

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
MARCH 23rd, 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, Moser, Schramm and Webber. City Attorney Den Herder and City Manager Leon were also present. Quorum present.

Action 20-98

Moved by Commissioner Moser, seconded by Commissioner Webber, to approve the Minutes of regular meeting of March 9, 2020 and Special City Commission meeting of March 16, 2020.

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.

City Manager Leon gave many Thank You's to the City Staff and the Public for their efforts thus far dealing with the COVID-19 and announced the cancellation of Spring Clean-Up.

There were no public appearances at that time.

Consent agenda items were handled and voted upon as separate items.

Action 20-99

Moved by Commissioner Carda, seconded by Commissioner Webber, to Establish April 13, 2020, as the date for the public hearing on the request for a Special Events Retail (on-sale) Liquor License for 1 day, May 30, 2020, from Ben's Brewing Co. (Ben Hanten, Owner), 222 West 3rd Street, Dakota Theatre, 328 Walnut Street, Yankton, S.D.

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

Motion adopted.

Action 20-100

Moved by Commissioner Moser, seconded by Commissioner Benson, to approve the Mayor's Appointments to the Consolidated Board of Equalization of Commissioner Benson, Moser and Schramm with Commissioner Carda as an Alternate. (Memorandum 20-71)

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

Motion adopted.

Action 20-101

This was the time and place for the public hearing for a Special Events Retail (on-sale) Liquor License for 9 days, July 2, 9, 16, 23, 30, August 6, 13, 20, 27, 2020, from Ben's Brewing Co. (Ben Hanten, Owner), 222 West 3rd Street, Music at the Meridian, Parking Lot and Green Space Westside of Meridian Bridge & the enclosed area of Levee Street, Yankton, S.D. (Memorandum 20-64) No one was present to speak for or against the application.

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

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

Action 20-102

This was the time and place for the public hearing for a Special Events Retail (on-sale) Liquor License for 1 day, May 22, 2020, from Ben’s Brewing Co. (Ben Hanten, Owner), 222 West 3rd Street, SD Kayak Challenge, Riverside Park – all green space from Capitol Building to East Large Shelter, Yankton, S.D. (Memorandum 20-65) No one was present to speak for or against the application. Moved by Commissioner Hoffner, seconded by Commissioner Benson to approve the license.

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

Action 20-103

This was the time and place for the public hearing for a Special Events Retail (on-sale) Malt Beverage License and Special Retail (on-sale) Wine Dealers License for 1 day, April 2, 2020, from Mount Marty College, Inc., Mount Marty College Campus, 1105 W 8 St., Yankton, S.D. (Memorandum 20-66) No one was present to speak for or against the application. Moved by Commissioner Carda, seconded by Commissioner Miner to approve the license.

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

Action 20-104

This was the time and place for the public hearing for the bid award of the Annual Supply of Bituminous Mix for the Department of Public Works, Street Division. Only one bid was received and it met City specifications. (Memorandum 20-67)

Moved by Commissioner Moser, seconded by Commissioner Webber to award the bid for the Annual Supply of Bituminous Mix to Concrete Materials of Sioux Falls, South Dakota, Yankton Asphalt Plant at the price of \$70.00 per ton.

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

Action 20-105

This was the time and place for the public hearing for the bid award of the Annual Supply of Liquid Asphalt for the Department of Public Works, Street Division. Only one bid was received and it met City specifications. (Memorandum 20-68)

Moved by Commissioner Benson, seconded by Commissioner Carda to award the bid for the Annual Supply of Liquid Asphalt to Jebro, Inc. of Sioux City, Iowa, for the AC Grade Asphalt at \$520.42 per ton, MC 70 Grade Asphalt at \$3.13 per gallon, RC800 Grade Asphalt at \$3.21 per gallon.

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

Action 20-106

This was the time and place for the public hearing for the bid award of Riverside Drive Reconstruction from Green Street to Broadway Avenue. Bids were received and opened on March 12th, 2020 at 3:00 p.m. The following bids were Slowey Construction, Inc., Yankton, SD for \$770,724.50 and Feimer Construction, Inc., Yankton, SD for \$871,023.25. (Memorandum 20-76)

Moved by Commissioner Carda, seconded by Commissioner Webber to award the contract to Slowey

Construction, Inc., in the amount of \$770,724.50.

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

Motion adopted.

Action 20-107

Moved by Commissioner Moser, seconded by Commissioner Schramm to adopt Resolution 20-23. (Memorandum 20-75)

RESOLUTION 20-23

WHEREAS, the City of Yankton is hereby purchasing property known as Lot 3, East Cornerstone Subdivision in the City of Yankton, South Dakota from the Larry M. and Joan A. Clark Family Trust that was created on November 10, 2016, and

WHEREAS, a fair and equitable price of \$170,000 has be agreed upon by all parties involved, and

WHEREAS, said purchase shall be in accordance to the provisions of the associated Real Estate Purchase Agreement.

NOW, THEREFORE BE IT RESOLVED by a super majority of the Board of City Commissioners of the City of Yankton, South Dakota, to purchase the described property per the provisions of the associated Real Estate Purchase Agreement, and

BE IT FURTHER RESOLVED that the City Manager is authorized to execute all documents associated with the described acquisition.

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

Motion adopted.

Action 20-108

Moved by Commissioner Miner, seconded by Commissioner Benson to approve the members of the City of Yankton’s Health Board. Three Voting Members: Dr. Mary Milroy, City Health Officer with Katherine Huff, CNP as alternate; Nathan Johnson, Mayor, with Dave Carda as alternate; and Amy Leon, City Manager, with Dave Mingo as alternate. Nonvoting Ex-Offcios: Dave Mingo, Brad Bies, Commander Jason Foote and Ross Den Herder.

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

Motion adopted.

Action 20-109

Moved by Commissioner Schramm, seconded by Commissioner Webber to adopt Resolution 20-22. (Memorandum 20-74)

RESOLUTION 20-22

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 the 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 TRADED IN
Bobcat skid steer S-185 #A3L938945
Bobcat snow blower SB200X66 #712802516

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

There was no adjournment into Executive Session.

Action 20-110

Moved by Commissioner Benson, seconded by Commissioner Webber, to adjourn at 7:55 p.m.

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

Nathan V Johnson
Mayor

ATTEST:

Al Viereck
Finance Officer