

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
JANUARY 25, 2016**

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

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

Quorum present.

Action 16-17

Moved by Commissioner Gross, seconded by Commissioner Knoff, to approve the Minutes of the special meeting of January 8, 2016, and regular meeting of January 11, 2016.

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

Motion adopted.

Action 16-18

Moved by Commissioner Knoff, seconded by Commissioner Sommer, that the Schedule of Bills be approved and warrants be issued:

AMG Occupational Medicine-Drug/Alcohol Tests-\$94.50; Avera Sacred Heart Hospital-Drug/Alcohol Tests-\$100.00; Baker & Taylor Books-Books-\$445.13; Blackstrap Inc-Road Salt-\$2,758.05; Cedar Knox Public Power Dist-Water Elect-\$1,344.10; Christensen Radiator & Repair-Parts-\$23.95; City of Yankton-Parks Landfill Charges-\$103.50; Credit Collection Service Inc-Util Coll-Dec 2015-\$259.49; Den Herder Law Office, PC-Professional Services-\$144.97; Dept of Corrections-DOC Work Program-Nov 2015-\$401.01; Ferguson Water Works Supply-Water Meters-\$1,523.95; Hanson Briggs Advertising Inc-Seed Brochures-\$285.30; HD Supply Waterworks Ltd-Parts-\$338.40; HDR Engineering Inc-Collector Well-\$171,342.02; HDR Engineering Inc-Water Plant Design-\$197,026.25; Jack's Uniforms-Equipment-\$1,816.00; Johnson Electric-Battery Backup-\$191.63; Midwest Tape-Audio Books-\$121.96; Murguia/Javier-Reimburse Gloves-\$8.16; Observer Ads-Parks/SAC-\$302.00; Power Source Electric-Wiring for Hot Water Heater-\$662.41; Press Dakota MStar Solutions-Classified Ads-\$2,781.70; Printing Specialists-Print Notices-\$540.30; Push Pedal Pull-Treadmills-\$13,086.52; Regional Technical Education-Lease-Dec 2015-\$1,466.67; Sioux City Foundry Co-Blades-\$8,641.60; South Dakota State Historical-Microfilm Services-\$887.50; Stern Oil Co Inc-Fuel-\$14,576.68; Todd Inc-Posts-\$3,148.61; Traffic Control Corp-Parts-\$1,305.00; Truck Trailer Sales Inc-Repairs-\$3,012.21; United States Postal Service-Postage Meter-Nov/Dec-\$1,831.00; Welfl Construction Corp-Collector Well-\$221,794.51; Xerox Corporation-Copier Lease-\$166.17; Yankton Medical Clinic-Drug/Alcohol Tests-\$890.00; YPBO-Professional Services-\$1,299.94.

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

Motion adopted.

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

Dave Wright from the Yankton Riverboat Days Board was present to thank the Commission and all of Yankton for their support and help during Riverboat Days.

Action 16-19

Moved by Commissioner Johnson, seconded by Commissioner Knoff, that the following items on the consent agenda be approved.

1. Transient Merchant License and Special Events Dance License
Consideration of Memorandum 16-16 recommending approval of the applications from the Riverboat Days Committee for:
 - A) Transient Merchant License for August 19 to 21, 2016;
 - B) Special Events Dance License for August 19 to 21, 2016
2. Transient Merchant License and Special Events Dance License
Consideration of Memorandum 16-02 recommending approval of the applications from the Ribfest Committee for:
 - A) Transient Merchant License for June 3-4, 2016;
 - B) Special Events Dance License for June 3-4, 2016
3. Assessment Roll; Alley project, set public hearing
Consideration of Memorandum 16-15 and Resolution 16-04, recommending that February 8, 2016, be established as the date for a public hearing on the special assessment roll for Assessment Project to Pave the North-South Alley from 9th Street to 10th Street, between Walnut Street and Douglas Avenue.
4. Establish public hearing for sale of alcoholic beverages
Establish February 8, 2016, as the date for the public hearing on the request for a Special Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for one day, February 21, 2016, from the Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota.
5. Transient Merchant License and Special Events Dance License
Consideration of Memorandum 16-31 recommending approval of the applications from the Harvest Halloween for:
 - A) Transient Merchant License for May 1, 2016 – October 31, 2016;
 - B) Special Events Dance License for October 29, 2016
6. Establish public hearing for a New Retail Malt Beverage License
Establish February 8, 2016, as the date for the public hearing for a New Retail (on-off sale) Malt Beverage License for July 1, 2015, to June 30, 2016, from Willa B's, LLC dba Willa B's Bistro & Emporium, (Chauntel Wright, Partner) 215 W. 3rd Street, Suite A, Yankton, South Dakota.
7. Establish public hearing for a New Retail Wine License
Establish February 8, 2016, as the date for the public hearing for a New Retail (on-off sale) Wine License for January 1, 2016, to December 31, 2016 from Willa B's, LLC dba Willa B's Bistro & Emporium, (Chauntel Wright, Partner) 215 W. 3rd Street, Suite A, Yankton, South Dakota.
8. Possible Quorum Event
February 9, 2016, meeting in Pierre, no official commission action.

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

Motion adopted.

Action 16-20

This was the time and place for the public hearing on the application for a Special Events Retail (on-sale) Malt Beverage and a Special Retail (on-sale) Wine Dealers License for three days, August 19-21, 2016, from Yankton Area Riverboat Days Inc., (Milissa Wuebben, treasurer) Riverside Park, Yankton,

South Dakota. (Memorandum 16-17) No one was present to speak for or against approval of the license application. Moved by Commissioner Knoff, seconded by Commissioner Johnson, to approve the license.

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

Action 16-21

This was the time and place for the public hearing on the application for a Special Events Retail (on-sale) Malt Beverage and a Special Retail (on-sale) Wine Dealers License for three days, August 19-21, 2016, from Yankton Area Riverboat Days Inc., (Milissa Wuebben, treasurer) City Hall Auditorium, Yankton, South Dakota. (Memorandum 16-18) No one was present to speak for or against approval of the license application. Moved by Commissioner Knoff, seconded by Commissioner Sommer, to approve the license.

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

Action 16-22

This was the time and place for the public hearing on the application for a Special Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for two days, June 3 & 4, 2016, from Yankton Rockin’ Ribfest, Inc., (Kristy Wyland, President) dba Yankton Rockin’ Ribfest, Inc., Memorial Park, 2000 Douglas Avenue, Yankton, South Dakota. (Memorandum 16-19) No one was present to speak for or against approval of the license application. Moved by Commissioner Sommer, seconded by Commissioner Gross, to approve the license.

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

Action 16-23

This was the time and place for the public hearing on the application for a Special Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for one day, April 30, 2016, from The Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota. (Memorandum 16-20) No one was present to speak for or against approval of the license application. Moved by Commissioner Knoff, seconded by Commissioner Ferdig, to approve the license.

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

Action 16-24

This was the time and place for the public hearing on the application for a Special Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for one day, April 30, 2016, from The Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota. No one was present to speak for or against approval of the license application. (Memorandum 16-21) Moved by Commissioner Johnson, seconded by Commissioner Hoffner, to approve the license.

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

Action 16-25

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, 2016, to December 31, 2016, from Coraima's LLC., dba Coraima's Mexican Store, (Edras Chua, Partner) 401 Picotte Street, Yankton, South Dakota. (Memorandum 16-22) No one was present to speak for or against approval of the license application. Moved by Commissioner Knoff, seconded by Commissioner Gross, to approve the license.

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

Motion adopted.

Action 16-26

This was the time and place for the public hearing on the application for transfer of ownership of a Package (off-sale) Liquor License for January 1, 2016, to December 31, 2016, from Shree, LLC, (Dipan Patel, Business Owner) dba JR's Oasis, to Shreenish, LLC, (Dipan Patel, Business Owner) dba JR's Oasis, 2404 East Highway 50, Yankton, South Dakota. (Memorandum 16-23) No one was present to speak for or against approval of the license application. Moved by Commissioner Knoff, seconded by Commissioner Gross, to approve the license.

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

Motion adopted.

Action 16-27

This was the time and place for the public hearing on the application for transfer of a Retail (on-off sale) Malt Beverage & South Dakota. Farm Wine License for July 1, 2015, to June 30, 2016, from KA-CHING KA-CHING, Inc., dba KA-CHING KA-CHING, 807 Bill Baggs Road, to Shree, LLC, (Dipan Patel, Business Owner) dba Muggsy's Sub Galley, 821 Broadway, Yankton, South Dakota. (Memorandum 16-24) No one was present to speak for or against approval of the license application. Moved by Commissioner Knoff, seconded by Commissioner Gross, to approve the license.

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

Motion adopted.

Action 16-28

Moved by Commissioner Sommer, seconded by Commissioner Johnson, to approve the purchase of a 2016 Chevrolet Silverado, dual rear-wheel chassis cab for a cost of \$28,838.00 from Northtown Automotive, Yankton, South Dakota, for the Department of Parks and Recreation, Cemetery, under the State Bid pricing. (Memorandum 16-32).

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

Motion adopted.

Action 16-29

Moved by Commissioner Gross, seconded by Commissioner Johnson, to adopt Resolution 16-05. (Memorandum 16-28)

RESOLUTION 16-05

WHEREAS, it appears from an examination of the plat of Lot 7, Block 1, East 50 Industrial Park, in Government Lot 3, Section 16, T93N, R55W, of the 5th P.M., Yankton County, South Dakota prepared by Thomas Lynn Week, 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 and is subject to County review.

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: Members present voting "Aye:" Commissioners Ferdig, Gross, Hoffner, Johnson, Miner, Sommer, and Mayor Carda; voting "Nay:" None; Abstaining: Commissioner Knoff.
Motion adopted.

Action 16-30

Moved by Commissioner Gross, seconded by Commissioner Knoff, to accept the water, sanitary sewer, storm sewer, and street improvements located in front of property described as: Block 1, Lots 1-9; Block 2, Lots 1-7; Block 3, Lots 1-16; Block 4, Lots 1-11; and Block 5, Lots 1-4, all in Westbrook Estates Addition, for Phase I of the Westbrook Estates Housing Project contingent upon Yankton Area Progressive Growth's financial guarantee of \$18,800.00 to cover the value of items not completed due to weather as detailed in Memorandum 16-27.

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

Action 16-31

Moved by Commissioner Ferdig, seconded by Commissioner Sommer, to approve the contract with Jeff Green Partners and Hoffman Strategy Group for the second phase of a Retail Market Study for New Retail Development on Available Properties in Yankton, with distribution to potential developers, for a cost of \$18,000.00; and a Hotel Market Study for a cost of \$8,500.00. (Memorandum 16-29)

Roll Call: Members present voting "Aye:" Commissioners Ferdig, Hoffner, Johnson, Knoff, Miner, Sommer, and Mayor Carda; voting "Nay:" Commissioner Gross.
Motion adopted.

Action 16-32

Commissioner Gross introduced and Mayor Carda read the title of Ordinance No. 985, AN ORDINANCE AMENDING ORDINANCE NO. 981, THE 2016 ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF YANKTON, SOUTH DAKOTA, and set February 8, 2016, as the date for the second reading and public hearing.

Memorandum 16-33 outlining Commissioners' travel plans to attend Yankton's annual Washington, D.C., fly-in scheduled for April 18 through April 20, 2016, was reviewed.

Action 16-33

Commissioner Gross introduced and Mayor Carda read the title of Ordinance No. 986, AN ORDINANCE AMENDING VEHICLES FOR HIRE REGULATIONS WITHIN THE CITY OF YANKTON, and set February 8, 2016, as the date for the second reading and public hearing

Action 16-34

Moved by Commissioner Johnson, seconded by Commissioner Hoffner, to adjourn at 7:50 p.m.

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

Motion adopted.

David Carda
Mayor

ATTEST:

Al Viereck
Finance Officer

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