

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS  
YANKTON, SOUTH DAKOTA  
FEBRUARY 22, 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, Sommer, and Woerner. City Attorney Den Herder and City Manager Nelson were also present. Absent: None. Quorum present.

Action 16-56

Moved by Commissioner Gross, seconded by Commissioner Knoff, to approve the Minutes of the regular meeting of February 8, 2016.

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

Mayor Carda read a proclamation declaring March 6, 2016, as Joan Bunnell Neubauer Day in honor of being named 2015 Citizen of the Year.

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

Action 16-57

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

1. Possible Quorum Event  
February 25, 2016, meeting at Fire Station 2, no official commission action.
2. Establish public hearing for a Transfer of Location/Malt Beverage License  
Establish March 14, 2016, as the date for the public hearing for a transfer of location of a Retail (on-off sale) Malt Beverage License for July 1, 2015, to June 30, 2016, from Cheers Bar & Grill, LLC dba Cheers Bar & Grill (Beth Cuneo, Owner) 1208 Broadway to 310 Walnut Street, Yankton, South Dakota.
3. Establish public hearing for a Transfer of Location/Wine License  
Establish March 14, 2016, as the date for the public hearing for a transfer of location of a Retail (on-off sale) Wine License for July 1, 2016, to December 31, 2016, from Cheers Bar & Grill, LLC dba Cheers Bar & Grill (Beth Cuneo, Owner) 1208 Broadway to 310 Walnut Street, Yankton, South Dakota.
4. Establish public hearing for sale of alcoholic beverages  
Establish March 14, 2016, as the date for the public hearing on the request for a Special Events (on-sale) Liquor License for one day, April 19, 2016, from Chamber of Commerce (Carmen Schramm, Director) dba Chamber of Commerce, Meridian Bridge, Walnut and Levee Street, Yankton, South Dakota.
5. Establish public hearing for sale of alcoholic beverages  
Establish March 14, 2016, as the date for the public hearing on the request for a Special Events (on-sale) Liquor License for one day, December 13, 2016, from Chamber of Commerce (Carmen Schramm, Director) dba Chamber of Commerce, first Dakota National Bank, 225 Cedar Street, Yankton, South Dakota.

6. Assessment Roll; Alley Project, set public hearing  
Consideration of Memorandum 16-55 and Resolution 16-13, recommending that March 14, 2016, be established as the date for a public hearing on the special assessment roll for Assessment Project to Pave the Alley from 7<sup>th</sup> Street to 8<sup>th</sup> Street between Walnut Street and Douglas Avenue.

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

Kyle Goodmanson, Director of Environmental Services, introduced Dave Odens and Rich Uckert from Banner Associates, Inc., Brookings, South Dakota, who presented a power-point program and answered questions about a proposal to conduct a “Value Added Engineering Study” for the City’s new water plant project. No action was taken on the proposal.

Action 16-58

Moved by Commissioner Johnson, seconded by Commissioner Knoff, to authorize the City Manager to enter into an agreement with Banner Associates, Inc., Brookings, South Dakota, for design and bidding specifications for a proposed Water Fill Station, for a not-to-exceed cost of \$49,400.00. (Memorandum 16-53)

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

Action 16-59

Resolution 16-10 proposing an amendment to a conditional use permit at 1010 Burleigh Street was considered. (Memorandum 16-51) Shawna Fiechuk appeared to express concerns about on-street parking access around this facility. Moved by Commissioner Knoff, seconded by Commissioner Sommer, to adopt Resolution 16-10.

**RESOLUTION 16-10**  
Conditional Use

WHEREAS, Care-A-Lot Daycare Center., LLC is the owner of Outlot 129 except the south 1/2, Auditor’s Outlots in the City and County of Yankton located at 1010 Burleigh Street, and

WHEREAS, the above described property is zoned R-4 Multiple Family Residential in the City of Yankton’s zoning jurisdiction which allows conditional uses under the City of Yankton's Zoning Ordinance No. 711 as amended, and

WHEREAS, this request for amendment is necessary for the owner operate a daycare facility or church at the described location and 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 an amendment to a current daycare Conditional Use Permit. Said amendment would permit the referenced property to be used as a daycare or church in accordance with all applicable ordinances and regulations on the above described property.

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

Motion adopted.

Action 16-60

Moved by Commissioner Knoff, seconded by Commissioner Sommer, to adopt Resolution 16-11. (Memorandum 16-52)

**RESOLUTION 16-11**

WHEREAS, it appears from an examination of the plat of Blocks 142-151, 186-195 and 198-207 of Sacred Heart Cemetery Lying in the Northwest Quarter of the Southwest Quarter, Section 6, T93N, R55W of the 5<sup>th</sup> P.M., City of Yankton, Yankton County, South Dakota prepared by Daniel D. Eisenbraun, 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:** Members present voting "Aye:" Commissioner Ferdig, Gross, Hoffner, Johnson, Knoff, Miner, Sommer, and Mayor Carda; voting "Nay:" None; Abstaining: Commissioner Woerner.  
Motion adopted.

Action 16-61

This was the time and place to award the bid for a 37,000 GVW Truck and 16 cubic foot Refuse Box for the Department of Public Works, Solid Waste Collection. (Memorandum 16-49) The following bids were received and opened on February 11, 2016:

37,000 GVW 4x2 Class Truck: North Central International of Sioux Falls, Inc., Sioux Falls, South Dakota-\$79,977.00; Boyer Trucks, Sioux Falls, South Dakota-\$81,690.00.

16 Cubic Yard Rear Loading Refuse Body: Sanitation Products, Inc., Sioux Falls, South Dakota-\$64,995.00; Northern Truck Equipment Corp., Sioux Falls, South Dakota-\$64,446.00; Olympic Sales Inc., West Fargo, North Dakota-\$52,735.00.

The bids from Olympic Sales, Inc., and Northern Truck Equipment, did not meet specifications and were, therefore, not considered.

Moved by Commissioner Knoff, seconded by Commissioner Johnson, to award the bids to the qualified low bidders, North Central International of Sioux Falls, Inc., Sioux Falls, South Dakota, for the 37,000 GVW 4x2 Class Truck for \$79,977.00 and to Sanitation Products, Inc., Sioux Falls, South Dakota, for the 16 Cubic Yard Rear Loading Refuse Body for \$64,995.00.

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

Motion adopted.

Action 16-62

This was the time and place to award the bid for a new 2016 56,000 GVW 6x6 class truck for the Public Works Department. (Memorandum 16-50) The following bids were received and opened on February 11, 2016: I-State Truck Center, Sioux City, Iowa-\$105,932.00; North Central International of Sioux Falls, Inc., Sioux Falls, South Dakota-\$118,757.00. Moved by Commissioner Sommer, seconded by Commissioner Johnson, to award the bid to the low bidder, I-State Truck Center, Sioux

City, Iowa, in the amount of \$105,932.00.

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

Motion adopted.

Action 16-63

This was the time and place to award the bid for the 15th Street Construction Project from West City Limits Road to Dakota. (Memorandum 16-48) The following bids were received and opened on February 4, 2016: Slowey Construction, Inc., Yankton, South Dakota-\$665,760.75; Feimer Construction, Inc., Yankton, South Dakota-\$680,170.33; BX Civil Construction, Dell Rapids, South Dakota-\$774,949.65; Dave Hulstein Excavating, Inc., Edgerton, Minnesota-\$835,731.89; Thorstad Companies, Inc., Dell Rapids, South Dakota-\$836,985.70; H&W Contracting, LLC, Sioux Falls, South Dakota-\$889,958.95. Moved by Commissioner Knoff, seconded by Commissioner Gross, to award the bid to the low bidder, Slowey Construction, Inc., Yankton, South Dakota, in the amount of \$665,760.75.

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

Motion adopted.

Action 16-64

A request from a group of local young entrepreneurs for funding to help sponsor Yankton’s first “Start-up Weekend,” an event that fosters local entrepreneurship, to be held April 1-3, 2016, was considered. (Memorandum 16-46) Tony Maibaum, Ben Hanton, and Chad Jensen were present to answer questions and provide information about the event. Moved by Commissioner Sommer, seconded by Commissioner Ferdig, to sponsor the program in the amount \$5,000.00 from BBB funds. Prior to a vote being taken, further discussion ensued. It was then moved by Commissioner Gross, seconded by Commissioner Ferdig, to amend the motion to sponsor the program in the amount of \$1,500.00 from BBB funds.

**Roll Call:** Members present voting “Aye:” Commissioners Ferdig, Gross, Johnson, Miner, and Sommer; Voting: “Nay:” Commissioners Hoffner, Knoff, Woerner, and Mayor Carda.

Motion adopted.

A vote was then taken on the original motion as amended.

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

Motion adopted.

Action 16-65

Moved by Commissioner Johnson, seconded by Commissioner Knoff, to adopt Resolution 16-12. (Memorandum 16-54)

**RESOLUTION 16-12**  
**REQUEST FOR UTILITY EASEMENT VACATION**

WHEREAS, Jeremy and Jennifer Kudera have requested the vacation of the 5 foot utility easement located on Lot 4, Block 12, Ridgeway North Subdivision, Yankton South Dakota as referenced in the attached Exhibit A.

WHEREAS, all private and public utility providers have been contacted and have not objected to the utility easement vacation.

NOW THEREFORE BE IT RESOLVED, that the described property has received City of Yankton Board of Commission approval for the vacation of the 5 foot utility easement as detailed in Exhibit A and located on Lot 4, Block 12 of Ridgeway North Subdivision, Yankton, South Dakota.

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

Action 16-66

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 the date for the second reading and public hearing as March 14, 2016.

General discussion regarding city-owned former Human Services Center property was held.  
(Memorandum 16-45)

Action 16-67

Moved by Commissioner Woerner, seconded by Commissioner Ferdig, to adjourn into Executive Session at 8:47 p.m. to discuss a personnel item.

**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 Ferdig, Gross, Hoffner, Johnson, Knoff, Miner, Sommer, and Woerner. City Attorney Den Herder and City Manager Nelson were also present. Absent: None. Quorum present.

Action 16-68

Moved by Commissioner Woerner, seconded by Commissioner Hoffner, to adjourn at 9:02 p.m.

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

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David Carda  
Mayor

ATTEST:

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Al Viereck  
Finance Officer