

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
OCTOBER 12, 2015**

Regular meeting of the Board of City Commissioners of the City of Yankton was called to order by Mayor Carda.

Roll Call: Present: Commissioners Ferdig, Gross, Hoffner, Johnson, Knoff, Miner, Sommer, and Woerner. City Attorney Den Herder and City Manager Nelson were also present. Absent: None. Quorum present.

Action 15-319

Moved by Commissioner Gross, seconded by Commissioner Sommer, to approve the Minutes of the regular meeting of September 28, 2015.

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

Motion adopted.

Action 15-320

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

A T & T Cell Phone Bill-\$388.87; ACS Government Inf Service-Maint Program Support-\$1,814.52; ALS-Ammunition-\$971.50; Ankeny Construction- Road Reconstruction Hwy 81 to 31ST Street On Wilson Road-\$23,653.50; Arborists Assn SD-Registration-\$119.00; Automated Drive Systems LLC-Relay & Socket-\$1,266.31; Boller Printing Inc-Office Supplies-\$1,900.00; Boyle/Mrs.-Refund-\$240.00; Buhl's Laundry Cleaners Inc-Uniforms-\$73.00; Center-Vendor Fee-\$10.00; Central Divers LLC-Intake Inspection-\$9,300.00; Central Pump & Motor LLC-Replace Irrigation Pump-\$13,409.00; Centurylink Phone-Sept-\$1,652.12; Chamber Of Commerc-BBQ Prizes-\$75.00; Chesterman Company-Pop-\$300.56; City of Vermillion-Jt Power Cash Trans-\$36,278.90; City of Yankton-Central Garage Rubbish-\$50.00; City of Yankton-Parks Landfill Charges-\$300.00; City of Yankton-Solid Waste Compacted Garbage-\$11,380.05; City of Yankton-Street Rubbish-\$10.00; City of Yankton-Water Garbage-\$12.00; City Utilities Water-WW Charges-\$22,232.92; Concrete Material-Hot Mix-\$22,528.23; Conkling Dist-Beer-\$1,415.85; Cornhusker Intl Truck Inc-Filters-\$395.70; Costello Construction Inc-Reimbursement-\$14,289.50; Credit Collection Service Inc-UT Collection-Aug-\$165.77; CSI Software-Computer Software-\$1,198.00; Culligan-Salt-\$83.00; D & G Concrete Const-5th St Recon-\$179,980.19; Dakota Beverage Co Inc-Beer-\$1,076.15; Danko Emergency Equipment-Seal Kit-\$414.42; Dept of Corrections-DOC Work Program-\$1,911.88; Dept of Revenue-1/2 New Retail Malt Bev-\$150.00; Dept of Revenue Water Tests-\$1,385.00; Design Solutions & IntegratioBooster Station-\$548.00; DEX Media East-Phone Book-\$30.28; Eisenbraun and Associates-Douglas Ave-Wilson Road-\$28,521.30; Ethanol Products LLC-Carbon Dioxide-\$1,044.40; Fedex Postage-\$11.95; Feimer Construction Watermain-\$145,014.24; Feld Equipment Co Inc-Service Compressor-\$600.00; Ferguson Water Works Supply Water Meters-\$8,467.76; Finance Dept-Travel Expense-\$35.48; Flannery/Kirt-Officer Stipend-\$25.00; Flint Trading Inc-White Line Tape-\$2,861.63; Fox Run Golf Course Employee BBQ-\$776.00; Freedom Valu Center Inc-Car Washes-\$115.50; Frick/Adam-Officer Stipend-\$25.00; Frick/Brian-Officer Stipend-\$50.00; Friends of The MNRR-Membership Dues-\$250.00; Geotek Eng & Testing Serv Inc-Water Samples-\$3,750.25; Graymont Capital Inc-Lime-\$13,453.59; Hawkins Inc-Phosphate-\$7,954.06; HD Supply Waterworks Ltd-Parts-\$748.03; Hedahl's Parts Plus-Filters-\$308.43; In Control Inc-Blower Control-\$5,850.00; J&H Care &

Cleaning Company-Janitorial Service-\$2,795.00; Jack's Uniforms-Taser Cartridges-\$3,737.89; Johnson/Rebecca-Reimbursement-\$100.00; Kaiser Refrigeration Inc-Repair Ice Maker-\$155.00; Klein's Tree Service-Tree Service-\$2,000.00; Kratz/Marilyn-Book-\$15.00; Lak Orr LLC-Ammunition-\$3,000.00; Landscape Forms Inc-Benches-\$19,140.00; Language Line Services-Interpretation-\$31.45; Larsen Carpet-Vinyl Tile Installation-\$660.00; Light and Siren Lights-Flashers-\$454.48; Locators & Supplies Inc-Gloves-\$62.00; Masonry Components Inc-Park St-3rd to 4th-\$30,158.55; McGrath North Mullin & Kratz-Professional Services-\$2,581.00; Menards-Outlets-\$107.28; MidAmerican Energy-Fuel-Sept-\$1,051.30; MidAmerican Energy-Fuel-Sept-\$779.56; Midwest Alarm Company Inc-Fire Alarm Monitoring-\$156.00; Midwest Tape-Audio Books-\$180.95; Midwest Turf & Irrigation-Muffler & Pipe-\$275.05; Mobile Electronic Service Inc-Lightbar-\$2,981.00; Moser/Brad-Officer Stipend-\$25.00; Motor Vehicle Dept SD-Trailer Plates-\$41.00; Motorola-Pager Repair-\$234.00; MW Automotive Services-Vehicle Towing-\$80.00; Northern Truck Equipment Corp-Truck Add Ons-\$3,861.09; Northwest Electric-Repair-\$453.52; Northwestern Energy-Elect-Sept-\$75,503.90; Observer-Ad-\$96.00; Petroleum Traders Corp-Fuel-\$16,875.23; Planning & Development-Administrative Service-\$10,000.00; Press Dakota MStar-Solutions Ad-\$139.35; Printing Specialists-Garbage Tags-\$574.73; Quill Corporation-Office Supplies-\$106.39; Racom Corporation-Vehicle-Install Radio-\$8,196.31; RDG Planning & Design-Meridian Plaza Design-\$179.08; Regional Technical Education-Lease-Sept-\$1,466.67; Reinhart Foods Inc-Entree-\$1,518.37; Sanitation Products Inc-Brake Spring-\$178.26; SDSA Systems-Software-\$1,902.75; Sheehan Mack Sales & Equip Inc-Loader Repairs-\$1,858.46; SL-Serco-Printing-\$5,315.80; Slowey Construction Inc-Watermain-\$19,783.75; South Dakota One Call-Message Fee-\$150.15; Stern Oil Co Inc-Fuel-\$21,512.55; Stevens Construction Llc-Meridian Plaza Path-\$15,600.00; T & R Contracting Inc-Douglas Ave-Wilson RDC-7-\$58,435.45; TMA-Tires-\$820.00; Todd Inc-Brooms-\$9,515.50; TRE Environmental Strategies-Professional Services-\$650.00; Tri-State Turf Irrigation-Repairs-\$1,220.97; Truck Trailer Sales Inc-DOT Inspection-\$80.00; Trugreen-Lawn Care-\$90.00; Turfwerks-Seal Kit-\$222.86; US Post Office-Util-UT Postage-Sept-\$1,500.00; United Parcel Service Inc-Postage-Sept-\$165.41; United States Postal Service-Postage Meter-Sept-\$886.00; Wage Works-Flex Serv Fee-Aug-\$85.00; Walt's Homestyle Foods Inc-Entree-\$148.50; Watchguard Video-Video System-\$5,025.00; Welfl Construction Corp-Collector Well-\$347,445.49; West Des Moines Public-Lost Library Book-\$22.99; Williams & Company PC-Audit-\$3,000.00; Woehl/Toby-Officer Stipend-\$25.00; Woods Fuller Shultz & Smith PC-Professional Services-\$225.00; Xerox Corporation-Copier Lease-\$182.39; Yaggie's Inc-Grass Seed-\$815.50; Yankton County Treasurer-1/2 Taxes-\$140.33; Yankton Fire & Safety Co-Annual Inspection-\$153.00; Yankton Janitor Supply Inc-Cleaning Supplies-\$268.43; Yankton Medical Clinic-Pre-Employment Physicals-\$438.00; Yankton Sexual Assault Response Team-Professional Services-\$1,800.00; Yankton Transit Inc-Summer Program-\$1,910.00; Yankton Volunteer Fire Department-Fire Calls-Aug/Sept-\$3,320.00; Ziegler/William-Officer Stipend-\$50.00; A & B Business Inc-Copier Maintenance-\$438.86; Ace Hardware-Tool-\$707.89; Al's Oasis Café-Travel-\$56.36; Almetek Industries-Stormwater Medallions-\$296.77; Amazon Mktplace Pmts-Floor Stripping Supplies-\$776.36; Amazon.Com-Books-\$183.41; Amazon.Com-Book-\$14.73; Amazonprime Membership-Membership-\$99.00; Appera-Towels-\$458.74; Applebees-Travel Expense-\$34.94; Aramark Chickfila-Travel Expense-\$15.69; Arbys-Travel Expense-\$15.70; AT&T Bill Payment-AT&T Mobility-\$314.32; Baker-Taylor-Books-\$4,911.01; Bottomline Persona-Magazine Subscription-\$39.00; Becker Body Shop-Repair Vehicle-\$851.36; Bissell Homecare-Vacuum Cleaner Filter-\$34.20; Bomgaars-Oil-\$1,096.20; Buffalo Wild Wings-Travel Expense-\$10.42; Burger King-Travel Expense-\$5.98; Caseys Gen Store-Shooting Supplies-\$101.93; Center Point-Books-\$127.02; Chief Supply-Vehicle Window Barrier-\$206.39; Clarks Rentals-Custom Equipment Rental-\$120.98; Coffee Cup-Travel Fuel-\$18.00; Cowboy-Travel Fuel-\$32.00; Cox Auto

Supply-Battery Charger-\$786.77; Cole Parmer Instruments-Electrode-\$192.50; Crescent Electric-Light Pole Fixtures-\$1,677.24; Culligan Water-Water Softener Salt-\$83.00; Culvers-Travel Expense-\$7.80; Culvers-Meeting Expense-\$38.15; Dayhuff Enterprises Inc-Floor Cleaning & Waxing-\$1,612.68; Demco Inc-Program Supplies-\$96.66; Desktop Supplies.Com-Office Supplies-\$406.63; Detco Industries-Janitorial Supplies-\$1,655.10; Dittys-Travel Fuel-\$15.00; Dollartree-Program Supplies-\$11.38; DX Service-Salt-\$2,578.27; Echo Electric Supply-Electrical Supplies-\$203.60; Education Specialty-Helmets & Banners-\$995.00; Environmental Express-Lab Supplies-\$78.06; ESPN The Magazine-Magazine Subscription-\$26.00; Exxonmobil-Conference Travel-\$39.00; Famous Dave's-Travel Expense-\$11.42; Fastenal Company-Air Line Hardware-\$170.41; Floral Designs-Recreation Supplies-\$69.22; Pizza Ranch-Travel Expense-\$10.17; Fox Run Golf Course-Uniforms-\$44.79; Fred Haar Company-Equipment Supplies-\$18.28; Fuddruckers-Travel Expense-\$13.72; Galls-Boots-\$163.90; Global Industrial Equip-Lockboxes-\$116.44; Graham Tire-Tires-\$664.92; Hach Company-Lab Reagents-\$1,028.59; Hardee's-Travel Expense-\$9.62; Hedahls-Surface Conditioner-\$494.36; Hobby Lobby-Office Supplies-\$60.89; Hobby-Lobby-Program Supplies-\$48.35; Holiday Inn Hotel-School-\$1,656.75; Holiday Stnstore-Travel Fuel-\$63.00; Howe Inc- Sprinkler Inspection-\$350.00; Hy-Vee-Travel Expense-\$9.61; Hy-Vee-Entree-\$724.38; Bioverse-Chemicals-\$1,625.00; Powerphone-New Dispatcher Training-\$1,458.00; SDSWMA-Conference-\$550.00; Independence Waste-Porta Pottys-\$457.85; JJ Benji's Embroidery-Uniforms-\$79.50; Jack's Uniforms-Uniform-\$661.31; JCL Solutions-Cleaning Supplies-\$644.28; Jimmy Johns-Travel Expense-\$19.81; Jones Food Center-Travel Expense-\$15.79; Kaiser Refrigeration-Equipment Supplies-\$788.72; KMart-Bandaids/Soap-\$262.92; Koletzky Implement Inc-Fuel Pump-\$187.46; L-Tron Corporation-Scanners-\$678.00; Labstrong Corporation-Heating Element-\$641.49; Larry's Plumbing-Plumbing Supplies-\$21.75; Larrys Heating-Filters-\$144.00; Layne Christensen-Comp Flow Test-\$487.00; Lewis & Clark Ford-Fuel System-\$2,432.88; Logo Golf Chips-Merchandise-\$193.00; Lucky's-Travel Expense-\$217.33; Mark's Machinery Inc-Mower Repair-\$284.83; Marshall Bond Pumps-Pump Parts-\$531.72; McDonald's-Doc Work Program-\$55.35; McDonald's-Travel Expense-\$24.09; McMaster-Carr-Autoclave Regulator-\$81.09; Mead Lumber-Air Compressor Pad-\$54.47; Menards-Cabinet/Counter Top-\$982.64; Minervas-Travel Expense-\$74.06; Msft-Software-\$66.25; My Place-Travel Motel-\$171.00; NADA-Appraisal Guides Subscription-\$75.00; Nebraska Air Filter-Air Filter-\$465.57; NFPA Natl Fire Protect-Membership Dues-\$165.00; Northtown Automotive-Motor Mount-\$131.61; Oahe Marina & Resort-Travel Expense-\$28.00; Office Elements Group-Office Supplies-\$103.80; O'Reilly Auto-Alternator-\$204.84; Overdrive Dist-Downloadable Books-\$871.08; Oxford Golf-Uniforms-\$249.75; Pack & Ship-Postage-\$22.97; Image Warehouse-Office Supplies/Toner-\$59.97; Paypal-SouthDakota Membership Dues-\$285.00; Paypal-Will-Toner-\$45.00; Perkins-Travel Expense-\$20.66; Phillips Ave Diner-Travel Expense-\$26.16; Phinney's-Meeting Expense-\$48.95; Postage Refill-MailStation Postage-\$100.00; Quill Corporation-Calculators/Supplies-\$280.48; Ray Allen Manufacturing-Dog Leash-\$24.99; Redrossa Italian Grill-Travel Expense-\$35.00; Booksontape.Com-Audio Books-\$198.75; Riverside Hydraulics-Hydraulic Connections-\$341.22; The Golfworks-Club Repairs-\$381.05; Sanitation Products-Drive Assembly-\$206.83; Sears Hometown-Equipment Supplies-\$25.98; Shell's Kwik Stop-Travel Fuel-\$36.00; Shell Oil-Travel Fuel-\$16.19; Sherwin Williams-Paint-\$190.55; Sigma Controls-Transducer Rebuild-\$566.52; Silver Spur-Travel Expense-\$15.00; South Dakota Library Association-Membership Dues-\$45.00; South Dakota Magazine-Magazine Subscriptions-\$46.00; Specialty Store Service-Office Supplies-\$311.90; Sportsmith Recreation-Supplies-\$135.06; Streicher's-Weapons-\$2,587.99; Sturdevants-V-Belt-\$74.54; Subway-Meeting Expense-\$75.90; Subway-Travel Expense-\$19.45; Superior Tech Products-Chemicals-\$1,133.50; Taco Johns-Travel Expense-\$22.45; Taco Johns-Travel Expense-\$7.58; TC's Referee Sports Bar-Travel Expense-\$10.69; Tex Shoem/Go Daddy Video-Mic Holder-\$323.86; TMA-Equipment Repair-

\$1,536.96; Time Magazine-Magazine Subscription-\$29.95; Tractor Supply Co-Tool Box-\$479.97; TRK Hosting Website-Hosting-\$68.85; Taunton Publisher Magazine-Subscription-\$29.95; Twin Dragon-Travel Expense-\$12.97; Ultra Max-Ammunition-\$4,347.49; UPS-Postage-\$40.61; Upstart/Edupress-Program Supplies-\$22.40; US Plastics/Neatly SMA-Sludge Sampling Bottles-\$106.27; USA Blue Book-Parts-\$2,124.20; USPS-Postage-\$19.99; Vanderhule Moving-Oxygen-\$23.00; Yanktonrodctr-Recorder Fees-\$97.50; Viddler Inc-Video Hosting-\$28.93; View-Travel Expense-\$15.00; Vogt's Fine Cleaners-Sew On Patches-\$7.00; Vwr International Inc-Lab Supplies-\$1,974.11; Vzwrllss-Internet Access-\$506.10; Vzwrllss-Prepaid Pymnt Cell Minutes-\$37.80; W12th St Pourhouse-Travel Expense-\$12.60; Wal-Mart-Office Supplies-\$603.25; Wall Auto Livery-Travel Expense-\$76.48; Western Office Product-Office Supplies-\$736.94; Whiskey Creek Wood-Travel Expense-\$50.00; WM Supercenter-Recreation Supplies-\$557.23; WW Grainger-Gauges-\$844.49; Pizza Ranch-Staff Appreciation-\$115.09; Winnelson Co-Regulator-\$140.46; Zimco Supply Co-Chemicals-\$3,438.00; Zones Inc-Network Server Rack-\$194.81; Zumba-Fitness Membership Dues-\$360.00;-\$1005 JL's Phillips Travel-Expense-\$11.10; AFSCME Council 65-Employee Deduction-\$1,369.40; American Family Life Corp-Cancer & ICU Premiums-\$6,324.46; Connections Inc-EAP Insurance-September-\$274.82; Delta Dental-Dental Ins-October-\$7,084.52; Dept of Social Services-Employee Deduction-\$1,835.00; First Natl Bank South Dakota-Employee Deduction-\$3,006.10; ICMA Retirement Trust #457-Employee Deduction-\$2,933.86; Midstate Reclamation of SD-Cold Milling Asphalt-\$24,051.87; Minnesota Life Insurance Co-Life Insurance-October-\$678.78; Municipal League SD-SDML Conference-\$900.00; Nelson/Amy-Conference-\$200.00; Retirement SD-SD Retirement Sept 2015-\$66,386.91; SDSRP-Employee Deduction-\$4,080.00; Summit Activity Center-Employee Deductions-\$844.60; United Way-Employee Deductions-\$70.00; Vast Broadband-Internet Services-\$3,496.42; Welfl Construction Corp-Water Plant #2-\$16,175.55; Wellmark Blue Cross-Health Ins-October-\$87,420.34.

Roll Call: Members present voting "Aye:" Commissioners Ferdig, Gross, Hoffner, Johnson, Knoff, Miner, Sommer, and Mayor Carda; voting "Nay:" None; Abstaining: Commissioner Woerner. Motion adopted.

SALARIES-SEPTEMBER 2015:

Administration-\$34,120.24; Finance-\$29,886.65; Community Development-\$18,336.61; Police-\$150,804.12; Fire-\$10,821.46; Engineering-\$41,645.85; Street-\$41,580.44; Traffic Control-\$1,736.77; Library-\$28,091.03; Parks/SAC-\$51,337.92; Memorial Pool-\$616.88; Marne Creek-\$3,484.96; Water-\$37,172.62; Wastewater-\$33,355.51; Cemetery-\$3,515.73; Solid Waste-\$18,767.70; Landfill-\$15,672.17; Golf Course-\$20,167.43; Central Garage-\$6,603.11.

PERSONNEL CHANGES & NEW HIRES:

New Hires: Nicholle Anderson-\$8.50 hr.-Golf Division; Jhenna Everhart-\$8.50 and/or \$10.00 hr.-Rec. Division; Tyler Guthmiller-\$8.50 hr.-Golf Division; Ali Leonard-\$8.50 hr.-Rec. Division; Amy Miner-\$424.44 mo.-Commissioner; Savannah Murray-\$8.50 hr.-Rec. Division; Lane Schindler-\$1232.50 bi-wk.-Dispatch; Lauren Uttecht-\$8.75 hr.-Rec. Division; Vanessa Wong-\$1232.50 bi-wk.-Dispatch.
Wage Increase: Mason Sundleaf-\$9.25 hr.--Golf Division; Kayla Wiese-\$8.75 hr.-Rec. Division.

Mayor Carda read a proclamation declaring the month of October, 2015, as *Disability Employment Awareness Month*.

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

Carmen Schramm, Bernie Hunhoff, and Robert Rieger from Onward Yankton were present to give an update on Onward Yankton and to solicit volunteers for committees.

Action 15-321

Moved by Commissioner Woerner, seconded by Commissioner Gross, that the following items on the consent agenda be approved.

1. Assessment Roll; Noxious Vegetation and Abatement, set public hearing
Consideration of Memorandum 15-247 and Resolution 15-62, recommending that November 9, 2015, be established as the date for a public hearing on the special assessment roll for removal of noxious vegetation and abatement
2. Transient Merchant License and Special Events Dance License
Consideration of Memorandum 15-260 recommending approval of the applications from the Harvest Halloween for:
 - A) Transient Merchant License for October 31, 2015;
 - B) Special Events Dance License for October 31, 2015
3. Establish Public hearing for Retail On-Off Sale Wine License
Establish October 26, 2015, as the date for the public hearing for a New Retail (on-off sale) Wine License for January 1, 2015, to December 31, 2015, from A'viands, LLC, dba Mount Marty College, (Ron Villani, CEO) 1105 West 8th Street, Yankton, South Dakota.
4. Establishing public hearing for Malt Beverage License
Establish October 26, 2015, as the date for the public hearing for a New Retail (on-off sale) Malt Beverage License for July 1, 2015, to June 30, 2016, from A'viands, LLC, dba Mount Marty College, (Ron Villani, CEO) 1105 West 8th Street, Yankton, South Dakota.
5. Establish public hearing for Retail On-Off Sale Wine License
Establish October 26, 2015, as the date for the public hearing for a transfer of ownership of a Retail (on-off sale) Wine License for January 1, 2015, to December 31, 2015, from TWARD, LLC, dba The Old Lighthouse, (Jeff Christensen, owner) to RB Beer & Burgers, LLC, dba RB Beer & Burgers, (Toby Woehl, President) 2901 Broadway, Suite C, Yankton, South Dakota.
6. Establishing public hearing for Malt Beverage License
Establish October 26, 2015, as the date for the public hearing for a transfer of ownership of a Retail (on-off sale) Malt Beverage License for July 1, 2015, to June 30, 2016, from TWARD, LLC, dba The Old Lighthouse, (Jeff Christensen, owner) to RB Beer & Burgers, LLC, dba RB Beer & Burgers, (Toby Woehl, President) 2901 Broadway, Suite C, Yankton, South Dakota.
7. Dance License
Consideration of Memorandum 15-261 regarding the application for a Type B dance license for Brewery, Yankton, South Dakota.

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

Motion adopted.

Action 15-322

This was the time and place for the public hearing on Resolution 15-37, Declaring the Necessity of Construction Improvements for Douglas Avenue from Anna Street to 31st Street. (Memorandum 15-262) Citizens Darwin Tessier and Shawn Lyons were present to speak in support of the project.

Moved by Commissioner Knoff, seconded by Commissioner Sommer, to adopt Resolution 15-37.

RESOLUTION 15-37

**A RESOLUTION DECLARING THE NECESSITY OF CONSTRUCTING
IMPROVEMENTS FOR DOUGLAS AVENUE FROM
ANNA STREET TO 31ST STREET**

BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota:

SECTION 1. That it is deemed and declared necessary to construct improvements in accordance with plans, estimates and specifications therefore, prepared under the direction of the Department of Public Works for Douglas Avenue from Anna Street to 31st Street, in the City of Yankton, South Dakota, abutting upon the following described property to be assessed therefore:

Lots 1-4, Block 1 of Airport Acres Addition.

S2, SW4, NW4, Sec. 6-93-55.

Tracts C, D, E and F of Willow Ridge Subdivision.

SE4, NW4, Except Dedicated ROW & Except that Part Platted Into Lots, Blocks and Outlots, Sec. 6-93-55

Lot 2, Block 6A Exc. Lots TL10, TL11, TL12 and TL13, Willow Ridge Subdivision.

SECTION 2. That the nature of said improvements is to construct a concrete pavement surface along with curb and gutter, unclassified excavation/earthwork and grading, storm sewer and all other incidental work at the above described location.

SECTION 3. That the cost and expense of the above listed improvements, as outlined in the attached special assessment role, shall be levied, at a rate of \$20 per front foot, by special assessment upon the above described properties in accordance with Chapter 9-43 of the South Dakota Codified Laws. Said improvements shall be assessed upon the above described properties abutting thereon according to the benefits derived in accordance with Chapter 9-45 of the South Dakota Codified Laws.

SECTION 4. Said assessment may be paid in ten (10) equal annual installments. Any such assessment or any installment thereof unless paid within thirty (30) days after the filing of the Assessment Roll in the Office of the City Finance Officer shall be collected under Plan Two, with interest in accordance with the procedure provided in SDCL 9-43-42 through 9-43-53, as amended. In all cases where interest on such assessment or the installment thereof is to be charged and collected in accordance with the law, the rate to be charged shall be as established by the Board of City Commissioners.

Roll Call: Members present voting "Aye:" Commissioners Ferdig, Hoffner, Johnson, Knoff, Miner, Sommer, Woerner, and Mayor Carda; voting "Nay:" Commissioner Gross.

Motion adopted.

Action 15-323

This was the time and place for the public hearing on the application for a Special RETAIL (on-sale) Wine dealers License for one day, October 17, 2015, from Hy-Vee Inc. (Richard N. Jurgens, President), dba Hy-Vee, NFAA, 800 Archery Lane, Yankton, South Dakota. (Memorandum 15-248) No one was present to speak for or against approval of the license application. Moved by Commissioner Johnson, seconded by Commissioner Knoff, to approve the license.

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

Motion adopted.

Action 15-324

Moved by Commissioner Gross, seconded by Commissioner Johnson, to set October 26, 2015, at 6:00 p.m. as the date to hold a Special Session Meeting prior to the regularly scheduled Board of City Commissioners meeting. (Memorandum 15-258)

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

Motion adopted.

Action 15-325

Moved by Commissioner Knoff, seconded by Commissioner Sommer, to approve the installation of a new storage building at Sertoma Park to be funded and maintained by the Sertoma Youth Baseball Group and Yankton Sertoma Club.

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

Motion adopted.

Action 15-326

Moved by Commissioner Knoff, seconded by Commissioner Gross, to adopt Resolution 15-67. (Memorandum 15-252)

RESOLUTION 15-67

**NO PARKING EXPANSION ON THE EAST SIDE OF DOUGLAS AVENUE
FROM 26TH STREET SOUTH, FOR A TOTAL DISTANCE OF 49 FEET.**

WHEREAS, Douglas Avenue is an arterial street that carries a large number of vehicles each day; and

WHEREAS, the vehicle parking currently allowed on this street creates a safety concern, and

WHEREAS, there is sufficient parking with both on-street and off-street parking available for the tenants of the apartment complex, and

WHEREAS, The Board of City Commissioners of the City of Yankton has the authority to establish and revoke parking restrictions within the City of Yankton;

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, SD, that parking is prohibited on the east side of Douglas Avenue from the 26th Street end-of-radius, south for a total distance of 49 feet.

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

Motion adopted.

Action 15-327

Moved by Commissioner Knoff, seconded by Commissioner Sommer, to approve Change Order No. 1 from D & G Concrete Construction, Sioux Falls, South Dakota, an increase of \$2.27 for a new contract total of \$247,227.47, for the 5th Street Reconstruction from Mulberry to Burleigh Street; to accept the project as complete; and to authorize the City Finance Officer to issue a manual check in the amount of \$12,361.37 to D & G Concrete Construction, Sioux Falls, South Dakota, as final payment for the

project.

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

Action 15-328

Moved by Commissioner Woerner, seconded by Commissioner Knoff, to approve the proposal from Banner Associates, Inc., Brookings, South Dakota, to provide engineering services including completing the engineering drawings with specifications, contract administration, and project survey and inspection, to complete the reconfiguration of the entrance and replacement of the scale at the Transfer Station as outlined in Memorandum 15-253.

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

Action 15-329

Kathy Clatworthy, Tara Gill, and Carmen Schramm were present to request funding for hand-washing stations, portable toilets, production, staging, and event planning, for the Harvest Halloween Festival scheduled for Saturday, October 31, 2015. Moved by Commissioner Hoffner, seconded by Commissioner Gross, to approve funding for the event in the amount of \$3,310.00 to be taken from the BBB Fund.

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

Action 15-330

Moved by Commissioner Knoff, seconded by Commissioner Woerner, to adopt Resolution 15-68. (Memorandum 14-255)

RESOLUTION 15-68
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 said Special Events; and

WHEREAS, Harvest Halloween Festival has made a request to enact this no parking zone for their Harvest Halloween Festival to be held on October 30 – November 1, 2015.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Yankton, South Dakota hereby approves the Special Event Parking Request at the described location in the manner shown on the attachments to this resolution for October 30, 2015 – starting at 5:30 pm – November 1, 2015 at noon, along Walnut Street between 2nd and 3rd Streets.

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

Action 15-331

Moved by Commissioner Sommer, seconded by Commissioner Ferdig, to approve the recommendation from the Health Insurance Committee to renew Health Insurance coverage for City Employees for 2016 with Wellmark Blue Cross/Blue Shield, a 0 percent rate increase; with Assurant Employee Benefits for vision coverage, a 20 percent increase over 2015 rates; and with Connections for the employee assistance program, an increase from \$1.82 to \$2.04 per month per employee. (Memorandum 15-229)

Roll Call: Members present voting “Aye:” Commissioners Ferdig, Gross, Hoffner, Knoff, Miner, Sommer, and Mayor Carda; voting “Nay:” Commissioner Woerner; Abstaining: Commissioner Johnson.

Motion adopted.

Action 15-332

Moved by Commissioner Knoff, seconded by Commissioner Johnson, to approve the request from Habitat for Humanity of Yankton County, to place a modular home at 906 Locust Street.

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

Motion adopted.

Action 15-333

Moved by Commissioner Knoff, seconded by Commissioner Sommer, to adopt Resolution 15-64. (Memorandum 15-250)

RESOLUTION 15-64

WHEREAS, the City of Yankton has determined that it is necessary to adjust the existing solid waste collection rates to a level which will reduce the operating deficit of the municipal solid waste collection system;

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners:

That the following solid waste collection rates shall be adopted effective with billings after December 1, 2015;

Class I Residential - \$17.13 per month plus tax.

Class II Commercial / Industrial - \$17.13 per month per unit plus tax.

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

Motion adopted.

Action 15-334

Moved by Commissioner Woerner, seconded by Commissioner Knoff, to adopt Resolution 15-65 and Resolution 15-66. (Memorandum 15-251)

RESOLUTION 15-65

WHEREAS, the City of Yankton has determined that it is necessary to adjust the existing municipal water rates to a level which will maintain the operation of the municipal water system on a self-sustaining user basis, and fund debt service and depreciation costs, and;

WHEREAS, the City of Yankton has conducted a water rate review based on forecasted cost and consumption, and;

WHEREAS, the City of Yankton determined during the recent budget workshop that a three percent (3%) increase should be applied to the surcharge;

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners:
That the following municipal water monthly surcharge rates and regulations shall be adopted;

1. Surcharge Rates

The monthly surcharge water charge for all water meters shall be in accordance to the size of the water meter. The following 3% increase in monthly surcharge rates shall be effective with the billings issued after December 1, 2015.

<u>Meter Size</u>	<u>Surcharge</u>	<u>Meter Size</u>	<u>Surcharge</u>
5/8 & 3/4"	\$ 15.91	4"	\$ 451.53
1"	28.37	6"	1,017.65
1-1/2"	63.85	8"	2,087.15
2"	113.43	10"	3,603.81
2-1/2"	201.47	12"	4,688.86
3"	255.16		

The surcharge shall be billed monthly to all water users based on the above effective water rate surcharge table.

2. Percentage of surcharge applied to DW-05 and DW 01-04

Thirty-seven percent (37%) of the monthly surcharge will be classified as the surcharge for Drinking Water Loan-05, Series 2014 (DW-05). The remaining sixty-three percent (63%) of the surcharge will continue to be used for the existing debt service of Drinking Water Loans 01 through 04 until such time as Drinking Water Loan-06 is established. The total surcharge will then be reassessed and adjusted to reflect the combined required debt service for Drinking Water Loans 05 and 06 only.

3. Non-City Residential, Commercial, and Industrial Surcharge Rates

The monthly surcharge water charge for any meter location located outside the city limits of Yankton shall be at a rate twice that charged for City water users as established by this resolution unless otherwise established by the City Commission.

RESOLUTION 15-66

WHEREAS, the City of Yankton has determined that it is necessary to adjust the existing municipal water rates to a level which will maintain the operation of the municipal water system on a self-sustaining user basis, and fund debt service and depreciation costs, and;

WHEREAS, the city of Yankton has conducted a water rate review based on forecasted cost and consumption;

WHEREAS, the City of Yankton determined during the recent budget workshop that a three percent (3%) increase should be applied to the water consumption rate;

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners:
That the following municipal water rates and regulations shall be adopted;

1. Residential, Commercial, Municipal, and Industrial Consumption Rates
Effective with the billing issued after December 1, 2015, water used or consumption will be charged at a rate of \$5.23 per each thousand gallons consumed.
2. Non-City Residential, Commercial, and Industrial Rates
All water sold by the City for residential, commercial, or industrial use to any meter location outside the city limits of Yankton shall be at a rate twice that charged for City water users as established by this resolution unless otherwise established by the City Commission.

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

Action 15-335

Moved by Commissioner Knoff, seconded by Commissioner Woerner, to adopt Resolution 15-63.
(Memorandum 15-249)

RESOLUTION 15-63

WHEREAS, Chapter 26, Article IV, of the Code of Ordinances as adopted by Ordinance No. 449 and amended by Ordinance 795 for the City of Yankton, establishes the procedure for determining equitable service charges to be levied on all users which discharge wastewater to the Wastewater System operated by the City; and

WHEREAS, SDCL 9-40-15.1 requires equitable service charges for all wastewater users; and

WHEREAS, it is appropriate to adopt equitable wastewater user rates in order to properly fund the operation of the Municipal Wastewater Treatment System,

NOW, THEREFORE, BE IT RESOLVED by the City Commission of Yankton, South Dakota, that

- I. The following municipal wastewater rates are hereby adopted, effective for bills rendered after December 1, 2015.
 1. Class I - Residential
 - a. Shall pay a monthly fixed user charge of \$8.79 per month.
 - b. Shall pay an incremental cost of \$5.32 per 1,000 gallons based on a monthly average derived from water consumption during the winter period of December,

January, and February as billed in January, February, and March; or to a maximum of 5000 gallons where there is no winter base period.

2. Class II - Commercial and Industrial
 - a. Shall pay a monthly fixed user charge of \$8.79 per month.
 - b. Shall pay an incremental cost of \$5.32 per 1,000 gallons as billed for water consumption.

3. Class III - Industrial
 - a. Shall pay a monthly fixed user charge of \$8.79 per month.
 - b. Shall pay an incremental cost of \$5.32 per 1,000 gallons as billed for water consumption.
 - c. Shall pay an incremental cost of \$0.794/lb. BOD₅ surcharge (over 220 mg/1 strength) and \$0.281/lb. TSS surcharge (over 250 mg/1 strength). Said surcharge rates shall be determined based on test monitoring results for the month billed.

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

Action 15-336

Moved by Commissioner Woerner, seconded by Commissioner Sommer, to adjourn into Executive Session at 8:27 p.m., to discuss personnel and contractual 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 Carda.

Roll Call: Present: Commissioners Ferdig, Gross, Hoffner, Johnson, Knoff, Miner, Sommer, and Woerner. City Attorney Den Herder and City Manager Nelson were also present. Absent: None. Quorum present.

Action 15-337

Moved by Commissioner Woerner, seconded by Commissioner Sommer, to adjourn at 8:52 p.m.

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

David Carda
Mayor

ATTEST:

Al Viereck
Finance Officer

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