

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
JANUARY 27TH, 2020**

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

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

Action 20-21

Moved by Commissioner Miner, seconded by Commissioner Benson, to approve and the Minutes of Special City Commission Meeting of January 13th, 2020 and the Minutes of Regular Meeting of January 13th, 2020.

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

Motion adopted.

Action 20-22

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

Avenu Insights & Analytics LLC - Maint Prog Support - \$1,969.83; Cedar Knox Public Power Dist - Elect - \$1,363.60; Credit Collection Service INC - Ut Collection - \$244.07; Den Herder Law Office, P.C. - Professional Serv - \$4,297.45; Finance, Dept Of - Travel Expense - \$9.00; Girton Adams Company - Eclipse Valves - \$3,018.50; HDR Engineering INC - Wtr Plant Construct - \$52,733.93; Kaiser Heating & Cooling Inc. - Install 2 Heaters - \$6,950.00; Lassiter/Sylvia - Refund - \$240.80; McGrath North - Professional Services - \$3,395.67; Merkel Electric - Barrel Hanger Light - \$8,014.67; Millenium Recycling - Single Stream Fee - \$2,238.95; Nebraska Journal-Leader - Holiday Event Ads - \$31.95; Overhead Door Co - Door Repairs - \$399.70; Ron's Auto Glass Repair - Doors - \$5,148.83; Stern Oil Co Inc - Diesel Fuel - \$10,794.80; Stockwell Engineers INC - Aquatic Ctr Design - \$14,216.30; Water & Env Eng Research Ctr - Testing - \$122.00; Xtreme Car Wash - Fleet Car Wash - \$173.40

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.

There were no public appearances at that time.

City Manager Leon introduced Dr. Richard Fursman, Huelife, who is contracted with the City Commission to search for a Human Resources replacement for the retirement of Sue Hanson. Dr. Fursman gave a brief summary of his perceptions of the community and his planned approach for the search.

City Manager Leon introduced Lisa Yardley, the new Deputy Finance Officer and Omar Jolly the new administrative intern for City Manager.

Action 20-23

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

1. **Transient Merchant License and Special Events Dance License**

Consideration of Memorandum #20-15 recommending approval of the applications from the Riverboat Days Committee for:

- A) Transient Merchant License for August 21-23, 2020;
- B) Special Events Dance License for August 21-23, 2020

2. **Establishing public hearing for New Retail (on-off Sale) Wine & Cider License**

Establish February 10, 2020, as the date for the public hearing on the New Retail (on-off sale) Wine and Cider License for January 1, 2020, to December 31, 2020, from Two Rivers Technology, LLC d/b/a The Boat House (Chris Hunhoff, CEO), 301 E. 3rd Street, Yankton, S.D.

3. **Establishing public hearing for New Retail (on-off Sale) Malt Beverage License**

Establish February 10, 2020, as the date for the public hearing on the New Retail (on-off sale) Malt Beverage & SD Farm Wine License for July 1, 2019, to June 30, 2020, from Two Rivers Technology, LLC d/b/a The Boat House (Chris Hunhoff, CEO), 301 E. 3rd Street, Yankton, S.D.

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

Action 20-24

This was the time and place for the public hearing for a Special Events Malt Beverage (on-sale) Retailers License and a Special RETAIL (on-sale) Wine dealers License for 1 day, February 1, 2020, from 6th Meridian LLC dba Counterfeit Catering, (Michelle Donner, Owner), NFAA, 800 Archery Lane, Yankton, SD 57078. (Memorandum 20-08) No one was present to speak for or against the application.

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

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

Action 20-25

This was the time and place for the public hearing for a Special Malt Beverage (on-sale) Retailers License for 3 days, August 21-23, 2020, from Yankton Area Riverboat Days, Inc. (Milissia Wuebben, Treasurer), Riverside Park, Yankton, S.D. (Memorandum 20-09) No one was present to speak for or against the application.

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

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

Action 20-26

This was the time and place for the public hearing for a Special Malt Beverage (on-sale) Retailers License for 3 days, August 21-23, 2020, from Yankton Area Riverboat Days, Inc. (Milissia Wuebben, Treasurer), City Hall Auditorium, Yankton, S.D. (Memorandum 20-10) 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 voting "Aye" were Commissioners Benson, Carda, Ferdig, Miner, Schramm, Webber and Mayor Johnson; voting "Nay:" None. Abstain: Commissioner Hoffner.

Motion adopted.

Action 20-27

This was the time and place for the public hearing for a new Malt Beverage (off sale) Malt Beverage & SD Farm Wine License for June 30, 2019, to July 1, 2020, from Casey's Retail Company d/b/a Casey's General Store (John C. Soupene, President), 2300 Broadway Avenue, Yankton, S.D. (Memorandum 20-11) No one was present to speak for or against the application.

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

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

Motion adopted.

Action 20-28

This was the time and place for the public hearing for a Special Events RETAIL (on-sale) Liquor License for 1 day, February 22, 2020 from Boomer's Inc., (Gary W. Boom, President) d/b/a Boomer's Lounge, NFAA, 800 Archery Lane, Yankton, South Dakota. (Memorandum 20-12) No one was present to speak for or against the application.

Moved by Commissioner Benson, seconded by Commissioner Webber to approve the application.

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

Motion adopted.

Action 20-29

This was the time and place for the public hearing to consider adoption of Ordinance No. 1031, AMENDING GENERAL PARKING AND PARKING-RELATED REGULATIONS FOUND WITHIN CHAPTER 14 OF THE CODE OF ORDINANCES. (Memorandum 20-13) Moved by Commissioner Carda, seconded by Commissioner Benson to approve Ordinance No. 1031.

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

Motion adopted.

Action 20-30

This was the time and place for the public hearing to consider adoption of Ordinance No. 1030, AMENDING THE ABANDONED MOTOR VEHICLE REGULATIONS IN THE CITY OF YANKTON. (Memorandum 20-14) Moved by Commissioner Miner, seconded by Commissioner Benson to approve Ordinance No. 1030.

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

Motion adopted.

Action 20-31

Moved by Commissioner Carda, seconded by Commissioner Hoffner to approve Resolution 20-04. (Memorandum 20-16)

RESOLUTION 20-04

WHEREAS, the plat of Lot 2 of Parcel 3 of Quarry Pines Addition in the NW 1/4 of the NW 1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota. Address, 178 Quarry Pines Drive (preliminary). Jason W. Tramp, owner and prepared by Travis J. Kropuenske a registered land surveyor in the state of South Dakota has been created, and

WHEREAS, such plat has been prepared according to law and is consistent with the City's overall Comprehensive Development Plan.

NOW, THEREFORE BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota, that the plat for the above described property is hereby approved.

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

Action 20-32

Moved by Commissioner Webber, seconded by Commissioner Miner to approve Resolution 20-05. (Memorandum 20-17)

RESOLUTION 20-05

WHEREAS, the Replat of Parcel A Except Lot R-5, and a Portion of the NE 1/4 of the SE 1/4, all in Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota, hereafter to be known as: Tract 1 Maureen's Addition, in the NE 1/4 of the SE 1/4, all in Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota. Address, 407 Deer Boulevard. Maureen Stephen, owner and prepared by John L. Brandt a registered land surveyor in the state of South Dakota has been created, and

WHEREAS, such plat has been prepared according to law and is consistent with the City's overall Comprehensive Development Plan.

NOW, THEREFORE BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota, that the plat for the above described property is hereby approved.

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

Action 20-33

Moved by Commissioner Webber, seconded by Commissioner Ferdig to approve Resolution 20-06. (Memorandum 20-20)

RESOLUTION 20-06

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

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

PROPERTY TO BE SURPLUS:
2005 INTERNATIONAL 7400 1WTWGAAT45J131019

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

Action 20-34

Moved by Commissioner Benson, seconded by Commissioner Miner to approve Resolution 20-07. (Memorandum 20-19)

RESOLUTION 20-07

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

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

PROPERTY TO BE SURPLUS
2008 FREIGHTLINER 1FVHC3BS58HZ55565
2008 IHC NAVISTAR 7400 1HTWGAAT78J687264

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

Action 20-35

Moved by Commissioner Carda, seconded by Commissioner Webber to approve the recommendation that February 10th, 2020, be established as the date for a public hearing for the status hearing on the CDBG for Marne Creek.

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

Action 20-36

Moved by Commissioner Webber, seconded by Commissioner Miner to approve the sewer, storm and street improvements for Joseph Circle Phase II of the Benedict Estates Subdivision. (Memorandum 20-21)

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

Action 20-37

Moved by Commissioner Ferdig, seconded by Commissioner Schramm to approve Change Order No 1 to The Huether Family Aquatics Center contract with Welfl Construction of Yankton, South Dakota in the amount of \$468,763.00. (Memorandum 20-22)

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

Action 20-38

Moved by Commissioner Webber, seconded by Commissioner Benson to approve the Memorandum of Understanding with the Yankton Sharpshooters Association and the Izaak Walton League of America. (Memorandum 20-18)

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

Commissioner Carda introduced and Mayor Johnson read the title of Ordinance No. 1032, AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE NO.1024, THE 2020 ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF YANKTON, SOUTH DAKOTA, and set the date of the second reading and public hearing as February 14th, 2020. (Memorandum 20-23)

Action 20-39

Moved by Commissioner Hoffner, seconded by Commissioner Miner to approve Resolution 20-24. (Memorandum 20-08)

RESOLUTION 20-08

WHEREAS, the City of Yankton has hired Lisa Yardley as Deputy Finance Officer effective January 20, 2020, and

WHEREAS, certain business institutions require an acknowledgement by formal action in order to allow Lisa Yardley to be a signatory on documents for the City of Yankton,

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

That the City Commission formally acknowledges the hiring of Lisa Yardley as Deputy Finance Officer for the City of Yankton and allows her to be a signatory on documents required by businesses and organizations doing business with the City of Yankton.

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

Action 20-40

Moved by Commissioner Webber, seconded by Commissioner Miner, to adjourn into Executive Session at 7:58 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, Carda, Ferdig, Hoffner, Miner, Schramm and Webber. City Attorney Den Herder and City Manager Leon were also present. Absent: Commissioner Moser. Quorum present.

Action 20-41

Moved by Commissioner Carda, seconded by Commissioner Webber, to adjourn at 8:27 p.m.

January 27th, 2020

Page 7

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

Nathan V Johnson
Mayor

ATTEST:

Al Viereck
Finance Officer

Published on February 5th, 2020