

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS  
YANKTON, SOUTH DAKOTA  
MAY 11<sup>TH</sup>, 2020**

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

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

Action 20-225

Moved by Commissioner Hoffner, seconded by Commissioner Carda, to approve Minutes of Special City Commission meeting of May 1, 2020 and Work Session meeting of April 27, 2020 and regular meeting of April 27, 2020

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

Motion adopted.

Action 20-226

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

A-Ox Welding Supply - Chop Saw - \$472.50; Ace Hardware - Chainsaw - \$1,066.03; Adobe Creative Cloud - Contracted Service - \$70.27; Adobe Stock - Contracted Service - \$31.94; Advanced Weighing Systems Inc. - Software Upgrade - \$4,920.00; Amazon - DVDs - \$67.98; Amazon - PPE Station - \$76.00; Amazon - Gloves - \$106.67; Amazon - DVDs - \$71.38; Amazon - Janitorial Supplies - \$69.12; Amazon - DVDs - \$56.07; Amazon - COVID - Pulse Oximeters - \$119.98; Amazon - DVDs - \$145.82; Amazon - Safety Supplies - \$72.20; Amazon - Daily Planners - \$189.78; Amazon - Toner - \$26.97; Amazon - Janitorial Supplies - \$64.50; Amazon - Book - \$11.17; Amazon - Office Supplies - \$321.88; Amazon - Safety Supplies - \$94.23; Amazon - Book - \$10.04; Amazon - USB Adapter - \$31.89; Amazon - DVD - \$14.96; Amazon - Program Supplies - \$234.97; Amazon - Office Supplies - \$93.48; Amazon - Safety Supplies - \$189.58; American Library Assoc - Programming - \$57.00; Animal Health Clinic - K9 Reno - Vet Care - \$120.11; A-Ox Welding Supply Co Inc. - Face Shields - \$85.59; Associated Supply - Pool Filter Gravel/Sand - \$1,204.79; AT&T Bill Payment - Cell Phone - \$207.14; Auch/Noelle - Refund - \$100.00; Auto Value Yankton - Nitrile Gloves - \$919.81; AutoZone - Wiper Blades, Antifreeze - \$77.81; Avenu Insights & Analytics LLC - Maint Program Support - \$1,969.83; Avera Sacred Heart Hospital - Hep B Vaccination - \$40.81; Baker-Taylor - Books - \$4,195.34; Battery Exchange - Batteries - \$141.30; BB&T Governmental Finance - Huether Aquatics Center - \$497,077.21; Ben's Brewing Company - Refund - \$5.00; Binder/Fred - Refund - \$100.00; Boller Printing - Letterhead And Envelopes - \$261.50; Bomgaars - Equipment Supplies - \$2,149.47; Bound Tree Medical LLC - COVID - Exam Gloves - \$316.86; Broadway Chrysler Dodg - Diagnostic - \$287.55; Brock White - Cold Patch - \$3,381.85; Buhl Cleaners - Towels - \$347.70; Butler Machinery Co - Parts - \$175.50; C & B Yankton - Lawn Tractor Maintenance - \$177.31; Cellsite Solutions LLC - Radio Project - \$12,637.50; Centurylink - Phone - \$1,277.13; City Of Vermillion - Jt Power Cash Trans - \$67,907.86; City Of Yankton-Central Garage - Rubbish - \$31.00; City Of Yankton-City Hall - Garbage - \$12.00; City Of Yankton-Parks - Garbage - \$77.22; City Of Yankton-Solid Waste - Compacted Garbage - \$15,216.66; City Of Yankton-Water - Garbage - \$12.00; City Utilities - Wtr-Ww Charges - \$4,846.27; Clark/Mary - Refund - \$75.00; Clarks Rentals Custom - Concrete Saw

Blades - \$1,280.00; Collaborative Summer - Programming - \$100.00; Concrete Material - Concrete - \$3,578.00; Concrete Materials - Tennis Court Repairs - \$446.88; Cornhusker Intl Truck Inc. - Filters - \$252.22; Cornwell D-P Tools Inc. - Wrenches - \$105.04; Cox Auto Supply - Sander Bearings - \$1,487.65; Credit Collection Service Inc. - Ut Collection - \$376.76; Crescent Electric - Electrical Supplies - \$628.17; Crouch Recreation Inc. - Play Equipment - \$17,937.00; Culligan Water - Lab Still Filtration - \$346.00; Danko Emergency Equipment - Uniform Tags - \$119.42; Das/Dakotacare Admin Services - Fees - #22833 - \$29.10; Dash Medical Gloves - Latex Gloves Lg-Covid-19 - \$59.90; Department Of Environment - Permit Fee - 5th Street - \$102.50; Dept. Of Env & Nat Resources - 20051-R1a-106 - \$9,705.57; Dept. Of Environment - 20171-Rec-403 Solid Waste - \$53,468.02; Design Solutions & Integration - Service Call - \$650.00; Diamond Mowers - Mower Parts - \$473.81; Dollar Tree - Sanitizing Wipes - \$4.00; Domino's Pizza - Programming - \$40.00; Echo Electric Supply - Park Supplies - \$178.78; Ehresmann Engineering - Work Bench - \$747.83; Ehresmann Engineering Inc. - Metal - \$853.97; Emblem Enterprises Inc. - Patches - \$284.21; ESO Solutions, Inc.. - Firehouse Sw Support - \$818.85; Ethanol Products LLC - Co2 - \$540.10; Facebook - Advertisement - \$12.25; Fastenal Company - Nuts, Bolts, Washers - \$1,521.96; Fastsigns - Signage - \$478.40; Fedex - Evidence from SDFL - \$14.11; Fejfar Plumbing & Heat - Shop Building Repairs - \$879.09; Finance, Dept. Of - COVID 19 Masks - \$79.09; First National Bank - WW Refunding Bonds - \$8,125.00; Formed Plastics - Lamp Covers - \$2,207.64; Frontier Mills Inc. - Grass Seed - \$121.20; Gerstner Oil Co - Fuel - \$983.52; Girton Adams Co - Sh#2 Motor Modulator - \$1,281.90; Gleich/John - Reimbursement - \$130.00; GPM Inc. - Aeration Blower - \$8,205.97; Graymont Wi LLC - Lime - \$4,632.25; Hacecky/Mary - Sidewalk Reimbursement - \$58.78; Hach Company - LBOD Probe - \$3,330.35; Hard Drive Central - Copier Squad Room - \$6.93; Hartington Tree - Tree - \$120.00; Hawkins Inc. - AZone - \$9,928.84; HDR Engineering Inc. - Pipe Replacement - \$1,182.68; Hercu-U-Lift - Forklift Repairs - \$1,598.77; Heritage Homes Inc.. - 1/2 Special Approp - \$1,250.00; Houston Equipment - Hondo Engine - \$2,899.00; Huelife LLC - Professional Services - \$10,500.00; Hy-Vee - COVID - Hand Sanitizer - \$277.28; In Aeration Power Sys - Ultraviolet Eff Pump - \$586.88; Innovative Office Solutions - Paper - \$274.58; Intl Code Council Inc. - Building Plans Exam - \$219.00; J & H Care & Cleaning Company - Janitorial Services - \$4,000.00; J2 Metrofax - Fax - \$9.95; Jacks Uniforms - Flex Badges For Carrier - \$71.99; James Steel Inc. - Door Parts - \$95.00; JCL Solutions - Cleaning Supplies - \$1,367.48; Jimmy John - Staff Appreciation - \$40.00; Johnson Controls - Pool Boiler - \$2,569.06; Johnson Feed Inc. - Road Salt - \$13,913.91; Johnson/Deanna - Refund - \$100.00; Johnson/Jeffrey - Reimbursement - \$130.00; Kadrmas Lee & Jackson Inc. - Engineering Services - \$15,419.28; Kaiser Heating And Cooling - Pump Room Repair - \$772.30; Kaiser Refrigeration - Precision Hedger - \$153.97; Kendell Doors & Hardware - New Locksets/Cores - \$475.10; Kiesler's Police Supply Inc. - Ammunition - \$566.12; Kleins Tree Service - Tree Removal - \$5,350.00; Koletzky Implement Inc. - Mower Belt,Pulleys,Seals - \$703.20; Kopetskys Ace - Lawn Care Products - \$1,947.54; Language Line - Interp Services - \$96.24; Leonard/Tara - Refund - \$75.00; Lewis & Clark Bhs - 1/2 Special Approp - \$10,342.00; Lewis & Clark Theatre Co - 1/2 Special Approp - \$1,250.00; Light And Siren - Vehicle Lights - \$2,400.52; Locators And Supplies - Saw Blade - \$271.83; Luken Memorials Inc. - Memorial Stone - \$300.00; Masonry Components Inc. - 5th St Reconst C-6-20 - \$144,060.30; Mayer Signs - Trail Signs - \$1,660.00; McDonalds - Programming - \$40.00; McGrath North - Professional Services - \$2,545.00; McMaster-Carr - Lab Still Plumbing - \$148.50; Mead Lumber Yankton - Bench Repair - \$331.67; Med Vet International - Rubbing Alcohol, Gloves - \$545.57; Meierhenry Sargent LLP - Hwy 50 Land - \$38,910.00; Menards Yankton Sd - Memorial Playground - \$2,839.66; Merkel Electric - Repair Gas Dispensers - \$306.12; Midamerican Energy - Fuel - \$7,867.17; Midamerican Energy - Fuel - \$4,053.37; Midwest Laboratories - Wastewater Testing - \$142.84; Millenium Recycling - Single Stream Fee - \$2,091.25; Minervas Grill

And Bar - Staff Appreciation - \$41.97; Motor Vehicle Dept., SD - License Plate - \$11.20; MT & RC Smith Insurance Inc. - Fire Pak Insurance - \$162.00; National Skillpath - Staff Training - \$211.94; Nebraska Air Filter - Filters - \$238.88; Nebraska Journal-Leader - Ad - \$96.18; Northwestern Energy - Elect - \$60,387.47; Observer - Ads - \$48.00; Olson's Pest Technician - Pest Control - \$575.00; Olson's Pest Technicians Inc. - Pest Control - \$354.05; One Office Solution - Office Supplies - \$175.09; One Office Solution - Office Supplies - \$29.99; O'Reilly Auto Parts - Tie Rod Ends, Handle - \$913.80; Overdrive Dist - E-Books - \$3,210.49; Overhead Door Co - Door Repairs - \$290.25; PayPal - Toner-Housing - \$179.99; PayPal - Display Adapters - \$49.98; PayPal - Pager Batteries - \$76.50; Phenova, Inc.. - DMRQA Testing Supplies - \$900.00; Playpower Lt Farmington - Hardware - \$237.03; Press Dakota Mstar Solutions - Classified Ad - \$1,300.43; Prior/Krysta - Refund - \$60.00; Provantage - Antivirus Subscriptions - \$296.00; Quadient Leasing USA Inc. - Postage - \$678.00; Racom Corporation - Radio Access - \$1,007.98; Rae Products And Chemi - Paint - \$3,332.82; Rasmussen Mechanical Sevices - Repair Power Washer - \$1,634.93; Recreation Supply Comp - Building Repairs - \$100.65; Red Hill General Store - Sparer Nozzle - \$89.89; Reisner/Royce - Reimbursement - \$130.00; Riverside Hydraulics - Rebuild Cylinder - \$606.77; Robb/Mary - COVID 19 Materials - \$176.44; Rose/Christine - Refund - \$100.00; Sanitation Products Inc. - Henke Plow - \$8,325.00; Schnebel/Carol - Refund - \$60.00; Scooters Coffee - Staff Appreciation - \$40.00; SD Kayak Challenge - Refund - \$275.00; SD Public Assurance Alliance - Insurance - \$852.46; Shell Oil - Park Supplies - \$7.98; Shur-Co - Tarps - \$1,904.59; Shur-Co Outletservice - Tennis Court Repairs - \$190.00; Smith/Ken - Refund - \$60.00; Soul Story Yoga - Yoga Session - \$125.00; South Dakota Humanitie - Programming - \$50.00; Southgate - Trailer Tires - \$320.00; Valiant Vineyards - COVID-Disinfecting Wipes - \$169.00; Stern Oil Co Inc. - Fuel - \$7,134.15; Sturdevant's - Shop Supplies - \$59.58; Tessman Company Sioux - Chemicals - \$4,281.60; The Ups Store - Shipping - \$760.36; Third Millennium Asso Inc. - Utility Bills - \$1,128.16; TMA Yankton - Mower Repair - \$383.40; Todd, Inc./Michael - Street Name Signs - \$1,239.19; Tractor Supply Co - Trailer Jack - \$145.93; Traffic Control Corp - Led Test/Display Cabinet - \$600.00; Transportation Dept./S.D. - Pedestrian Trail - \$40,588.19; Tremco Police Products - K9 Vehicle Safety - \$130.70; TRK Hosting - Web Hosting - \$7.95; Truck Trailer Sales - Pan Kit - \$839.40; Truck Trailer Sales Inc. - Dot Inspections - \$180.00; Turfwerks - Equipment Repair - \$753.61; U.S. Plastic Corporation - Ball Valves - \$197.99; Udemy Online Courses - Online Practice Exam - \$31.94; United Laboratories In - Rust Converter - \$646.50; United States Postal Service - Postage Meter - \$679.96; United Way - 1/4 Special Approp - \$9,831.25; Us Bank Equipment Finance - Copier Lease - \$320.39; USPS Po - Postage - \$16.25; Valiant Vineyards Inc. - Disinfecting Wipes - \$304.20; Viddler Inc. - Video Hosting - \$41.20; Vogt S Fine Cleaners - Uniform Alteration - \$14.00; VWR International Inc. - Poly Snap Cap Pack - \$20.22; Walgreens - COVID - Hand Sanitizer, - \$45.81; Walker Process Equipment - Gaskets - \$1,585.23; Walmart - Pipe Cleaners, Elastic - \$21.98; Walmart - Batteries, Register Tape - \$134.75; Walmart - Material, Thread, Needles - \$506.60; Watchguard Video - Body Camera Clip - \$41.00; Water & Env Eng Research Ctr - Lab Testing - \$122.00; Welfl Construction Corp - Huether Aquatics Center - \$474,690.38; Wilkens Industries Inc. - Trailer Parts - \$300.59; Yankton Area Arts Assn - 1/2 Special Approp - \$2,500.00; Yankton Area Convention - 1/4 Special Approp - \$52,430.75; Yankton Area Prog. Growth - 1/4 Special Approp - \$57,500.00; Yankton Chamber Of Com - Employee Appreciation - \$103.63; Yankton Fire & Safety Co - Extinguisher Inspection - \$296.75; Yankton Medical Clinic - Drug/Alcohol Testing - \$60.00; Yankton Redi Mix Inc. - Concrete - \$1,782.50; Yankton Rexall Drug - First Aid Kits - \$35.67; Yankton School District - 1st Qtr Shared Expenses - \$41,877.20; Yankton Winnelson Co - Water Heater - \$327.76; Ykt Janitorial & Dt Sc - Wax Flooring Project - \$1,379.45

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

Motion adopted

April Salaries by Department: Administration \$43,453.92; Finance \$34,662.35; Community Development \$25,316.27; Police/Dispatch \$169,988.02; Fire \$12,973.46; Engineering / Sr. Citizens \$45,131.22; Streets \$46,273.16; Snow & Ice \$1,392.15; Traffic Control \$3,847.43; Library \$24,556.38; Parks / SAC \$65,459.08; Marne Creek \$3,731.55; Water \$36,434.22; Wastewater \$36,197.60; Cemetery \$3,915.08; Solid Waste \$21,466.93; Landfill / Recycle \$14,020.52; Central Garage \$7,479.26

Wage Change: Bruce Ulmer \$2,303.54 bi-wk. Public Works

Status Change: Rob Buechler \$2,290.24 bi-wk. Police Officer to Acting Supervisor; Kyler Pekarek \$2,037.89 bi-wk. Police Officer to Acting Supervisor

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.

Consent Agenda items were discussed and voted on separately.

Notification to public of setting the date of May 26, 2020, at 6:00 pm in Room #114 of the Regional Technical Education Center for the next work session of the Yankton City Commission Work Session.

Action 20-227

Moved by Commissioner Webber, seconded by Commissioner Carda, to approve the application of a Transient Merchant's License from Martha's Craft from May 22<sup>nd</sup>, 2020 through June 21<sup>st</sup>, 2020. (Memorandum 20-89)

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

Motion adopted.

Action 20-228

Moved by Commissioner Moser, seconded by Commissioner Benson, to approve the application of a Transient Merchant's License from Martha's Craft from August 20<sup>th</sup>, 2020 through September 20<sup>th</sup>, 2020. (Memorandum 20-90)

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

Motion adopted.

Action 20-229

Moved by Commissioner Benson, seconded by Commissioner Webber, to establish May 26, 2020, as the date for the public hearing on the request for a Special Events (off-sale) Package Wine & Malt Beverage Dealers License for 1 day, July 18, 2020 from Yankton Area Arts (Julie Amsberry, Executive Director), 508 Douglas, GAR Hall & GAR Hall parking lot & Sacred Heart Church parking lot next to GAR Hall, for a Picnic dinner & drink pick up, Yankton, S.D.

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

Motion adopted.

Action 20-230

Moved by Commissioner Benson, seconded by Commissioner Schramm, to establish May 26, 2020, as the date for the public hearing on the applications for renewal of Malt Beverage Licenses for the 2020-21 licensing period

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

Motion adopted.

Action 20-231

Moved by Commissioner Carda, seconded by Commissioner Webber, to approve Resolution 20-31. (Memorandum 20-91)

**RESOLUTION 20-31**

CONDITIONAL USE

WHEREAS, Thomas Steinbach, Nathan Steinbach and Susan Brown are the owners of property legally described as the North 60 feet of Lot 7, Block 18, West Yankton Addition to the City of Yankton, South Dakota, and

WHEREAS, the above described property is zoned B-2 Highway Business which allows conditional uses under the City of Yankton's Zoning Ordinance No. 711 as amended, and

WHEREAS, this Conditional Use Permit request is necessary for the construction and occupancy of a single family home in a B-2 Highway Business District and the proposal has been reviewed and recommended for approval by a vote of the City Planning Commission.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Yankton, South Dakota hereby approves a Conditional Use Permit for a single family home in a B-2 Highway Business District, on the above described property including a waiver of the time limit for construction.

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

Motion adopted.

Action 20-232

Moved by Commissioner Moser, seconded by Commissioner Webber, to approve Resolution 20-32. (Memorandum 20-92)

**RESOLUTION 20-32**

WHEREAS, it appears from an examination of the plat of Lots 6, 7, and 8, Block 2 and Lots 3, 4, and 5, Block 3 of Dakota West Addition to the City of Yankton, South Dakota prepared by Joshua R. Vanderwerf, a registered land surveyor in the State of South Dakota, 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 and the associated Developer's Agreement is hereby approved.

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

Action 20-233

Moved by Commissioner Miner, seconded by Commissioner Carda, to approve Resolution 20-33.  
(Memorandum 20-93)

**RESOLUTION 20-33**

WHEREAS, it appears from an examination of the plat of Lots 47, 48, 55, 56 and 57, Crestview Homes Subdivision, in the NE 1/4 of Section 21, T93N, R56W of the 5th P.M., Yankton County, South Dakota prepared by John L. Brandt, a registered land surveyor in the state of South Dakota, 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 20-234

Moved by Commissioner Moser, seconded by Commissioner Schramm, to approve Resolution 20-34.  
(Memorandum 20-94)

**RESOLUTION 20-34**

WHEREAS, it appears from an examination of the plat of Lots 75 and 76 Crestview Homes Subdivision, in the NE 1/4 of Section 21, T93N, R56W of the 5th P.M., Yankton County, South Dakota prepared by John L. Brandt, a registered land surveyor in the state of South Dakota, 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 20-235

Moved by Commissioner Carda, seconded by Commissioner Webber, to authorize the sub-lease of Chan Gurney Airport T-Hangar Unit No. 2. (Memorandum 20-95)

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

Action 20-236

Moved by Commissioner Carda, seconded by Commissioner Schramm, to approve Resolution 20-35.  
(Memorandum 20-97)

**RESOLUTION 20-35**

WHEREAS, the City of Yankton owns property at 310 Pearl Street legally described as Lot 4, Block 50, Lower Yankton Addition to the City of Yankton, South Dakota, and

WHEREAS, South Dakota Codified Law allows the transfer of property to the local economic development corporation (Yankton Area Progressive Growth), and

WHEREAS, the City has determined that the unpaid taxes, liens and pending abatement costs exceed the property's value, and

WHEREAS, the Yankton Board of City Commissioners desires to transfer the described property to the local economic development corporation for the long term goal of housing development in support of community and economic development.

NOW, THEREFORE BE IT RESOLVED that the Board of City Commissioners of the City of Yankton, South Dakota, hereby agrees to transfer 310 Pearl Street legally described as Lot 4, Block 50, Lower Yankton Addition to the City of Yankton, South Dakota, to Yankton Area Progressive Growth for the purpose of the described economic development project, and

BE IT FURTHER RESOLVED that the City Manager be authorized to execute all documents associated with the described transfer including but not limited to contracts defining the goals for the described redevelopment.

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

Action 20-237

Moved by Commissioner Miner, seconded by Commissioner Benson, to approve the change order No. 2 to The Huether Family Aquatics Center contract with Welfl Construction of Yankton, South Dakota for the amount of \$33,698.00. (Memorandum 20-96)

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

City Manager, Amy Leon, gave an explanation of how City Staff will conduct the reopening of public facilities. She explained that the process will be in the following phases:

0. Planning
1. Opening with substantial restrictions dependent on risk factors, staffing and available PPE
2. Open with limited patronage and hours
3. Open with minimal restrictions

Action 20-238

Moved by Commissioner Hoffner, seconded by Commissioner Moser, to adjourn at 8:19 p.m.

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

Motion adopted.

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Nathan V Johnson  
Mayor

ATTEST:

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Al Viereck  
Finance Officer

Published on May 20<sup>th</sup>, 2020