

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
NOVEMBER 23RD, 2020**

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

Roll Call: Present: Commissioners Benson, Brunick, Carda, Maibaum, Miner, Moser, Schramm and Webber. City Attorney Den Herder and City Manager Leon were also present.

Quorum present.

Action 20-399

Moved by Commissioner Brunick, seconded by Commissioner Moser, to approve Minutes of regular meeting of November 9, 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.

Citizens, Amy Fox, Valerie Grave, Cindy Konopasek and Pastor Kitch, Discovery Church, appeared in person to express their thoughts on a possible mask mandate by the City of Yankton. There were also a number of YouTube comments and e-mails.

Action 20-400

Moved by Commissioner Maibaum, seconded by Commissioner Benson, to change the agenda and remove New Business Item IV-11, discussion regarding Memorandum and Resolution 20-26 which was approved earlier this year.

Roll Call: Commissioners voting “Aye” were Benson, Carda, Maibaum, Moser, Schramm and Mayor Johnson; Commissioners voting “Nay” were Brunick, Miner and Webber.

Motion adopted.

Consent Agenda items were discussed and voted on separately.

Action 20-401

Moved by Commissioner Moser, seconded by Commissioner Benson, to approve the renewal of applications for 2021 City Dance Licenses. (Memorandum 20-215)

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

Motion adopted.

Action 20-402

Moved by Commissioner Carda, seconded by Commissioner Brunick, to approve the renewal of applications for Private Collector of Refuse Licenses for the year 2021 (January 1, 2021– December 31, 2021) licensing period. (Memorandum 20-214)

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

Motion adopted.

Action 20-403

Moved by Commissioner Carda, seconded by Commissioner Miner, to approve of the applications for Pawn Brokers License for the year of 2021. (Memorandum 20-224)

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

Motion adopted.

Action 20-404

Moved by Commissioner Benson, seconded by Commissioner Carda, to establish December 14, 2020, as the date for the public hearing on the request for a Special Events Retail (on-sale) Liquor License for 1 day, February 6, 2021, from BPO Elks Lodge 994 d/b/a Elks Lodge 994 (Cindy Goeden, Secretary), NFAA, 800 Archery Lane, Yankton, S.D.

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

Motion adopted.

Action 20-405

This was the time and place for the public hearing of the application for a New Retail (on-off sale) Wine and Cider License for January 1, 2021, to December 31, 2021, from Mint, Yankton, LLC dba Mint, Yankton, LLC, (Michael Feimer, Owner) 318 Douglas, Yankton, S.D. (Memorandum 20-207) No one was present to speak for or against the application.

Moved by Commissioner Moser, seconded by Commissioner Brunick, to approve the license.

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

Motion adopted.

Action 20-406

This was the time and place for the public hearing of the application for a New Retail (on-off sale) Malt Beverage & SD Farm Wine License for July 1, 2020, to June 30, 2021, from Mint, Yankton, LLC dba Mint, Yankton, LLC, (Michael Feimer, Owner) 318 Douglas, Yankton, S.D. (Memorandum 20-208) No one was present to speak for or against the application.

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

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

Motion adopted.

Action 20-407

This was the time and place for the public hearing of the application for the for renewal of Alcoholic Beverage Licenses for the 2021 (January 1, 2021, to December 31, 2021) licensing period. (Memorandum 20-209) No one was present to speak for or against the application.

Moved by Commissioner Brunick, seconded by Commissioner Moser, to approve the license.

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

Motion adopted.

Action 20-408

This was the time and place for the public hearing of the application for a Special Events Retail (on-sale) Liquor License for 1 day, December 5, 2020, from Lucky Irish, Inc. d/b/a O’Malley’s Irish Pub (Jeff Dayhuff, President), NFAA, 800 Archery Lane, Yankton, S.D. (Memorandum 20-210) No one was present to speak for or against the application.

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

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

Motion adopted.

Action 20-409

Moved by Commissioner Miner, seconded by Commissioner Moser, to approve the renewal of the annual lease with the Yankton Area Senior Citizen Center Board for the use of The Center building located at 900 Whiting Drive. (Memorandum 20-223)

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

Motion adopted.

Action 20-410

This was the time and place for the bid opening of the 2021 Annual Supply of Transport-Tankwagon Petroleum Products for Chan Gurney Municipal Airport. Two bids were received and opened on November 12th, 2020 at 3:00 p.m. from Campbell Oil and Gerstner Oil. (Memorandum 20-222)

Moved by Commissioner Moser, seconded by Commissioner Benson, to award the bid to Campbell Oil for \$0.2287 Aviation Gas – 100 low lead and \$0.132512 per gallon Jet A fuel (with fuel system ice inhibitor) Transport; Campbell Oil for \$0.4489 per gallon Aviation Gas – 100 low lead and \$0.3499 per gallon Jet A fuel (with fuel system ice inhibitor) Tankwagon.

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

Motion adopted.

Action 20-411

Moved by Commissioner Benson, seconded by Commissioner Moser, to approve Resolution 20-81. (Memorandum 20-216)

RESOLUTION 20-81

Plat

WHEREAS, the Replat of Block 69, Lower Yankton including the vacated north/south alley lying within said Block 69, and including Parcel A of Block 69, Lower Yankton, and including Parcel B of Block 69, Lower Yankton, all in the City and County of Yankton, South Dakota, hereafter to be known as: St. Joe’s Corner and Lots RL-1, RL-2 and RL-3, St. Joe’s Corner, City and County of Yankton, South Dakota has been 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: Commissioners voting “Aye” were Benson, Brunick, Carda, Maibaum, Miner, Moser, Webber and Mayor Johnson; voting “Nay:” None. Abstain: Commissioner Schramm.

Motion adopted.

Action 20-412

Moved by Commissioner Carda, seconded by Commissioner Schramm, to approve Resolution 20-82. (Memorandum 20-217)

RESOLUTION 20-82

Plat

WHEREAS, the Replat of Lot A of Lot 3, Parcel 1 of Lot B of Lot 3 and Lot A of Lot 4, Whiting's Subdivision, City and County of Yankton, South Dakota, and a Replat of Lot 5, East Industrial Park, City and County of Yankton, South Dakota, hereafter to be known as: Lots 1 and 2, Van Gerpen's Addition, City and County of Yankton, South Dakota has been 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 20-413

Moved by Commissioner Benson, seconded by Commissioner Carda, to approve Resolution 20-83. (Memorandum 20-218)

RESOLUTION 20-83

Plat

WHEREAS, the plat of Lots 1A, 2A, and 3A of Hagemann Addition in the NE 1/4 of the NE 1/4 and Government Lot 1 of Section 17, T93N, R55W of the 5th P.M., City and County of Yankton, South Dakota has been prepared by Brett R. Kennedy, 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: Commissioners voting "Aye" were Benson, Brunick, Carda, Maibaum, Miner, Schramm, Webber and Mayor Johnson; voting "Nay:" None. Abstain: Commissioner Moser.
Motion adopted.

Action 20-414

Moved by Commissioner Moser, seconded by Commissioner Benson, to approve Resolution 20-84. (Memorandum 20-219)

RESOLUTION 20-84

Plat

WHEREAS, the plat of Lots 16, 17, 19 and 20, Whitetail Run, in the NE 1/4 of the SE 1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota; and a Replat of Lot 7, hereafter to be known as Lot 6, Whitetail Run, in the NE 1/4 of the SE 1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota has been 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 20-415

Moved by Commissioner Carda, seconded by Commissioner Benson, to approve Resolution 20-85. (Memorandum 20-220)

RESOLUTION 20-85

Plat

WHEREAS, the plat of Lot 18, Whitetail Run, in the NE 1/4 of the SE 1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota has been 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.

While The City Commission was acting as the Board of Adjustment; Commissioner Moser introduced a variance from the City's Sign Ordinance in a B-2 Highway Business District for the placement of two banners in locations not permitted by the ordinance on Block 2 of K-Mart Addition in the City of Yankton at 2320 Broadway Avenue by Unclaimed Freight Furniture, occupant, William Hinks and Tamera Wallenstein, owners, and set the date of the second reading and public hearing as December 14th, 2020. (Memorandum 20-221)

Action 20-416

Moved by Commissioner Brunick, seconded by Commissioner Carda, to approve Resolution 20-86. (Memorandum 20-225)

RESOLUTION 20-86

A RESOLUTION AUTHORIZING THE PLACEMENT OF STOP SIGNS AT THE WEST STREET INTERSECTION WITH 15TH STREET.

WHEREAS, West Street south of 15th Street has been recently accepted into the city roadway inventory, and;

WHEREAS, the newly constructed road creates a 4-way intersection, and;

WHEREAS, the Dakota West Addition is a residential area with mostly local traffic, and;

WHEREAS, the traffic volume on 15th Street is expected to be significantly more than that on West Street, and;

WHEREAS, it is provided by the Code of Ordinances of the City of Yankton that the City has the authority to place and maintain all regulatory signs that meet the requirements of the Manual on Uniform Traffic Control Devices.

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, SD, that a stop condition be established, for north bound traffic at the intersection of 15th Street and West Street.

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

Commissioner Miner introduced and Mayor Johnson read the title of Ordinance No. 1043, 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 December 14th, 2020.

Action 20-417

Moved by Commissioner Benson, seconded by Commissioner Brunick, to adjourn at 8:11 p.m.

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

Nathan V Johnson
Mayor

ATTEST:

Al Viereck
Finance Officer