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

Motion adopted.

Action 18-124

Moved by Commissioner Carda, seconded by Commissioner Moser, to approve the application for a Transient Merchant License from May – October 2018 by the Meridian District. (Memorandum 18-81) (Consent Agenda Item No. 3)

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

Motion adopted.

Action 18-125

Moved by Commissioner Maibaum, seconded by Commissioner Ferdig, to approve the date of May 29, 2018, at 6:00 pm in Room No. 114 of the Regional Technical Education Center for the next work session of the Yankton City Commission to discuss Strategic Planning and Mount Marty Water Tower. (Consent Agenda Item No. 4)

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

Motion adopted.

Action 18-126

This is the time and place for the second reading and public hearing for Ordinance No. 1007, AN ORDINANCE AMENDING THE CITY OF YANKTON CODE OF ORDINANCES, CHAPTER 21, ARTICLE III, SECTION 21-47, TITLED "LOCATION AND WIDTH OF SIDEWALKS AND DRIVEWAYS". No one was present to speak for or against adoption of the ordinance. Moved by Commissioner Gross, seconded by Commissioner Carda, to adopt Ordinance No. 1007.

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

Motion adopted.

Action 18-127

Moved by Commissioner Johnson, seconded by Commissioner Gross, to approve Resolution 18-25. (Memorandum 18-84)

**RESOLUTION 18-25**

**A RESOLUTION ESTABLISHING SIDEWALK  
OVERSIZING AND REPLACEMENT REIMBURSEMENT RATES**

WHEREAS, the City provides infrastructure for its citizenry that serves their needs, and;

WHEREAS, the City has established minimum sidewalk construction requirements, and;

WHEREAS, in areas where there is an anticipated larger volume of pedestrian traffic, it is desirable to widen the sidewalk section, and;

WHEREAS, construction costs can fluctuate from one year to another, and;

WHEREAS, it is the City's desire to get sidewalks repaired, in a timely manner, when in poor condition, and;

WHEREAS, the City is willing to reimburse the adjacent property owner, at a fair rate, for the oversizing and maintenance costs.

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, SD, for those sidewalks, required by the City, to be wider than the current minimum standard, the City will reimburse the adjacent property owner at a rate calculated yearly. Upon approval of Resolution 18-25, staff will utilize unit prices from successful bidders to find an average cost of sidewalk installation from 2017 city projects. This price will then be applied in reimbursement of oversizing projects in 2018. Each year following, a new rate for oversizing will be calculated, by December, to be used for the next year.

Also, the replacement reimbursement rate will be set at 35% of each year's oversizing rate.

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

Action 18-128

Moved by Commissioner Carda, seconded by Commissioner Miner, to approve Resolution 18-23.  
(Memorandum 18-75)

**RESOLUTION 18-23**

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

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

**PROPERTY TO BE SURPLUSUED**

2001 John Deere Gator VIN 2968

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

Action 18-129

Moved by Commissioner Moser, seconded by Commissioner Carda, to approve Resolution 18-24. (Memorandum 18-76)

**RESOLUTION 18-24**

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

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

**PROPERTY TO BE TRADED IN**

S185 Skid Loader 530318806 with 709 back-hoe  
SB200 Snow Blower 712801672

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

Action 18-130

Moved by Commissioner Gross, seconded by Commissioner Carda, to approve Resolution 18-20. (Memorandum 18-82)

**RESOLUTION 18-20**

WHEREAS, it appears from an examination of the plat of Lots 41, 42, 43, 44 and 67, Crestview Homes Subdivision in the NE 1/4 of Section 21, 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 18-131

Moved by Commissioner Carda, seconded by Commissioner Moser, to approve Resolution 18-21. (Memorandum 18-83)

**RESOLUTION 18-21**

WHEREAS, it appears from an examination of the plat of Lots 6, 7, 8 and 9 of Blakey’s Addition in the NW 1/4 of the NW 1/4, of 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:** All members present voting “Aye;” voting “Nay:” None.  
Motion adopted.

Action 18-132

This was the time and place to award the bid for the Gravity Sewer Interceptor.

The following bids were received and opened on April 12, 2018 at 3:00pm: H&W Contracting, LLC for \$1,869,969.40; Carstensen Contracting, Inc for \$2,532,826.00; Slowey Construction, Inc for \$1,960,321.00; SJ Louis Construction, Inc for \$1,670,000.00. (Memorandum 18-77)

Moved by Commissioner Ferdig, seconded by Commissioner Carda, to award the bid for the Gravity Sewer Interceptor to SJ Louis Construction, in the total amount of \$1,670,000.00.

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

Action 18-133

Moved by Commissioner Gross, seconded by Commissioner Johnson, to approve the purchase of one 2018 Dodge Ram 1500 in the amount of \$23,725.00 for the Environmental Services Department from Beck Motors of Pierre, South Dakota from the State bid contract, allow the transfer of the 2005 Chevy 1500 4x4 to the Wastewater Department and to approve Resolution 18-22. (Memorandum 18-78)

**RESOLUTION 18-22**

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

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

**SURPLUS PROPERTY TO BE SOLD OR DESTROYED**

2002 Chevrolet K1500 VIN: 1GCEK14V42Z320612

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

Action 18-134

Moved by Commissioner Carda, seconded by Commissioner Miner, to adjourn at 7:28 p.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

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