

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
June 11, 2018**

Board of City Commissioners of the City of Yankton was called to order by Mayor Johnson.

Roll Call: Present: Commissioners Carda, Benson, Ferdig, Gross, Hoffner, Maibaum, Miner and Moser. City Attorney Den Herder and City Manager Nelson were also present. Absent: None. Quorum present.

Action 18-168

Moved by Commissioner Gross, seconded by Commissioner Miner, to approve the Minutes of the regular meeting of May 29, 2018 and Work Session of May 29, 2018.

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

Motion adopted.

Action 18-169

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

Ace Hardware-Equipment-\$8.59; Adams/Brent-Refund-\$317.37; Alert Magazine-Advertisement-\$195.00; All Star Pro Golf-Recreation Supplies-\$79.27; AM&E-Golf Towels-\$301.68; Applied Concepts-Radar-\$275.00; Auto Value Parts-Filters-\$1,362.62; Avera Education-CPR Training-\$240.00; Avera Sacred Heart Hospital-Dot CDL Drug/Alcohol Tests-\$58.00; Bartlett & West-Gravity Sewer Construct-\$25,387.66; Bierschbach Equip & Supply-Concrete Materials-\$3,490.70; Brock White Company-Concrete Cold Patch-\$1,116.90; Brunken/Jeff-Sand Volleyball Refund-\$200.00; Buhls Laundry Cleaners-Uniform Alteration-\$12.00; Callaway Golf-Golf Equipment-\$3,116.20; CashWa Distributing-Snacks-\$745.82; Cedar County Veterinary-Vet Services-\$15.00; Cedar Knox Public Power-Elect-\$915.89; Centurylink-Phone-\$1,282.35; Chesterman Company-Pop-\$1,035.15; Christensen Radiator & Repair-Plow Edge-\$169.35; City Of Sioux Falls-Lab Tests-\$14.50; City Of Vermillion-Jt Power Cash Trans-\$72,958.90; City Of Yankton-Landfill Charges-\$201.00; City Utilities-Water/Waste Water Charge-\$5,439.31; Clarks Rental-Equipment Rental-\$25.00; Cleveland Golf-Golf Equipment-\$418.50; Cole Papers Inc-Stationary/Cups-\$529.32; Concrete Material-Concrete Supplies-\$1,889.00; Conduent Enterprises Solutions-Maint Program Support-\$2,138.00; Conkling Dist/John A-Beer-\$2,650.25; Core & Main-Parts-\$677.56; Country Pride Cooperative-Oil-\$46.48; Credit Collection Service-Utility Collections-\$38.52; D&G Concrete Const-WCLR From 9th St To 31st-\$274,101.40; Dakota Beverage-Beer-\$5,060.20; Danko Emergency Equipment-Rope-\$91.43; Davis/Dan-Sidewalk Oversizing-\$1,064.70; Dept Of Corrections-Doc Program-\$559.73; Dept Of Revenue-Lab Tests-\$356.00; Ehresmann Engineering-Cutting Edge-\$338.60; Ethanol Products-Carbon Dioxide-\$1,370.40; Fejfar Plumbing-Irrigation-\$1,332.43; Ferguson Water Works Supply-Water Meters-\$4,567.53; Finance, Dept Of-Restaurant License-\$15.00; Flannery/Kirt-Officer Stipend-\$25.00; Frick/Adam-Officer Stipend-\$25.00; Frick/Brian-Officer Stipend-\$65.00; Frontier Mills-Grass Seed-\$134.20; Geotek Eng & Testing Serv-H2O Purification-\$9,330.60; Gerstner Oil-Jet Fuel-\$27,101.54; Good Land Pump-Repairs-\$9,601.48; Goodin/Chalee-Lifeguard Reimbursement-\$149.10; Graymont Capital-Lime-\$18,884.32; Hanson Briggs Advertising-Water Bottles-\$648.76; Hawkins-Chlorine-\$19,729.15; HDR Engineering-Water Plant Construction-\$67,227.64; Heiman Fire Equipment-Bunker Gear-\$18,871.74; Huber/Marlon-Sidewalk Reimbursement-\$682.50; HyVee-Conference-\$2,449.00; Inland Truck Parts-Brake Kits-\$40.73; J&H Care & Cleaning Company-

Janitorial Services-\$2,800.00; Johnson Bros Of South Dakota-Wine-\$36.00; Johnson Controls-Boiler Repair-\$5,960.74; Johnson Roofing Inc/Roy-Roof Repair Supplies-\$9.85; Jones Construction/John T-Water Plant Construction-\$885,134.91; Kaiser Heating & Cooling-New Coil For Ac-\$2,551.45; Kaiser Refrigeration-Equipment-\$3,884.00; Kepplinger/Kerry-Conference-\$800.00; Kleins Tree Service-Labor-\$4,650.00; Larrys Heating & Cooling-Ac Repairs-\$332.23; Lewis & Clark Bhs-Employment Screening-\$630.00; Locators & Supplies-Streets Equipment-\$20,477.20; Longs Propane-Propane-\$500.00; Mcgrath North Mullin & Kratz-Professional Services-\$3,900.00; Menards-Survey Materials-\$131.98; Merkel Electric-Service-\$66.33; Metropolitan Compounds-Weed Killer-\$572.69; MidAmerican Energy-Fuel-\$4,931.87; MidAmerican Energy-Fuel-\$4,031.50; Midwest Alarm Company-Professional Services-\$126.00; Midwest Tape-Audiobooks-\$327.92; Millenium Recycling-Single Stream Fee-\$1,796.50; Mine Safety Appliances-Repair Parts-\$8,862.54; Moser/Brad-Officer Stipend-\$25.00; Mueller/Pete-Safety Glasses-\$55.00; Municipal Code Corp-Annual Web Hosting-\$550.00; Mw Auto & Towing-Police Tow-\$294.00; Neumayer/Brian-Boot Allowance-\$110.65; Northwestern Energy-Elect-\$62,273.97; Observer-Advertisement-\$48.00; Oil Price Information Service-Report-\$1,656.00; Pepsi-Cola-Pop-\$564.30; Pilger Sand And Gravel-Sand-\$695.01; Ping-Golf Equipment-\$134.08; Pockets Full Of Fun-SRP Performer-\$270.00; Press Dakota Mstar Solutions-Publish Ordinance-\$115.94; Racom Corporation-Radio Access-\$932.41; Reinhart Foods Inc-Entree-\$5,455.29; Riverfront Broadcasting-Advertising-\$575.28; Royal Sports Shop-Years Of Service Plaque-\$53.70; SD Office Of Weights-Scale Test-\$103.00; Sdpra-Midwest Parks Payment-\$6,259.18; Sherwin Williams-Traffic Paint-\$3,629.17; Sioux Falls Two Way Radio Svs-Police Camera Install-\$267.22; Sioux Links-Advertising-\$250.00; Slowey Construction-Construction-\$347,029.82; South Dakota Amateur Softball-Softball Registration-\$1,040.00; South Dakota One Call-Message Fee-\$219.45; Stern Oil-Fuel-\$1,433.82; Stevens Construction Inc/David-Concrete Repairs-\$26,521.00; Stockwell Engineers Inc-8th St Construction-\$26,000.15; Superior Tech Products-Freight-\$200.00; Terrys Welding Service-Repairs-\$303.45; Tifosi Optics-Golf Merchandise-\$851.74; Titleist-Golf Balls-\$122.00; Top Notch Window Cleaning-Professional Services-\$50.00; Tour Edge Golf Group-Golf Clubs-\$384.00; Tre Environmental Strategies-Wet Test-\$650.00; Tri-State Turf-Sprinkler Heads-\$694.00; Truck Trailer Sales-Freight Charges-\$35.30; Tuff-Go-Recycling-\$8,717.00; Turfwerks-Service-\$857.03; U.S. Post Office-Postage-\$1,400.00; United Parcel Service-Postage-\$108.00; United States Postal Service-Postage Meter-\$842.00; Us Bank Equipment Finance-Copier Contract-\$296.69; Us Bank Spa Lockbox-Clean H2o-\$563,595.85; Villanueva/Mike-Travel Expense-\$47.47; Wage Works-FSA Flex Service-\$135.00; Walts Homestyle Foods-Candy-\$110.00; Welfl Construction-Temp Wall Shoring-\$400.00; Wholesale Supply-Candy-\$326.20; Woehl/Toby-Officer Stipend-\$25.00; Xerox Corporation-Sac Copier Lease-\$180.06; Xtreme Car Wash-Police Car Washes-\$518.40; Yankton Ag Service-Chemicals-\$130.00; Yankton Co 4-H-Babysitting Clinic-\$589.86; Yankton County Auditor-YC Cap Improve Cost Comp-\$15,740.81; Yankton County Director Of-Aerial Imagery-\$10,883.33; Yankton Janitor Supply-Janitorial Supplies-\$97.50; Yankton School District-Sac Shared Expense-\$38,476.25; Ziegler/William-Officer Stipend-\$65.00; A League Of Your Own-Book-\$21.29; AOx Welding Supply-Mig Wire-\$176.87; Acushnet Billtrust-Balls/Golf Equipment-\$2,697.59; Adobe Creative Cloud-Software Program-\$53.24; Amazon Mktplace Pmts-Shower Curtains-\$1,017.32; Amazon Mktplace Pmts-Program Supplies-\$1,135.09; Amazon.Com-Lock For Pool-\$19.12; Amazon.Com-Gloves-\$426.86; American Library Assn-SRP Prizes-\$17.98; American Red Cross-School-\$201.28; Animal Health Clinic-K9 Reno Medical-\$93.59; Anthony's Pizza-Training-Meals-\$80.73; Itunes.Com-Pdf Software-\$10.64; Appera-Towels-\$381.61; Applebees-Training-Meal-\$16.31; Applebees-Training-Meal-\$10.29; Arbys-Meal Expense-\$9.87; Arc Services-Lifeguard Certification-\$540.00; Associated Supply-Pool Repair-\$490.34; AT&T Bill Payment-Cell Phone-\$365.35; AT&T Premier-Cellular Data-\$918.83; Auto Value Yankton-Lift Station Repair Part-

\$45.77; Autozone-Brake Pads And Rotors-\$298.12; Baker/Taylor-Books-\$4,629.29; Battery Exchange-Fire Alarm Batteries-\$59.90; Berkeysuppl-Agricultural Supplies-\$122.56; Best Western Hotels-Midwest Reg Parks Conf-\$368.00; Omaha World Herald-Book-\$34.95; Bohlmann-Dual Ada Drinking Founta-\$4,020.00; Boller Printing-Office Supplies-\$46.00; Bomgaars-Fertilizer-\$2,383.32; Border States Electric-Wire-\$2,019.73; Coffee Cup-Travel Expense-\$20.39; Broadway Chrysler-Garage Parts-\$146.75; Buffalo Wild Wings-Training-Meals-\$28.93; Burger King-Training-Meal-\$13.45; Butler Machinery-Hose Assembly-\$348.15; Carus Corporation-Phosphate-\$1,324.35; Caseys Gen Store-Employee Appreciation-\$186.12; Caseys Gen Store-Meeting-\$115.87; Caseys Gen Store-Training Expenses-\$48.06; Caseys Gen Store-Travel Expense-\$31.87; Chops Fine Meats-Meal Expense-\$8.89; Clarks Rentals Custom-Rental Equipment-\$131.00; Coffee Terrace-Training-Meal-\$19.96; Comfort Inn-Training-Lodging-\$224.98; Conoco-Travel Expense-\$42.66; Core & Main-Pump Supplies-\$195.00; Corner Stop-Fuel Training-\$31.01; Cornhusker International-Filters-\$613.72; Cornwell Tools-Tools-\$426.34; Cox Auto Supply-Blower Belt-\$612.47; Crescent Electric-Runway Lights-\$1,297.94; Crowne Plaza Denver-Training-Lodging Expense-\$727.25; Culvers-Training-Meal-\$12.02; Dakota Archery-Gun Cleaning Supplies-\$140.61; Dayhuff Enterprises-Supplies-\$542.44; Delta-Conference Airfare-\$685.60; Demco-Office Supplies-\$457.34; Dianas Greenhouse-Flowers-\$2,397.13; Dropbox-Dropbox-\$99.00; Echo Electric Supply-Electrical Supplies-\$116.84; Eddies North Sincla-Travel Fuel-\$45.00; Ehresmann Engineering-Horseshoe Pit Repair-\$91.02; Facebook-Advertisement-\$19.39; Facebook-Advertisement-\$1.91; Facebook-Programming-\$10.31; Fastenal Company-Repairs-\$586.42; Fensels Flower Shop-Flowers-\$97.84; Fred Haar Company-Mower Repair-\$967.83; Girton Adams-Sludge Heater Valve-\$265.44; Grainger-Janitorial Supplies-\$211.80; Hach Company-Lab Reagents-\$648.08; Hardees-Travel Expense-\$14.62; Harding Glass-Screen Repair-\$41.50; Holiday Inn-GOSCMA-Conf Expense-\$307.38; Holiday Inn-Conference Hotel-\$2,775.03; Holiday Inn-Lodging For Training-\$1,175.12; HyVee Gas-Travel Expense-\$23.15; Hy Vee-Flowers-\$658.45; In The Swim-Pool Vac-\$500.94; Independence Waste-Porta Potty-\$617.85; Indiana Cc Concess-Training-Meal-\$7.09; Int L Code Council-Study Materials-\$185.95; International-Membership Dues ICMA-\$878.00; Midwest Alarm-Alarm Line Monitoring-\$63.00; J.J Benji-City Commission Polos-\$86.63; J.J. Benji-Uniform-\$43.00; Jacks Uniforms-Uniforms-\$344.73; JCL Solutions-Cleaning Supplies-\$1,575.97; Kaiser Refrigeration-Equipment Repair-\$1,067.63; KFC/AW-Meal-\$21.96; Kinsman Garden-Plants-\$174.34; Koletzky Implement-Damper And Blades-\$335.00; Kopetskys Ace-Downtown Flowers-\$2,449.47; Kwik Stop Oasis-Fuel Training-\$52.00; Lewis And Clark Ford-Patrol Car Repairs-\$1,497.63; Locators And Supplies-Locate Supplies-\$623.51; Longs Propane Service-Propane-\$65.00; Loves Travel-Travel Expense-\$47.33; Marks Machinery-Mower Repair-\$253.55; McDonalds-Travel Expense-\$3.86; Mead Lumber-Pool Repair-\$60.46; Med-Vet-Containers-\$379.95; Menards-Pool Repairs-\$2,163.16; Mexico Viejo-Staff Appreciation-\$50.10; Michael Todd-Safety City Supplies-\$109.55; Midwest Laboratories-Monthly Nutrients-\$107.56; Midwest Turf-Equipment Maintenance-\$2,231.00; Myers Tire Supply-Tire Repair Supplies-\$381.02; NBS Calibrations-Balance Calibration-\$186.00; Old Ebbitt Grill-Conference Meal-\$40.28; Olsons Pest-Contracted Services-\$78.00; One Office Solution-Office Chair-\$780.34; OReilly Auto-Mower Parts-\$68.39; OTC Brands-SRP Prizes-\$137.94; Overdrive Dist-Downloadable Books-\$2,745.58; Paypal-Repair Pagers-\$111.00; PGA Member Info-Membership Dues-\$549.00; Phillips 66-Travel Expense-\$17.59; Pizza Hut-Meal-\$12.94; Postage Refill-Postage-\$200.00; Disabled Veterans-Book-\$65.98; Prandomhouse-Audiobooks-\$697.50; Pressing Matters-Story Walk-\$37.28; Qdoba-Meal Expense-\$10.96; Quality Flow Systems-Tsp Stator And Backup-\$1,869.49; Raymond Geddes-SRP Prizes-\$53.56; Recorded Books-Cd Book-\$86.62; Richiezs Brickhouse-Meal Expense-\$19.05; Riverside Hydraulics-Hydraulic Hose-\$217.53; Rivistas-Magazine Subscription-\$36.79; The Golfworks-Golf Equipment-\$57.00; Rons Auto Glass-New Windshield-\$210.00; Royal Sport Shop-

Uniform-\$154.51; Scheels-Uniform Allowance-\$297.96; SD Property Management-Parks Supplies-\$92.20; Sf Regional Airport-Meeting-\$24.00; Shell Oil-Fuel Training-\$16.01; Shell Oil-Fuel Training-\$29.00; Shell Oil-Gas/Fuel-\$47.30; Sherwin Williams-Paint/Brushes-\$242.02; Shoes.Com-Boot Allowance-\$111.81; Software-Bill.Com-Pdf Editor Program-\$35.00; Sonic Drive-Meal-\$12.07; Elm USA-Disc Cleaning Supplies-\$137.20; Superior Tech-Fertilizer-\$5,920.00; Hanson Briggs-Publishing-\$211.00; The Riverfront-Midwest Conf Expenses-\$1,906.20; Stan Houston Equipment-Pool Repair-\$612.00; Sturdevants-Mower Repair-\$97.29; Subway-Training Meal-\$4.85; Subway-Travel Expense-\$16.73; Swimoutlet.Com-Water Aerobics Bands-\$80.46; Tavern Downtown-Training Meal-\$22.28; Techsoup-Library Expense-\$16.00; Tessman Company Sioux-Chemicals-\$4,001.79; The Alley Exchange-Meal Expense-\$6.98; The Lodge At Deadwood-Travel Expense-\$12.36; The Ups Store-Wet Test Shipping-\$671.12; TMA-Tires-\$6,769.77; A1 Vacuum-Service Work-\$75.00; Transource Truck-Thermostat-\$76.99; Truck Trailer Sales-Hitch-\$282.30; Turfwerks-Mower Supplies-\$86.72; USA Blue Book-Repair Parts-\$558.23; USPS-Postage-\$49.24; Viddler-Video Hosting-\$40.00; Vistaprint.Com-SRP Clings-\$217.77; Vitality Medical-Medical Safety Supplies-\$97.75; Vzwrlls-Internet Access-\$516.15; Walmart-Safety City Supply-\$785.48; Walmart-Programming-\$35.96; Walgreens-Office Supplies-\$19.27; WEF Main-Membership Dues-\$90.00; Wendys-Training Meal-\$7.12; West Marine-Cabinet-\$449.98; Wise Heavy-Pulley, Bearing-\$170.50; Wm Supercenter-Potting Soil-\$1,096.50; Wm Supercenter-Event Supplies-\$117.93; WW Grainger-Janitorial Supplies-\$211.35; Xtreme Car Wash-K9 Reno Wash-\$13.00; Xact Xpressions Inc-Junior Golf Summer Prog.-\$537.47; Yankton Area Chamber-Chamber Luncheon-\$30.00; Pizza Ranch-Program Supplies-Teens-\$31.00; Winnelson Co-Park Repairs-\$530.06; Yanktonmediainc-Subscription-\$139.64; Zimco Supply-Chemicals-\$2,100.96; M&S Dc K Street-Conference Meals-\$436.30

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

Administration \$39,480.72; Finance \$32,325.84; Community Development \$23,331.54; Police/AC/Dispatch \$151,462.03; Fire \$13,008.77; Engineering/Sr. Citizens \$43,279.28; Streets \$44,102.77; Snow & Ice \$5,548.56; Traffic Control \$3,537.98; Library \$28,693.94; Parks/SAC \$66,525.20; Marne Creek \$3,644.84; Water \$37,168.69; Wastewater \$37,044.50; Cemetery \$4,213.13; Solid Waste \$22,328.22; Landfill/Recycle \$16,468.27; Golf Course \$22,887.56; Central Garage \$7,361.70

New Hires:

Brianna Benjamin \$9.50 hr. Golf Division; Bridget Benson \$455.94 mo. Commission; Jeremiah Braxton \$11.00 hr. Streets; Jennica Delvaux \$9.50 hr. Rec. Division; Hanna Eide \$9.50 hr. Rec. Division; Megan Fejfar \$9.50 hr. Library; Payton Hejna \$9.75hr. Trails Division; Bradley Hento \$10.25 hr. Parks Division; Cameron Jueden \$9.50 hr. Parks Division; Chandler Lee \$11.00 hr. Solid Waste; Elsie Marquardt \$9.50 hr. Rec. Division; Benjamin Morrison \$9.50 hr. Golf Division; Mitch Mueller \$10.50 hr. Parks Division; Cody Papesch \$1,260.23 bi-wk. Jt. Powers; Azachary Rohde \$9.65 hr. Rec. Division; Diane Schramm \$9.50 hr. Rec. Division; Isaac Schulz \$10.50 hr. Engineering; Ashley Schweitzer \$10.50 hr. Engineering; Madelynn Smith \$9.50 hr. Rec. Division; Miranda Winterringer \$9.50 hr. Golf Division; Francisco Wuestewald \$9.50 hr. Golf Division

Wage Change:

Neal Anderson \$10.00 hr. Golf Division; Katlyn Arens \$9.75 hr. Golf Division; Virgil Brasel \$1,642.70 bi-wk. Dispatch; Kellie Geige \$10.15 hr. Rec. Division; Lance Haak \$10.00 hr. Rec.

Division; Logan Haak \$10.75 hr. Rec. Division; Maddie Husman \$10.75 hr. Golf Division; Keith Jensen Jr. \$10.25 hr. Golf Division; Mark Jensen \$10.50 hr. Golf Division; Amanda LaCroix \$11.00 hr. Library; Kayla Loecker \$13.25 hr. Rec. Division; Dalton Maibaum \$9.75 hr. Golf Division; Alexandra Max \$11.00 hr. Library; Kellen Moser \$9.75 hr. Golf Division; Elizabeth Nedved \$12.26 hr. Library; Marche Noecker \$9.75 hr. Golf Division; Lucas Rockne \$10.50 hr. Rec. Division; Kris Rutledge \$12.75 hr. Park Division; Zane Schumaker \$11.00 hr. Library; Brett Sime \$14.50 hr. Golf Division; Robert Simonsen \$12.50 hr. Airport; Mandi Sorensen \$9.75 hr. Golf Division; Twila Stibral \$12.50 hr. Rec. Division; Elizabeth Suing \$9.75 hr. Park Division; Larry Wagner \$10.25 hr. Rec. Division; Maggie Wallis \$10.75 hr. Rec. Division

Status Change:

Jake Hoffner \$455.94 mo. Mayor to Commissioner; Nathan Johnson \$626.93mo. Commissioner to Mayor

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

There were no public appearances.

Action 18-170

Moved by Commissioner Gross, seconded by Commissioner Carda, that the following items on the Consent Agenda be approved.

1. **CIP Budget Workshop Meeting Dates**
Consideration of Memorandum 18-119 regarding setting CIP Budget workshop meeting dates on June 18 & June 19 if necessary
2. **Transient Merchant License**
Consideration of Memorandum 18-112 recommending approval of the application from Martha's Crafts for a Transient Merchant License from June 12, 2018 – July 11, 2018
3. **Transient Merchant License**
Consideration of Memorandum 18-113 recommending approval of the application from Martha's Crafts for a Transient Merchant License from August 1, 2018 – August 31, 2018
4. **Possible Quorum Event**
June 25, 2018, for Environmental Assessment Hearing for Chan Gurney Airport Apron and Hangar Relocation Project, no official commission action
5. **Transient Merchant License**
Consideration of Memorandum 18-122 recommending approval of the application from Meridian District for a Transient Merchant License from July 28, 2018
6. **Establish public hearing for sale of alcoholic beverages**
Establish June 25, 2018, as the date for the public hearing on the request for a Special Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for

one day, July 21, 2018, from the Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota.

7. **Establish public hearing for sale of alcoholic beverages**

Establish June 25, 2018, as the date for the public hearing on the request for a Special Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for one day, July 28, 2018, from the Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota.

8. **Possible Quorum Event**

June 19, 2018, for Ag Gala, no official commission action

9. **Possible Quorum Event**

June 14, 2018, for Governor McMaster Memorial Plaque unveiling ceremony, no official commission action

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

Motion adopted.

Action 18-171

This was the time and place for the public hearing on the application for a Special Events Malt Beverage (on-sale) Retailers License for 1 day, July 3, 2018, from Capitol Street Pub (Garrett Horn, President), 3rd Street Between Walnut and Douglas, Yankton, SD. (Memorandum 18-107) No one was present to speak for or against approval of the license.

Moved by Commissioner Miner, seconded by Commissioner Ferdig, to approve the license.

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

Motion adopted.

Action 18-172

This was the time and place for the public hearing on the application for a Special Events (on-sale) Liquor License for 1 day, June 19, 2018, from Drotzmann & Portillo, LLC (Steve Drotzmann, Partner), d/b/a Rounding 3rd Bar & Casino, Yankton Ice Arena, 901 Whiting Drive, Yankton, SD. (Memorandum 18-108) No one was present to speak for or against approval of the license.

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 18-173

This was the time and place for the public hearing on the application for a Special Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for 1 day, October 20, 2018, from The Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, SD. (Memorandum 18-109) No one was present to speak for or against approval of the license.

Moved by Commissioner Gross, seconded by Commissioner Miner, to approve the license.

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

Motion adopted.

Action 18-174

This was the time and place for the public hearing on the application for the transfer of ownership of a

Retail (on-off sale) Malt Beverage License for July 1, 2018, to June 30, 2019, from Xtreme, Inc. (Jeff Koster, President), d/b/a Gramps to Arrowhead Holdings, LLC (Rick Daugherty, Member), d/b/a Gramps, 700 E. 4th Street, Yankton, SD. (Memorandum 18-110) No one was present to speak for or against approval of the license.

Moved by Commissioner Carda, seconded by Commissioner Ferdig, to approve transfer of the license.

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

Motion adopted.

Action 18-175

This was the time and place for the second reading and public hearing of Ordinance No. 1008, AN ORDINANCE TO PERMIT ADMINISTRATIVE INSPECTIONS OF PRIVATE PROPERTY AND TO AUTHORIZE ADMINISTRATIVE INSPECTION WARRANTS TO ENTER UPON PRIVATE PROPERTY IN THE ABSENCE OF CONSENT. Citizens, Paul Harens and Dan Klimisch were present to speak against the ordinance.

Moved by Commissioner Carda, seconded by Commissioner Hoffner, to adopt Ordinance No. 1008.

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

Motion adopted.

Action 18-176

Moved by Commissioner Gross, seconded by Commissioner Carda, to adopt Resolution 18-36 for a special event with the special event parking ordinance in force and the City Manager suspend the open container law for the area of 3rd Street between Walnut and Douglas for the 3rd on 3rd event on July 3, 2018. (Memorandum 18-118)

Resolution 18-36

Special Events Parking Request

WHEREAS, the City Commission adopted an Ordinance allowing for no parking designation for special events within the City of Yankton; and

WHEREAS, this Resolution would authorize the City of Yankton to tow vehicles that are parked in the defined area or areas and times specified for Special Events; and

WHEREAS, the Meridian District has made a request to enact this no parking zone for their event on July 3, 2018.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Yankton, South Dakota hereby approves the Special Event Parking Request on 3rd Street between Walnut and Douglas, to be in effect from 8:00 AM on July 3, 2018 until 2:00 AM on July 4, 2018.

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

Motion adopted.

Action 18-177

Moved by Commissioner Carda, seconded by Commissioner Ferdig, to approve the application of a Special Events Dance License from the Meridian District for a street dance located on 3rd Street between Walnut & Douglas, Yankton, SD on July 3, 2018. (Memorandum 18-116)

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

Motion adopted.

Action 18-178

Moved by Commissioner Miner, seconded by Commissioner Hoffner, to adopt Resolution 18-37 authorizing the no parking zone for Meet in the Street held by the Harvest Halloween committee on 3rd Street from Broadway to Douglas, keeping all intersections open. The no parking zone shall be in effect on July 28, 2018 from 7:00 AM to 4:00 PM. (Memorandum 18-117)

Resolution 18-37

Special Events Parking Request

WHEREAS, the City Commission adopted an Ordinance allowing for no parking designation for special events within the City of Yankton; and

WHEREAS, this Resolution would authorize the City of Yankton to tow vehicles that are parked in the defined area or areas and times specified for Special Events; and

WHEREAS, the Harvest Halloween Committee has made a request to enact this no parking zone for their event on July 28, 2018.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Yankton, South Dakota hereby approves the Special Event Parking Request on 3rd Street from Broadway to Douglas, keeping all intersections open. The closure will be in effect on July 28, 2018 from 7:00 AM to 4:00 PM.

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

Action 18-179

Moved by Commissioner Gross, seconded by Commissioner Hoffner, to approve the agreement between Monica Iverson and the City of Yankton. (Memorandum 18-121)

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

Action 18-180

Moved by Commissioner Hoffner, seconded by Commissioner Gross, to approve the Business Improvement District No. 1 Board of Director’s Expenditure recommendation, final expenditure for the National Field Archery Association Building Expansion Project. (Memorandum 18-100) Dan Specht, President of the BID Board, was present to answer questions and support the expenditure.

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

Action 18-181

Moved by Commissioner Hoffner, seconded by Commissioner Benson, to approve the Business Improvement District No.1 Board of Director’s Expenditure recommendation for the Mount Marty College Fieldhouse and to adopt Resolution 18-32. (Memorandum 18-101) Dan Specht, President of the BID Board, and Chris Kassin, Mount Marty Athletic Director, were present to answer questions and support the expenditure.

Resolution 18-32

WHEREAS Yankton Business Improvement District 1 was created in conformance with South Dakota Codified Law and defined in City Ordinance No. 953, and

WHEREAS, The Business Improvement District No. 1 Board of Directors is therein authorized to make recommendations to the Yankton Board of City Commissioners regarding governance of the District including its revenues and expenditures, and

WHEREAS, at their meeting on May 10, 2018, the Yankton Business Improvement District No. 1 approved a recommendation that the City Commission provide funding to Mount Marty College for a defined portion of their Fieldhouse Project as described at the meeting, and

WHEREAS said funding shall be in the amount of 80 percent of the previous year's gross District receipts payable in February of each year, and

WHEREAS, the first of said payments shall occur at the time of groundbreaking for the project and shall continue each year until such time that \$1,800,000 has been provided to Mount Marty College for the Fieldhouse project, and

WHEREAS, because the first payment is based on the time of groundbreaking, it is possible that the first two payments will be less than 12 months apart, and

WHEREAS, the Business Improvement District No. 1 Board of Directors also recommends that the City oversees the payments and structures them as needed to document legal debt for the District, and

WHEREAS, the described payments shall be made through the local economic development corporation (Yankton Area Progressive Growth).

NOW THEREFORE, BE IT RESOLVED that the Yankton Board of City Commissioners, upon the recommendation of the Business Improvement District No. 1 Board of Directors does hereby authorize the above described disbursement of funds, and

BE IT FURTHER RESOLVED that the Yankton City Manager be authorized to execute any documents associated with said disbursement.

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

Commissioner Gross introduced and Mayor Johnson read the title of Ordinance No. 1009, AN ORDINANCE AMENDING THE PERMISSIBLE USES OF REVENUE FROM THE "SECOND PENNY" SALES TAX, and set the date of the second reading and public hearing as June 25th, 2018.

Action 18-182

Moved by Commissioner Miner, seconded by Commissioner Moser, to approve the funding request for Heartland Humane Society. (Memorandum 18-114) Kerry Hacecky, Director of the Heartland Humane Society, was present to answer questions.

After discussion, Commissioner Miner amended her original motion to include the addition of a city commissioner to serve on the Heartland Humane Society Board and volunteered to fill that role. Commissioner Moser seconded the amendment.

Roll Call: Commissioners voting “Aye” were Commissioners Carda, Benson, Ferdig, Gross, Maibaum, Miner and Moser. voting “Nay:” None. Abstain: Commissioner Hoffner
Motion adopted.

Action 18-183

Approved the amended funding request for Heartland Humane Society with the addition of a City Commissioner appointed to Heartland Humane Society Board.

Roll Call: Commissioners voting “Aye” were Commissioners Carda, Benson, Ferdig, Gross, Maibaum, Miner and Moser; Voting “Nay:” None. Abstain: Commissioner Hoffner. Motion adopted.

Action 18-184

Moved by Commissioner Carda, seconded by Commissioner Hoffner, to approve the Mayor’s appointments of City Commissioners to City Advisory Boards and Commissions.
(Memorandum 18-111)

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

Action 18-185

Moved by Commissioner Ferdig, seconded by Commissioner Moser, to adopt Resolution 18-38.
(Memorandum 18-123)

Resolution 18-38

Permissive Use of Right-of-Way

WHEREAS, During the design process for the Walnut Street – 2nd Street to 4th Street Reconstruction Project a number of underground rooms and coal chutes that are connected to the adjacent buildings were discovered encroaching into the Walnut Street right of way; and

WHEREAS, City Attorney, Ross DenHerder, has drafted a Hold Harmless and License Agreement in regards to the right of way encroachments for each property owner consideration. The agreements between the City of Yankton and the property owners with encroachments gives two options; the first option electing for the property owner to continue to utilize their underground structure and the second option allows the City to remove/backfill the underground structure; and

WHEREAS, Three of the property owners, Marlow Real Estate LLC, Bernard Properties LLC, and Riverfront Partners LLC have chosen Option 1 within the agreement, electing to keep their underground rooms; and

WHEREAS, Three of the property owners, Lewis and Clark Theater Company Inc., Lisa J. Blaalid, and Wortmann Properties & Leasing LLC have chosen Option 2 within the agreement allowing the City to close and backfill their underground structures/coal chutes.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Yankton, South Dakota hereby approves the permissive use of Right-of-Way as described above.

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

Motion adopted.

Action 18-186

Moved by Commissioner Gross, seconded by Commissioner Miner, to approve the Fox Run Golf Course to enter into the Swing King Hole-in-One game-of-chance agreement. (Memorandum 18-115)

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

Motion adopted.

Action 18-187

Moved by Commissioner Moser, seconded by Commissioner Carda, to adopt the attached Vision Document. (Memorandum 18-120)

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

Motion adopted.

Action 18-188

Moved by Commissioner Gross, seconded by Commissioner Miner, to approve the Bicycle/Pedestrian Walkway Agreement and authorize the City Manager to enter into the Agreement with BNSF. (Memorandum 18-125)

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

Motion adopted.

Action 18-189

Moved by Commissioner Gross, seconded by Commissioner Carda, to approve the change order No. 1 for the Pine Street Bridge Replacement Project in the amount of \$3,823.10 and recommended that the City Manager be authorized to sign any documents for the Pine Street Bridge Replacement Project and to adopt Resolution 18-31. (Memorandum 18-126)

Resolution 18-31

WHEREAS, Yankton Business Improvement District 1 was created in conformance with South Dakota Codified Law and defined in City Ordinance No. 953, and

WHEREAS, The Business Improvement District No. 1 Board of Directors is therein authorized to make recommendations to the Yankton Board of City Commissioners regarding governance of the District including its revenues and expenditures, and

WHEREAS, at their meeting on May 10, 2018, the Yankton Business Improvement District No. 1 approved a recommendation that the City Commission provide funding in the amount of \$200,000 from the District account to the National Field Archery Association (NFAA) to complete the previously agreed upon commitment in advance to the originally scheduled distribution of funds. Said funds to be used for the reimbursement of expenses associated with a substantial addition to the facility in 2017.

NOW THEREFORE, BE IT RESOLVED that the Yankton Board of City Commissioners, upon the recommendation of the Business Improvement District No. 1 Board of Directors does hereby authorize the immediate distribution of \$200,000 of Business Improvement District No. 1 generated funds to the NFAA to complete the previously approved \$400,000 commitment early, and

BE IT FURTHER RESOLVED that the Yankton City Manager be authorized to execute any documents associated with said disbursement.

Roll Call: Commissioners voting “Aye” were Carda, Benson, Ferdig, Gross, Miner and Moser; Commissioners voting “Nay” were Hoffner and Maibaum.
Motion adopted.

Action 18-190

Moved by Commissioner Carda, seconded by Commissioner Benson, to adjourn into Executive Session at 8:18 p.m. to discuss **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 Johnson.

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

Action 18-191

Moved by Commissioner Gross, seconded by Commissioner Miner, to adjourn at 9:45 p.m.

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

Nathan Johnson
Mayor

ATTEST:

Al Viereck
Finance Officer