

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
JULY 27, 2015**

Regular meeting of the Board of City Commissioners of the City of Yankton was called to order by Mayor Carda.

Roll Call: Present: Commissioners Blaalid, Ferdig, Gross, Johnson, Sommer, and Woerner. City Attorney Den Herder and City Manager Nelson were also present. Absent: Commissioners Hoffner and Knoff.

Quorum present.

Action 15-227

Moved by Commissioner Johnson, seconded by Commissioner Gross, to approve the Minutes of the special meeting of June 29, 2015, special joint meeting with the City of Vermillion of June 29, 2015, and regular meeting of July 13, 2015.

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

Motion adopted.

Mayor Carda read a proclamation declaring July 27, 2015, as *Americans with Disabilities Act Day*.

Commissioner Brooke Blaalid announced that she would be resigning from the City Commission effective August 13, 2015. City Manager Nelson thanked Commissioner Blaalid and explained the appointment process.

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

Action 15-228

Moved by Commissioner Gross, seconded by Commissioner Blaalid, that the following items on the consent agenda be approved.

1. Dance License
Consideration of Memorandum 15-192 regarding Application from Myrna Hunhoff has applied for a license to hold a special events dance on August 2, 2015, Maple from 3rd Street to Riverside Drive and Riverside Drive from Maple Street to Green Street, Yankton, South Dakota.
2. Establishing public hearing for sale of alcoholic beverages
Establish August 10, 2015, as the date for the public hearing on the request for a new Retail (on-sale) Liquor - Restaurant License for January 1, 2015, to December 31, 2015, from Bernard Properties, LLC, (Melcena Bernard, Managing Partner) dba Riverfront Events Center, 121-113 W. 3rd Street, Yankton, South Dakota.
3. Establishing public hearing for Transfer of Location of Retail Liquor
Establish August 10, 2015, as the date for the public hearing on the request for transfer of location of a Retail (on-sale) Liquor License for January 1, 2015, to December 31, 2015, from Bernard Properties, LLC, (Melcena Bernard, Managing Partner) dba Riverfront Events Center, 121-113 West 3rd, to Bernard Properties, LLC, (Melcena Bernard, Managing Partner) dba The Brewery, 200-204 Walnut Street, Yankton, South Dakota.

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

Action 15-229

This was the time and place for the public hearing on the application for a Special Events (on-sale) Liquor License for one day, August 1, 2015, from Drotzmann & Portillo, LLC (Steve Drotzmann, Partner), dba Rounding 3rd Bar and Casino, 4-H Grounds, Yankton, South Dakota. No one was present to speak for or against approval of the license application. Moved by Commissioner Blaalid, seconded by Commissioner Sommer, to approve the license.

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

Action 15-230

This was the time and place for the public hearing on the application for a Special Events (on-sale) Liquor License for one day, September 5, 2015, from Drotzmann & Portillo, LLC (Steve Drotzmann, Partner), dba Rounding 3rd Bar and Casino, 302 W 3rd Street to 313 Cedar Street, Yankton, South Dakota. No one was present to speak for or against approval of the license application. Moved by Commissioner Sommer, seconded by Commissioner Ferdig, to approve the license.

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

Action 15-231

This was the time and place for the public hearing on the application for a Special Events (on-sale) Liquor License for October 13, 2015, from Chamber of Commerce, (Carmen Schramm, Director) dba Chamber of Commerce, Econo Lodge, 611 W 23rd Street, Yankton, South Dakota. (Memorandum 15-179) No one was present to speak for or against approval of the license application. Moved by Commissioner Blaalid, seconded by Commissioner Sommer, to approve the license.

Roll Call: Members present voting “Aye:” Commissioners Blaalid, Gross, Johnson, Sommer, Woerner, and Mayor Carda; voting “Nay:” None; Abstaining: Commissioner Ferdig.
Motion adopted.

Action 15-232

This was the time and place for the public hearing on the application for a transfer of ownership and location of a Package (off-sale) Liquor License for January 1, 2015, to December 31, 2015, from Rob’s Enterprises, Inc., (James Barger, Partner) dba Lisa’s Package Liquor, 401 Picotte Street, to Shree, LLC, (Dipan Patel, Business Owner) dba JR’s Oasis, 2404 E Highway 50, Yankton, South Dakota. (Memorandum 15-180) No one was present to speak for or against approval of the license application. Moved by Commissioner Blaalid, seconded by Commissioner Johnson, to approve the license.

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

Action 15-233

This was the time and place for the public hearing on the application for a New Retail (on-off sale) Malt Beverage License for July 1, 2015, to June 30, 2016, from Shree, LLC, (Dipan Patel, Business Owner) dba Yankton Kwik Stop, 401 Picotte Street, Yankton, South Dakota. (Memorandum 15-181) No one was present to speak for or against approval of the license application. Moved by

Commissioner Blaalid, seconded by Commissioner Ferdig, to approve the license.

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

Motion adopted.

Action 15-234

This was the time and place for the public hearing on the application for a New Retail (on-off sale) Wine License for January 1, 2015, to December 31, 2015, from Shree, LLC, (Dipan Patel, Business Owner) dba Yankton Kwik Stop, 401 Picotte Street, Yankton, South Dakota. (Memorandum 15-182)

No one was present to speak for or against approval of the license application. Moved by Commissioner Blaalid, seconded by Commissioner Ferdig, to approve the license.

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

Motion adopted.

Action 15-235

This was the time and place for the second reading and public hearing for Ordinance No. 979, AN ORDINANCE REMOVING THE WORD "HANDICAPPED" FROM ALL CITY ORDINANCES.

No one was present to speak for or against adoption of the Ordinance. Moved by Commissioner Blaalid, seconded by Commissioner Gross, to adopt Ordinance No. 979.

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

Motion adopted.

Action 15-236

Commissioner Gross introduced and Mayor Carda read the title of Resolution 15-33, a Resolution of Necessity for a Special Assessment District for Improvements at 2101 Broadway Ave., GP-Dial-Yankton, LLC, Developer, and set August 10, 2015, as the date for a public hearing to consider adoption of the resolution.

Action 15-237

Commissioner Gross introduced and Mayor Carda read the title of Ordinance No. 980, AN ORDINANCE TO REZONE PROPERTY DESCRIBED HEREIN, and set August 10, 2015, as the date for the second reading and public hearing. (Memorandum 15-187)

Action 15-238

Moved by Commissioner Gross, seconded by Commissioner Blaalid, to adopt Resolution 15-32. (Memorandum 15-186)

RESOLUTION 15-32

WHEREAS, it appears from an examination of the Vacation of Lot 1, Lot 2 and Lot 3 of Block 3, as part of the Plat of, Pioneer Hills Addition, a Subdivision of Parcel F of the NE 1/4, Section 17, Township 93 North, Range 56 West of the 5th P.M., in Yankton County, South Dakota, and recorded in Book S4, Page 15A;

To Be Hereafter Known as:

Lot 1 and Lot 2 of Eickhoff Addition in the NW 1/4 of the NE 1/4, Section 17, Township 93 North,

Range 56 West of the 5th P.M., in Yankton County, South Dakota, prepared by Travis J. Kropuenske, 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 15-239

Moved by Commissioner Blaalid, seconded by Commissioner Sommer, to pay a one-time cash payment of \$395,000.00 to the State of South Dakota for the purchase of 11.7 acres of former Human Services Center property using revenue from the sale of City-owned property—1.97 acres along WCLR and 5.6 acres south of the new Fire Station—with the balance to be paid out of BBB funds as outlined in Memorandum 15-191.

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

Action 15-240

Resolution 15-34 authorizing placement of a four-way stop sign at the intersection of 23rd and Green Streets was considered. Citizen Pauline Akland appeared to speak in favor of adoption of the resolution, but also to talk about needing to address phone usage by drivers. Moved by Commissioner Gross, seconded by Commissioner Blaalid, to adopt Resolution 15-34. (Memorandum 15-188)

**RESOLUTION 15-34
A RESOLUTION AUTHORIZING THE PLACEMENT OF A FOUR-WAY STOP
SIGN APPLICATION AT THE INTERSECTION OF 23rd STREET
AND GREEN STREET.**

WHEREAS, conditions at the intersection of 23rd Street and Green Street justify that traffic from all four directions come to a stop and;

WHEREAS, the installation of a four-way stop would increase the safety of pedestrian and vehicle traffic, and;

WHEREAS, the accidents encountered, at the intersection, are susceptible to correction by a multi-way stop installation;

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, South Dakota, that a four-way stop sign condition be established at the intersection of 23rd Street and Green Street.

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

Action 15-241

This was the time and place to award the bid for the Durable Pavement Marking Installation Project. One bid was received and opened on July 16, 2015, from Dakota Traffic Services, LLC, Tea, South Dakota in the amount of \$29,206.65. (Memorandum 15-183) Moved by Commissioner Blaalid, seconded by Commissioner Sommer, to award the bid to the only bidder, Dakota Traffic Services, LLC, Tea, South Dakota, in the amount of \$29,206.65.

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

Action 15-242

Moved by Commissioner Blaalid, seconded by Commissioner Ferdig, to accept the Water, Sewer, and Street Improvements in front of the following lots: Block 8, Lots 11-13; Block 9, Lots 8-11, all in the Ridgeway North Subdivision, as complete. (Memorandum 15-189)

Roll Call: Members present voting “Aye:” Commissioners Blaalid, Ferdig, Gross, Johnson, Sommer, and Mayor Carda; voting “Nay:” None; Abstaining: Commissioner Woerner.
Motion adopted.

City Manager Nelson reviewed Memorandum 15-190, outlining travel opportunities for City Commissioners and discussed deadlines for registration for these events.

Action 15-243

Moved by Commissioner Woerner, seconded by Commissioner Johnson, to adopt Resolution 15-36 executing the sale of City owned property located in the East Industrial Subdivision to Charles Larsen, Aune Trucking, Inc., Yankton, South Dakota, with proceeds of the sale to offset the purchase of Human Services Center property approved earlier with Action 15-239. (Memorandum 15-193)

RESOLUTION 15-36

WHEREAS, the City of Yankton owns property in the East Industrial Subdivision that is listed “for sale” for \$10,000 per acre, and

WHEREAS, Charles Larsen, Aune Trucking Inc., dba ATI has offered \$10,000 to purchase one acre adjacent to his existing parcel, and

WHEREAS, the Yankton Board of City Commissioners desires to sell the below described land for the long term goal of community and economic development.

NOW, THEREFORE BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota, hereby agrees to transfer the below described property to Yankton Area Progressive Growth for the purpose of sale to Charles Larsen, Aune Trucking Inc., dba ATI, and

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

The East 120 feet of the West 480 feet of Block 1 of East Industrial Subdivision lying in the N 1/2 of the SW 1/4, Section 9, T93N, R55W of the 5th PM., City and County of Yankton, South Dakota as depicted on the attached exhibit.

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

Action 15-244

Moved by Commissioner Woerner, seconded by Commissioner Błaalid, to adjourn into Executive Session at 7:42 p.m. to discuss personnel 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 Carda.

Roll Call: Present: Commissioners Błaalid, Ferdig, Gross, Johnson, Sommer, and Woerner. City Attorney Den Herder and City Manager Nelson were also present. Absent: Commissioners Hoffner and Knoff. Quorum present.

Action 15-246

Moved by Commissioner Gross, seconded by Commissioner Woerner, to adjourn at 8:05 p.m.

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

David Carda
Mayor

ATTEST:

Al Viereck
Finance Officer