

CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
April 8th, 2019

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

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

Action 19-87

Moved by Commissioner Gross, seconded by Commissioner Moser, to approve the Minutes of the regular meeting of March 25th, 2019.

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

Motion adopted.

Action 19-88

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

Adobe Creative Cloud-Contracted Service-\$53.24; Adobe Stock-Contracted Service-\$31.94; Adolph Kiefer And Associates-Rescue Tube-\$243.76; Allegiant Emergency Svs-SCBA & Accessories-\$237,630.28; Amazon-Wireless Adapter Part-\$0.99; Amazon-Rec Supplies-\$83.34; Amazon-Books-\$134.86; Amazon-Markers-\$8.40; American Library Assn-Program Supplies-\$67.00; American Red Cross-Instructor Kits-\$606.46; AMG Occupational Medicine-CDL Drug/Alcohol Tests-\$63.00; Amazon-Adult Craft Night Supply-\$35.70; Amazon-Dvd-\$39.49; Amazon-Dvds-\$111.36; Amazon-Books-\$48.94; Amazon-Ipad/Tablet Covers-\$45.94; Amazon-Books-\$41.32; Amazon-Noticeboard Cabinet-\$92.98; Amazon-Ag Supplies-\$67.09; Amazon-Adult Craft Night Supply-\$6.80; Amazon-Key Safe & Key Tags-\$37.23; Amazon-USB Wireless Adapter-\$12.99; Amazon-Sgt Testing Material-\$44.30; Amazon-Pool Supplies-\$89.21; Amazon-Books-\$64.57; Amazon-Books-\$22.89; Amazon-Dvd-\$142.74; Amazon-Office Supplies-\$41.46; Amazon-Book-\$17.98; Amazon-Books-\$116.45; Animal Health Clinic-K9 Reno Care-\$9.37; Arbys-Police Adademy Grad-\$11.64; At&T-Cell Phone-\$304.17; Auto Value-Filters-\$1,234.88; Auto Value-Equipment Repair-\$63.44; Automatic Building Controls-Fire System Check-\$1,637.00; Autozone-Antifreeze And Bulbs-\$181.60; Avera Health Plans-Flex Spending Fees-\$38.80; Avera Sacred Heart Hospital-CDL Drug/Alcohol Testing-\$56.00; Backdraft Magazine-Sac Ad-\$155.00; Baker Taylor-Books-\$3,566.01; Bartlett & West-Gravity Sewer Construct-\$2,052.50; Battery Exchange-Batteries-\$57.90; Big Cedar Lodge-Lodging-\$250.00; Big Cedar Lodge Rest-Travel Expense-\$63.00; Bomgaars-Transfer Pump-\$2,587.03; Bomgaars-Fittings-\$13.57; Bow Creek Metal-Bar Screen Install-\$27.20; Buckys Station-Fuel-\$16.79; Coffee Cup-Fuel-\$12.46; Brandt Land Surveying-Survey Stakes-\$474.00; Buhl Cleaners-Towels-\$250.32; SD Building Officials-Meeting-\$246.00; Bullseye-Fuel-\$31.77; Butler Machinery Co-Transmission Repairs-\$2,267.41; Carus Corporation-Bulk Chemicals-\$3,072.30; Caseys Gen Store-Citizens Academy Supply-\$26.56; Caseys Gen Store-Investigation Expense-\$18.59; Cedar Knox Public Power Dist-Elect-\$1,186.47; Center Point Large Print-Books-\$133.62; Centurylink-Phone-\$1,283.90; Chief Supply Vt-Vehicle Equipment-\$388.49; Christensen Radiator-Equipment Repairs-\$196.89; Chs Freeman SDREF Fuels-Fuel-\$18,071.61; Chucks Sanitary Service-Repairs-\$80.00; City Of Vermillion-Jt Power Cash Trans-\$73,922.46; City Of Yankton/Central Garage-Rubbish-\$132.00; City Of Yankton/City Hall-Garbage-\$24.00; City Of Yankton/Parks-Landfill Charges-\$74.32; City Of

Yankton/Solid Waste-Compacted Garbage-\$11,510.59; City Utilities-Water/WW Charges-\$4,197.82; Compliance Signs-Signs For Locker Room-\$42.07; Concrete Material-UPM Pot Hole Repair-\$1,570.80; Conoco-Fuel-\$19.51; Core & Main Lp-Lagoon Shear Gate-\$777.00; Cornhusker Intl Truck -Filters-\$127.32; Cornwell Dp Tools Inc-Socket Set-\$239.95; Cox Auto Supply-Air Filter, Shift Cable-\$201.09; Credit Collection Service-UT Collection-\$174.99; Crescent Electric-Wire-\$1,098.23; Dakota Alignment-Bucket Truck Alignment-\$124.02; Danko Emergency Equipment-Tie Clips-\$184.71; Delight Donuts-Interview Supplies-\$28.06; Den Herder Law Office, P.C.-Contracted Services-\$5,678.55; Dept Of Corrections-Doc Work Program-\$469.20; Design Solutions & Integration-Radio Upgrade-\$17,346.80; Diamond Vogel Paint-Paint Machine Tips-\$62.50; Dick S Sporting Goods-Nets-\$55.32; EB GOSCOMA-Conference-\$150.00; Echo Electric Supply-Runway Lights-\$220.00; Ehresmann Engineering-Steel-\$5.56; Election System & Software-Ballot Stock-\$1,385.31; Environmental Express-Glucose Glutamic Acid-\$84.70; ESRI-Subscription-\$100.00; Ethanol Products Llc-Co2-\$1,495.51; Facebook-Advertising-\$41.65; Falkenberg Construction-Property Maintenance-\$200.00; Fastenal Company-Medical Supplies-\$441.22; Fedex-Postage-\$15.04; Feimer Construction-Repair Water Line-\$1,790.82; Fejfar Plumbing & Heat-Repair Supplies-\$40.31; Ed M Feld Equipment Co-Air Fittings-\$575.27; First Out Rescue Equip-Cylinder Rack-\$145.14; Fluent IMS-Subscription-\$701.00; Fore Reservations-Golfnow Reservation Sys-\$250.00; Geotek Eng & Testing Serv-Water Plant-\$6,668.00; Girton Adams Co-Tekmar Valve Repair-\$146.34; Grainger-Janitorial Supplies-\$312.31; Graymont Capital-Lime-\$9,550.50; Hach Company-Lab Reagents-\$1,961.46; Hansen Locksmithing-Evidence Locker-\$1,499.00; Harding Glass-South Door Repairs-\$75.00; Harris/John W- Reimbursement-\$204.00; Hawkins-Azone-\$14,146.25; HDR Engineering-Water Plant Const-\$37,087.86; Heiman Fire Equipment-Name Panel-\$54.60; Hilton Garden Inn-Overcharge-\$206.80; Horseshoe Bend -Refund-\$54.00; HyVee-Jumpstart Program Supply-\$37.15; HyVee-Concessions-\$298.48; HyVee-Public Event Water-\$5.31; Int L Code Council-ICC Membership Dues-\$135.00; Int Western Fire Confer-Registration-\$550.00; Irene Bar Grill-Reimbursed Charge-\$19.05; J & H Care & Cleaning Company-Janitorial Services-\$2,800.00; J2 Metrofax-Fax Service-\$7.95; Jacks Uniforms-Uniforms-\$113.89; Jacks Uniforms-Bullet Proof Vests-\$7,129.77; JoDeans Steak House-Meeting-\$9.00; Johnson Controls-Lab Building Air Unit-\$490.66; Roy Johnson Roofing Inc-Park Shop Roof Repairs-\$7,500.00; John T Jones Construction-Water Plant Const C-15-\$1,261,606.21; Kadrmas Lee & Jackson-Apron Expansion-\$21,990.50; Kaiser Heating And Cooling-Tripp Park Repairs-\$36.20; Kaiser Refrigeration Inc-Co2-\$168.00; Kayton International-Replacement Part-\$243.94; Kopetskys Ace Hdwe-Equipment Supplies-\$491.12; Kwik Case-Office Supplies-\$268.40; Labstrong Corporation-Still Heating Element-\$645.96; Language Line-Interpreting Service-\$165.33; Lewis And Clark Ford-Replace Rear Pinion Seal-\$597.67; Lewis Clark Mental-Professional Services-\$150.00; Locators & Supplies-Safety Vests-\$204.96; Locators And Supplies-Locating Supplies-\$340.32; Loves Country-Fuel-\$31.97; Marks Machinery-Cutting Edge-\$475.62; Mead Building Project-Sp Appropriation-\$25,000.00; Mead Lumber-Riverside Repairs-\$684.15; Menards-Spray Paint-\$21.08; Menards-Flooding Repair Supplies-\$1,263.60; Merkel Electric-Repair Wires-\$3,269.39; Midamerican Energy-Fuel-\$9,531.27; Midamerican Energy-Fuel-\$13,863.20; Midwest Alarm Company-Fire Alarm Monitoring-\$219.00; Midwest Laboratories-WW Nutrient Testing-\$254.18; Midwest Tape-Av-\$187.95; Midwest Turf & Irrigat-Equipment Supplies-\$687.41; Millenium Recycling-Single Stream Fee-\$4,685.10; Miller/Michael-Refund-\$176.10; Millerbernd Manufacturing Co-Parts-\$1,680.00; Minervas Grill And Bar-Staff Jumpstart Expense-\$13.75; Mobile Electronic Service-Chevy Tahoe Equipment-\$10,438.89; Mount Marty College-Reimbursement-\$457.87; Nebraska Journal-Ad-\$94.08; Nicks Gyros-Training Expense-\$11.13; Northtown Automotive-Replace Fuel Tank Module-\$1,000.52; Northwestern Energy-Elect-\$54,336.91; Observer-Ads-\$180.00; O'Connor Company-Annual Air Filters-\$675.81; Olsons Pest Technician-Pest Control-\$320.00; One Office Solution-Office Supplies-

\$53.15; One Office Solution-Office Supplies-\$51.48; O'Reilly Auto-Fluid Reservoir, Radiator-\$629.49; Paypal-Toner-\$17.66; Paypal-Conference-\$390.00; Paypal-Toner-\$1.33; PBI Leased Equipment-Postage Machine Lease-\$122.00; Pierre Ramkota-Travel Expense-\$57.00; Pitney Bowes PBP-Postage-\$200.00; Press Dakota Mstar Solutions-Visitors Guide-\$2,890.42; Prime Video-Program Supplies-\$15.96; Pro Auto-Towing-\$80.00; Racom Corporation-EDACS Access-\$972.83; Recreation Supply Comp-Pool Hooks-\$132.96; Riverside Hydraulics-Hydraulic Hose And Valve-\$324.70; Rivistas Subscription-Magazine Renewals-\$4,654.30; Rockyboots.Com-Boots-\$113.94; Rons Auto Glass-Repair To South Door-\$102.04; Royal Sport Shop-Name Plates-\$45.44; RS Design-Banner-\$63.00; Sd Library Association-SDLA Membership Dues-\$27.50; SDPA Secretary/Treasurer-SDPA Membership-\$50.00; SESAC Inc-Annual Agreement-\$451.14; Shell Oil-Graduation Travel Fuel-\$40.01; Shell Oil-Travel Expense-\$49.50; Sherwin Williams-Shop Supplies-\$45.59; Sherwin Williams-Paint Thinner-\$103.96; Shurco-Tarps, Tarp Stops-\$1,646.25; Signs By Design-Sign-\$72.07; Slowey Construction-Crush Concrete-Asphalt-\$61,584.00; Smartsign-Signs-\$897.24; South Dakota One Call-Message Fee-\$57.75; Specialty Store Servic-Office Supplies-\$176.96; Spencer Quarries Inc-2a Chips-\$5,053.71; Wholesale Supply-Shop Supplies-\$60.00; The Pickle Bar-Training Expense-\$17.93; Stalker Radar-Radar Tuning Forks-\$60.00; Sterling Screen Printing-Tree Signs-\$1,801.49; Stern Oil Co I-Oil-\$5,274.93; Stockwell Engineers-Aquatic Facility Design-\$67,226.20; Sturdevants-Shop Supplies-\$67.47; Subway-Meeting-\$45.21; TFS Thermo Asheville-Furnace Thermocouple-\$361.00; The Cookie Lady-Employee Appreciation-\$247.50; The Ups Store-Shipping-\$231.18; Thrift Books Global-Books-\$31.19; Titan Machinery-Relay-\$33.30; TMA Yankton-Tires-\$10,003.68; Michael Todd, Inc-Street Name Signs-\$2,451.25; Toms Custom Rifles-Guns-\$1,328.00; Tractor Supply Co-Pump Jack-\$102.98; Transource-Labor-\$1,052.10; Travelocity-GOSCMA Conference-\$63.00; Truck Trailer Sales-Bracket And Breaker-\$445.70; Truck Trailer Sales-Truck Repairs-\$1,213.47; U.S. Post Office-UT Postage-\$1,400.00; Uline Ship Supplies-Shipping Boxes-\$75.66; United-GOSCMA Conference-\$876.00; United Parcel Service-Postage-\$116.00; United States Postal Service-Postage Meter-\$623.00; Us Bank Equipment Finance-Copier Lease-\$306.22; Us Bank Spa Lockbox Cm9695-Drinking Water #6 Int-\$62,547.44; USA Blue Book-Meter Supplies-\$420.52; Veolia Water Technologies Cana-Labor-\$6,114.33; Vermeer High Plains-Cables-\$3,594.52; Wage Works-Flex Service Fees-\$100.00; Watchguard Video-In Car Camera System-\$5,305.00; Water & Env Eng Research Ctr-Testing-\$122.00; Xerox Corporation-Copier Lease-\$210.43; Xerox Corporation-Copier Lease-\$1,201.06; Xtreme Car Wash-Car Washes-\$168.00; Yankton Ag Service-Supplies-\$68.56; Yankton Airshows-Special Appropriation-\$20,000.00; Yankton Area Ice Association-Reimbursement-\$1,552.16; Yankton Fire & Safety Co-Fire Ext Inspections-\$1,563.25; Yankton Medical Clinic-PreEmployment Physical-\$536.00; Yankton School District-Basketball Program-\$720.00; Yankton School District-Basketball Program-\$1,075.00; Yankton Vol Fire Department-Fire Drills-\$1,220.00; AOx Welding Supply Co-Argon Gas-\$73.52; USPS Po-Postage-\$127.30; VCN Yankton Rod Ctr-Professional Services-\$42.50; Viddler Inc-Video Hosting-\$41.49; Vistaprint.Com-Business Cards-\$31.92; Vwr International Inc-Lab Supplies-\$1,766.76; Walmart-Flood Safety Supplies-\$712.10; Watchguard Video-Body Worn Camera Equip-\$101.65; Watergym Llc-Water Belts-\$259.70; Walmart-Supplies-\$312.06; Xtreme Car Wash-K9 Reno Wash-\$13.00; Yankton Area Chamber-Sac Advertising-\$684.00; Yankton Rexall Drug-Cleaner-\$3.29; Yankton Winnelson Co-Lab Faucet Repair-\$686.64; Ykt Janitorial & Dt Sc-Janitorial Supplies-\$987.15; Dominos Pizza-Staff Meeting-\$25.76; Hardees-Training/Investigation-\$16.10

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

Motion adopted.

MARCH SALARIES BY DEPARTMENT: Administration \$41,270.82; Finance \$33,872.23; Community Development \$29,425.13; Police/Dispatch \$155,924.21; Fire \$12,507.62; Engineering / Sr. Citizens \$43,640.70; Streets \$42,864.61; Snow & Ice \$14,712.00; Traffic Control \$3,689.46; Library \$29,878.53; Parks/SAC \$77,658.41; Marne Creek \$3,578.93; Water \$33,571.92; Wastewater \$39,921.66; Cemetery \$3,948.39; Solid Waste \$21,793.38; Landfill / Recycle \$18,936.79; Central Garage \$7,171.01

NEW HIRES: Nathan Fischer \$2,077.23 bi-wk.-Water Department; Greg Homstad \$2,437.62 bi-wk.-Building Official/ Facility Manager; Keaton List \$10.00 hr.-Recreation Division; Ryan Schulte \$10.00 hr.-Recreation Division

WAGE CHANGE: Garrett Dykstra \$10.75 hr.-Recreation Division; Rachel Houdek \$11.00 hr.-Recreation Division; Madison Johnson \$11.00 hr.-Recreation Division; Josephine Krajewski \$10.50 hr.-Recreation Division; Ryan Moderegger \$11.00 hr.-Parks Division; Vanessa Rockne \$12.25 hr.-Recreation Division

STATUS CHANGE: Ryan Moderegger \$11.00 hr.-Rec. Division to Parks Division; Elizabeth Suing \$12.00 hr.-Recreation Division to Parks Division

Mayor Johnson read and presented Arbor Day, Telecommunicators Weeks, Library Week and Keep Yankton Beautiful Proclamations.

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

There were no public appearances at that time.

Action 19-89

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

1. **Notice to Call for City of Yankton Election**
Establish 12:00 pm, on Friday, April 12, 2019, as the time and date of a “Notice to Call” a Special City Commission meeting to canvass the election returns of the City of Yankton Election to be held on Tuesday, April 9, 2019
2. **Establishing date for 2nd City Commission Meeting in May**
Establish Tuesday, May 28, 2019, as the date for the second City Commission meeting in May due to the Monday, May 27, 2019 Memorial Day holiday. The meeting will begin at 7:00 P.M.
3. **Possible Quorum Event**
May 13, 2019, at Czeckers, no official commission action
4. **Establish public hearing for sale of alcoholic beverages**
Establish April 22, 2019, as the date for the public hearing on the request for a Special Events (on-sale) Liquor License for June 8, 2019 from VFW (Colin Reisner, Quartermaster), 209 Cedar Street, City Hall Gym, 416 Walnut Street, Yankton, S.D.

5. **Establish public hearing for sale of alcoholic beverages**
Establish April 22, 2019, as the date for the public hearing on the request for a Special Events (on-sale) Liquor License for June 8, 2019 from Hanten, Inc., (Ben Hanten, Owner) dba Ben's Brewing Company, 222 West 3rd Street, RASKAK ROUNDUP, Parking Lot and Green Space West Side of Meridian Bridge & the enclosed area of Levee Street, Yankton, S.D.
6. **Establish public hearing for sale of alcoholic beverages**
Establish April 22, 2019, as the date for the public hearing on the request for a Special Events Retail (on-sale) Liquor License for 7 days, July 4, 11, 18, 25 and August 1, 8 &, 15 2019, from Ben's Brewing Co. (Ben Hanten, Owner), 222 West 3rd Street, Music at the Meridian, Parking Lot and Green Space West Side of Meridian Bridge & the enclosed area of Levee Street, Yankton, S.D.
7. **Establishing public hearing for transfer of ownership of Retail (on-off Sale) Malt Beverage License**
Establish April 22, 2019, as the date for the public hearing on the transfer of ownership and location of a Retail (on-off sale) Malt Beverage License for July 1, 2018, to June 30, 2019, from JAY AMBE-8, LLC (Kamleshkumar Patel, Owner) d/b/a Freedom Valu Center to I MART STORES, LLC (Muwafak Rizek, President), 301 Broadway Avenue, Yankton, S.D.
8. **Establishing public hearing for transfer of ownership of Retail (on-off Sale) Malt Beverage License**
Establish April 22, 2019, as the date for the public hearing on the transfer of ownership and location of a Retail (on-off sale) Malt Beverage License for July 1, 2018, to June 30, 2019, from JAY AMBE-8, LLC (Kamleshkumar Patel, Owner) d/b/a Freedom Valu Center to I MART STORES, LLC (Muwafak Rizek, President), 301 Broadway Avenue, Yankton, S.D.
9. **Establish public hearing for a transfer of ownership & location – Malt Beverage License**
Establish April 22, 2019, as the date for the public hearing on the request for a transfer of ownership and location for a Retail (on-off sale) Malt Beverage License for July 1, 2018, to June 30, 2019, from BPO Elks Lodge 994 dba Elks Lodge 994, 504 W. 27th Street, to Zaccon, Inc. (Robert A Zacher, President), d/b/a Roadrunner Convenience Mart, 300 West 23rd Street, Suite II, Yankton, SD 57078
10. **Possible Quorum Event**
May 13, 2019, at Ben's, no official commission action
11. **Work Session**
Setting date of April 22, 2019, at 6:00 pm in Room 114 of the Regional Technical Education Center for the next work session of the Yankton City Commission

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

Action 19-90

This was the time and place for the public hearing of the application for a Special Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for 1 day, July 12, 2019, from The Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, S.D. (Memorandum 19-77) No one was present to speak for or against the application. Moved by Commissioner Gross, seconded by Commissioner Carda, to approve the license.

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

Action 19-91

Moved by Commissioner Maibaum, seconded by Commissioner Hoffner, to approve the Downtown Yankton Façade Grants of 221 Capital Street, Cody Richardson/Richardson Development LLC for Brick repair/restoration and repainting, installation of new storefront, doors, windows, and addition of complimentary façade elements awarded \$26,140.00 and 119 East 3rd Street, Jeff Dayhuff/Dayhuff Development Inc for replacement of deteriorated wooden siding with a metal and wood façade awarded \$3,860.00. (Memorandum 19-71)

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

Action 19-92

This was the time and place for the public hearing of the application for a Sidewalk Cafe Permit to 100 East 3rd Street doing business as Boomers Lounge. (Memorandum 19-74) No one was present to speak for or against the application. Moved by Commissioner Maibaum, seconded by Commissioner Gross, to approve the license.

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

Action 19-93

This was the time and place for the public hearing of the application for a Sidewalk Cafe Permit to 100 West 3rd Street doing business as Walnut Tavern. (Memorandum 19-75) Travis Koster, Manager of the Walnut, was present to answer any questions. Moved by Commissioner Carda, seconded by Commissioner Maibaum, to approve the license.

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

Action 19-94

Moved by Commissioner Gross, seconded by Commissioner Maibaum, to approve the Final Project Acceptance and Payment for the Concrete Crushing Contract in the amount of \$18,221.87 to Slowey Construction, Inc. (Memorandum 19-76)

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

Action 19-95

Moved by Commissioner Carda, seconded by Commissioner Miner, to approve the Change Order No. 4 in the amount of \$241,014.00 increasing the project cost to total of \$34,462,652.71 for Water Purification Facility Expansion Project. (Memorandum 19-79)

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

Motion adopted.

Commissioner Gross introduced and Mayor Johnson read the title of Ordinance No. 1021, AN ORDINANCE AMENDING ANIMAL CONTROL REGULATIONS WITHIN THE CITY OF YANKTON TO PERMIT THE OPERATION OF A TRAP, NEUTER, & RELEASE (TNR) PROGRAM WITHIN YANKTON'S JURISDICTIONAL LIMITS, and set the date of the second reading and public hearing as April 22nd, 2019. (Memorandum 19-73)

Action 19-96

Moved by Commissioner Gross, seconded by Commissioner Miner, to approve an Agreement with Heartland Humane Society. (Memorandum 19-72)

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

Motion adopted.

Action 19-97

Moved by Commissioner Carda, seconded by Commissioner Moser, to approve the Agreement with Polco for 2019 and launch the service in the next 60 days. (Memorandum 19-78)

Roll Call: Commissioners voting "Aye" were Carda, Ferdig, Hoffner, Miner, Moser and Mayor Johnson. Commissioners voting "Nay" were Gross and Maibaum.

Motion adopted.

Action 19-98

Moved by Commissioner Carda, seconded by Commissioner Maibaum, to adjourn into Executive Session at 7:36 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, Ferdig, Gross, Hoffner, Maibaum, Miner and Moser. City Attorney Den Herder and City Manager Leon were also present. Absent: Commissioner Benson. Quorum present.

Action 19-99

Moved by Commissioner Hoffner, seconded by Commissioner Gross, to adjourn at 7:59 p.m.

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

Motion adopted.

Nathan V Johnson
Mayor

ATTEST:

Al Viereck
Finance Officer