

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
June 24th, 2019**

Board of City Commissioners of the City of Yankton was called to order by Mayor Johnson at 7:00 p.m.

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

Action 19-164

Moved by Commissioner Webber, seconded by Commissioner Miner, to approve the Minutes of the regular meeting of June 10th, 2019.

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

Motion adopted.

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

Brad Wilson, Administrator of the SDML Work Comp Fund, presented a 15 Year Yankton Membership Plaque to the City of Yankton.

Gary Swenson, a County Commissioner, requested to speak on the Officer Reserve Program being proposed later in the meeting. It was explained that he would be given time to speak when that agenda item came up.

Action 19-165

Moved by Commissioner Schramm, seconded by Commissioner Miner, that the following item on the Consent Agenda be approved.

1. Establish public hearing for sale of alcoholic beverages

Establish July 8, 2019, as the date for the public hearing on the request for a Special Events (on-sale) Liquor License for August 2, 2019 from VFW (Colin Reisner, Quartermaster), 209 Cedar Street, 4-H Grounds, 709 Whiting Drive, Yankton, S.D.

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

Motion adopted.

Action 19-166

Moved by Commissioner Moser, seconded by Commissioner Miner, to approve Resolution 19-25. (Memorandum 19-136)

Peter Moore, citizen, appeared to explain that he did not receive the letter stating he wasn't in compliance. Andrew Kotalik, citizen, appeared and explained that he received the letter but had measured the trees himself and felt he was in compliance. After discussion, Commissioner Hoffner moved to amend the original motion to exempt these two properties. This motion died for lack of a second to the amendment. The original motion was then voted on.

RESOLUTION 19-25
A RESOLUTION APPROVING THE 2019 SPECIAL ASSESSMENT ROLL FOR
STREET TREE TRIMMING, SIDEWALK SNOW REMOVAL, AND NUISANCE VEGETATION
ABATEMENT

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

SECTION 1. That the special assessment roll for the assessment of the property assessable for the abatement of nuisances and noxious vegetation in the City of Yankton, South Dakota, is hereby approved and the assessments as set out in said special assessment roll approved this date are hereby levied against such property upon filing of said special assessment roll in the office of the City Finance Officer.

SECTION 2. The assessments set forth in the assessment role will become due and payable in one (1) annual installment together with interest at a rate prescribed by the Board of City Commissioners, by resolution, per annum, in accordance with SDCL 9-43.

The above assessments may be paid without interest to the City Finance Officer on or before July 25, 2019, thereafter, the entire assessment may be paid with interest from the date of filing with the City Finance Officer at the rate established by resolution of the Board of City Commissioners.

Roll Call: Commissioners voting “Aye” were Benson, Ferdig, Miner, Moser, Schramm, Webber and Mayor Johnson; voting “Nay” was Commissioner Hoffner.
Motion adopted.

Action 19-167

This was the time and place for the public hearing for a Special Malt Beverage (on-sale) Retailers License for 1 day, September 21, 2019, from Heritage Home, Inc. (Rachel Cure, President), 509 Pine Street, Yard Party, Yankton, S.D. (Memorandum 19-137) No one was present to speak for or against the application.

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

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

Motion adopted.

Action 19-168

Moved by Commissioner Miner, seconded by Commissioner Webber, to approve the 2019-2020 Annual Supply of Transport/Tankwagon Petroleum Products as outlined in Memorandum 19-138.

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

Motion adopted.

Action 19-169

Moved by Commissioner Ferdig, seconded by Commissioner Moser, to approve change order number 1, final project acceptance and final payment for the sidewalk installation along Highway 81. (Memorandum 19-141)

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

Motion adopted.

Action 19-170

Moved by Commissioner Schramm, seconded by Commissioner Miner, to approve change order number 1, final project acceptance and final payment for the 26th Street Reconstruction from Douglas Avenue to Mulberry Street. (Memorandum 19-142)

Roll Call: Commissioners voting “Aye” were Benson, Ferdig, Miner, Moser, Schramm, Webber and Mayor Johnson; voting “Nay:” None. Abstain: Commissioner Hoffner.
Motion adopted.

Action 19-171

Moved by Commissioner Miner, seconded by Commissioner Webber, to approve Resolution 19-28. (Memorandum 19-143)

RESOLUTION 19-28
NO PARKING ON THE EAST SIDE OF KELLEN GROSS DRIVE
AT THE ENTRANCES TO LEWIS & CLARK HYDRAULIC COMPANY.

WHEREAS, Kellen Gross Drive carries a large number of vehicles each day; and

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

WHEREAS, drivers of trucks making deliveries need ample room to access the business, 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 Kellen Gross Drive, at the entrances to Lewis & Clark Hydraulic Company, 2210 Kellen Gross Drive. There will be no parking allowed from 20’ north of the most northern entrance to 20’ south of the most southern entrance. This is to include the areas between the two entrances.

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

Action 19-172

Moved by Commissioner Webber, seconded by Commissioner Ferdig, to approve the application for the Chan Gurney Municipal Airport Project 3-46-0062-029-2019 and authorize City Manager Leon to sign the pre-application and administrative documents associated with the project. (Memorandum 19-140)

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

Action 19-173

Chief Harris and Commander Foote were present to explain the proposed Reserve Officer Program and request that the City Commission approve the program. Gary Swenson, County Commissioner, spoke in favor of the program, having participated in a similar program within the Yankton County Sheriff’s Office in the 1980’s.

Moved by Commissioner Ferdig, seconded by Commissioner Miner, to approve a letter to the Law

Enforcement Training and Standard Commission authorizing the Reserve Officer Program.
(Memorandum 19-144)

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

City Attorney Den Herder gave his presentation on Commission Orientation. There was commission discussion but no official commission action occurred.

Commissioner Ferdig introduced and Mayor Johnson read the title of Ordinance No. 1022, AN ORDINANCE AMENDING THE CABLE COMMUNICATIONS FRANCHISE ORDINANCE 924, OF THE CODE OF CITY ORDINANCES OF THE CITY OF YANKTON RELATED TO AUTHORIZING THE GRANT OF CABLE COMMUNICATIONS FRANCHISES IN THE CITY OF YANKTON and set the date of the second reading and public hearing as July 8th, 2019.

Action 19-174

Moved by Commissioner Ferdig, seconded by Commissioner Miner, to approve municipal bicycle trail easements in Golf View Estates subdivision. (Memorandum 19-146)

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

Action 19-175

Moved by Commissioner Moser, seconded by Commissioner Miner, to adjourn into Executive Session at 8:17 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 Benson, Ferdig, Hoffner, Miner, Moser, Schramm and Webber. City Attorney Den Herder and City Manager Leon were also present. Absent: Commissioner Carda. Quorum present.

Action 19-176

Moved by Commissioner Benson, seconded by Commissioner Miner, to adjourn at 8:58 p.m.

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

Nathan V Johnson
Mayor

ATTEST:

Al Viereck
Finance Officer