

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
JANUARY 9TH, 2023**

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

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

Quorum present.

Action 23-001

Moved by Commissioner Johnson, seconded by Commissioner Webber, to approve Minutes of regular meeting of December 22, 2022.

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

Motion adopted.

Action 23-002

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

1OFC - Supplies - \$185.85; 1-800Hansons - Permit Refund Fee - \$20.00; 1-800Hansons - Refund - \$44.50; 1st Dakota - HSA Contributions - \$7,233.24; 1st National - Cafeteria Plan - \$1,450.00; 3 Star - Vehicle Evidence Tow - \$112.25; A & B Business Equip - Copier Lease - \$347.66; A1 Auto - Vehicle Equip - \$6,909.98; Adobe - Subscription - \$14.99; Adobe - Computer Program - \$58.56; Advanced Weighing Sys - Landfill Support - \$4,500.00; AFSCME - Deductions - \$855.30; Airnav - Renewal - \$90.00; Amazon - Aquatic Dumbbells - \$134.90; Amazon - Medicine Balls - \$105.96; Amazon - Planners - \$91.66; American Family - Premiums - \$5,529.04; American Red Cross - Lifeguard Certification - \$950.00; Amzn Mktp - Supplies - \$10.97; Amzn Mktp - Books - \$161.58; Amzn Mktp - Lab Dishwasher Repair - \$211.94; Amzn Mktp - Gun Cleaner, Degreaser - \$25.98; Amzn Mktp - Portable Radio Belt Clip - \$9.54; Amzn Mktp - Gun Cleaning Supplies - \$17.98; Amzn Mktp - 2-Way Radio Antenna - \$9.85; Amzn Mktp - DVD - \$21.88; Amzn Mktp - DVD - \$58.81; Amzn Mktp - Battery Replacement - \$15.99; Amzn Mktp - Storage Drives - \$268.88; Amzn Mktp - Gift Book - \$31.94; Amzn Mktp - Exercise Handles - \$39.98; Amzn Mktp - Supplies - \$87.91; Amzn Mktp - Binders Folders - \$33.84; Amzn Mktp - Supplies - \$69.23; Amzn Mktp - Books - \$20.84; Amzn Mktp - Thumb Drives, Chargers - \$330.96; Amzn Mktp - Supplies - \$12.98; Amzn Mktp - Books - \$6.38; Amzn Mktp - DVD - \$222.21; Amzn Mktp - Temp/Humidity Monitor - \$24.98; Amzn Mktp - People Counter - \$139.00; Amzn Mktp - Books - \$14.97; Amzn Mktp - Books - \$158.90; Amzn Mktp - Books - \$28.24; ASCE - Dues - \$270.00; Assurance Alliance - Insurance - \$290.06; ATT - Mobile Data - \$1,247.96; Autozone - Wiper Blades, Antifreeze - \$742.35; Avenu Insights - Software Support - \$17,256.99; Avera - Premiums - \$87,287.33; Axvoice - Dialer Service - \$21.44; Badgeandwallet - Tie Clip, Collar Brass - \$146.00; Becker Body Shop - Repair - \$2,806.37; Bluepeak - Internet - \$3,833.24; Bomgaars - Tools - \$2,304.10; Buhls - Towel Cleaning - \$862.52; C & B - Snow Blower Parts - \$3.57; Caseys - Travel Exp - \$80.00; CBR Nitro - Software - \$125.99; Cenex - Fuel - \$78.17; Cengage Learning - Books - \$25.59; Central Salt - Salt - \$3,483.97; ChemPure Products - Root Cutter Chain - \$568.12; City Utilities - Wtr-Ww Charges - \$14,553.29; Coffee Cup - Travel Exp - \$41.00; Core & Main - Repair Clamp - \$473.34; Crescent Elect - Supplies - \$291.81; Dakota Traffic Serv - Pavement Marking - \$57,733.20; Dash Medical - Medical Gloves - \$135.84; Dept Of Ag - Fees -

\$717.50; Dept Of Ag - Dues - \$179.38; Dept Of Health - Water Samples - \$312.00; District III - Cemetery Maintenance - \$1,500.00; DLT Solutions - Software - \$4,037.00; DOC - Work Program - \$471.75; Dollar Tree - Supplies - \$52.37; DSS - Child Support - \$1,834.84; Ducks Unl - Wetland Mitigation - \$63,376.00; Dunhams - Supplies - \$53.74; EB Commercial Ap - Dues - \$40.00; Ebay - Hard Drive - \$42.64; Echo Electric - Parts - \$471.53; Ehresmann Engineering - Tubes - \$70.10; Engineer Supply - Equip - \$1,064.94; Envision Ware - Prof Serv - \$565.81; Facebk - Sac Ads - \$95.15; Fair Manufacturing - Snow Blower Blades - \$980.00; Fairbank Equip - Hardware - \$4.20; Fastenal - Air Filters - \$885.46; Fastenal - Nuts/Bolts - \$1,304.43; Feimer Const -Construction - \$129,856.75; Ferguson Enterprise - Meters - \$4,323.29; Foxit - PDF Editor License - \$179.00; FSP Dakotas Chapter - Dues - \$250.00; Galls - Tie Replacement - \$23.99; Garys Repair - Towing - \$300.00; Geotek - Softball Field - \$3,100.00; Gerstner Oil - Fuel Hose - \$192.78; Gerstner Oil - Jet Fuel - \$50,807.71; Graham Tire - Tires - \$1,210.00; Greatland Corp - Subscription - \$99.00; Growmark - Corn - \$45.00; Guardian Fleet - Equip Install - \$20,097.94; Hach C - Orp Insert - \$2,494.97; Hard Drive Central - Rental Fee - \$62.48; Hardees - Travel Exp - \$6.44; Hawkins - Chemicals - \$32,321.32; Hults/Nathan - Prof Serv - \$800.00; Hy-Vee - Holiday Festival Lights - \$537.84; IACP - Dues - \$190.00; ICMA Retirement - Contributions - \$410.00; In Advanced Graphix, - Vehicle Graphics - \$119.50; In Guardian Alliance - Background Software - \$62.00; In Nartec - Meth Test Kits - \$189.31; Intl Code Council - Dues - \$287.00; Intoximeters - Breath Testers - \$1,625.00; J & H - Janitorial Supplies - \$4,100.00; Jacks Uniforms - Vest Attachments - \$2,338.74; Jack's Uniforms - Ballistic Vests - \$4,265.81; Jansen/Dean - Refund - \$30.00; JCL Solutions - Supplies - \$306.46; JLC Piano Studio - Youth Choir Program - \$250.00; Kaiser Refrigeration - Supplies - \$810.74; Kellen & Streit - Boat Ramp - \$349.44; Kindle Svcs - Digital Book - \$4.25; KLJ Engineering - Design Services - \$3,000.00; Knife River - Water Fixture - \$893.66; Koletzky Implement - Wiper Blades - \$245.25; Kopetskys Ace - Ice Melt - \$469.13; Language Line - Translation Services - \$189.99; LLRMI - Training - \$150.00; Locators & Supplies - Paint - \$1,185.58; Lone Star Challenge - Challenge Coins - \$513.00; Los Designs - Christmas Banner - \$104.00; Loves - Travel Exp - \$79.43; Lumen - Fiber Internet - \$347.36; Marco Pizza - Travel Exp - \$20.42; Marshall Bond Pumps - Pump Elements - \$476.71; Masonry Components - Construction - \$26,644.70; McClenner/Ryan - Boot Reimbursement - \$95.84; Mead Lumber - Supplies - \$265.04; Menards - Fitness Room Flooring - \$4,785.57; Merkel Electric - Breaker - \$724.43; Metrofax - Fax Service - \$11.95; Mexico Viejo - Staff Appreciation - \$262.96; Midam Energy - Fuel - \$5,349.83; Midwest Labs - Monthly Nutrient Testing - \$728.68; Midwest Radiator - Repairs - \$210.00; Midwest Turf - Repairs - \$734.65; Miracle Recreation - Westside Play Equip - \$76,051.00; Money Movers - Nihca Fee - \$10.75; Morrow/Joseph C. - Design Work - \$5,760.00; Motor Vehicle Dept - Title & License - \$24.20; Mutt Mitt - Mutt Mitts - \$3,523.30; Napa Auto - Repairs - \$723.85; Nebraska DOR - NE Income Tax - \$991.53; NewEnglandDoorCloser - Door Arms - \$268.55; North Central International - Replace Semi Tractor - \$126,543.00; Northwestern Energy - Electricity - \$93,147.68; OfcDepot - Ink - \$128.00; Olsons Pest - Pest Control - \$93.00; OReilly - Battery - \$731.65; OTC Brands - Supplies - \$224.42; Overdrive - Ebooks - \$1,993.40; Paint Sprayers Unl - Hose/Pump - \$155.30; Pathways - CDBG Grant - \$70,834.65; PB Leasing - Postage - \$122.00; Pfeifer Imp - Repairs - \$569.41; PFS Healthworks - Testing - \$105.54; Pheasantland Ind - Safety Apparel - \$70.78; Photography By Jerry - Retirement Photo - \$123.50; Pied Piper - Memorial - \$109.99; Pitney Bowes - Postage - \$200.00; Pitney Bowes - Postage - \$80.97; Premier Pyrotechnics - Fireworks - \$27,000.00; Pressure Washers - Power Washing Equip - \$2,155.60; Principal Life - Dental Ins - \$6,770.69; PSN - CC Merchant Fees - \$158.85; Push Pedal Pull - Repairs - \$4,333.91; Quadiant Oracle - Postage Machine Ink - \$179.55; Racom - Radio Access - \$35.80; Radiant Heat Of SD - HP Motor - \$1,150.00; Redlinger Bros - Sump Pump Piping - \$1,493.29; Residence Inn - Travel Exp - \$70.96; Rivers Edge - Meeting - \$21.49; Riverside Hydraulics - Parts - \$8,227.22; Riverside

Hydraulics - Fittings - \$723.20; Riverside Technologies - Microsoft Server - \$16,500.25; Robinson/Donnie - Boot Reimbursement - \$130.00; Rods Piddle Shop - Router Engine - \$2,576.08; Royal Sport - Employee Of The Year - \$12.80; SD DOH - Biosolids Testing - \$221.48; SD DOH - State License For K9 - \$75.00; SD Firefig - Dues - \$240.00; SD Firinst - SD Society Fire Service - \$60.00; SD Prop Mgmt - Flags - \$241.29; SD Retirement - SD Retirement - \$89,229.35; SDSRP - SD Supplement Retirement - \$16,224.00; SE Firefighters - Dues - \$50.00; SE South Dakota - Dues - \$340.00; Select Parts - Repairs - \$190.00; Shell - Travel Exp - \$32.81; Sherwin Williams - Supplies - \$68.93; SHI International - Microsoft Edition - \$5,141.70; Sioux Falls Two Way Radio - Radio Repair - \$54.97; Smith Ins - Fire Pak Ins - \$41,370.00; SD Inv - SD Fire Chief Membership - \$100.00; South Dakota Planners - Dues - \$50.00; Stan Houston Equip - Shovel - \$206.80; Standard Ins - Vision Ins - \$703.32; Sturdevants - Filters And Parts - \$1,224.07; Taco Bell - Travel Exp - \$8.59; Third Millennium - Utility Billing - \$678.25; Titan Machinery - Cutting Edge For Bobcat - \$948.70; TMA - Tires - \$3,710.55; Toms Electric - Sertoma Bath Light - \$383.91; Tri Air Testing - Air Testing Equip - \$573.00; TRK Hosting - Internet - \$7.95; Truck Trailer - Straps/Fitting/Tank - \$4,104.07; TSC - Dog Food - \$83.99; UKG Workforce Ready - Payroll Software - \$2,114.50; ULine - Mats, Grip Strips - \$335.95; United Way - Contributions - \$172.00; Ups Store - Ads - Passes - \$792.23; US Treasury - Federal WH Tax - \$170,651.98; USPS - Postage - \$2,360.52; USPS - Ads - \$27.30; USPS - Ads - \$92.38; USPS - Mail Evidence - \$110.38; USPS - Ads - \$290.24; Versaframe - Retirement Photo Frames - \$647.45; Viddler - Video Hosting - \$41.20; Vitality Medical - Sharp Containers - \$1,334.15; VMO Vimeo - Fire Training Video - \$10.00; VWR Intl - Supplies - \$607.21; Vzwrlls - Internet - \$1,204.69; Walgreens - Supplies - \$50.96; Walmart - Grave Cooking Charcoal - \$739.39; Walmart - Tables - \$745.11; Walmart - Supplies - \$267.61; Web NetworkSolutions - Domain Registration - \$194.95; Wholesale Supply - Supplies - \$24.05; Wilson/Cullen & Michele - Refund - \$22.93; WNAX - Ad - \$135.00; Yankton Media - Ad - \$190.80; Yankton Riverboat Days - 2023 Donation - \$10,000.00; Yankton Rod - Recording - \$127.50; Yankton Thrive - Service Awards - \$350.00; Yankton Thrive - Ad - \$1,000.00; Yankton Vol Fire Dept - Nov/Dec Fire Calls - \$1,110.00; Yankton Winnelson - Riverside Bathroom - \$24.88; Yankton Janitorial - Supplies - \$313.00; YMC - Physicals - \$407.00; YMC - FFighters Physicals - \$378.00

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

December 2022 Salaries By Department: Administration \$54,370.75; Finance \$35,167.83; Community Development \$28,037.45; Police/Dispatch \$203,914.39; Fire \$14,005.30; Engineering/Sr. Citizens \$43,185.78; Streets \$54,552.68; Snow & Ice \$0.00; Traffic Control \$4,552.02; Library \$34,014.36; Parks/SAC \$78,281.08; Huether Aquatics \$0.00; Marne Creek \$7,620.77; Water \$44,056.87; Wastewater \$43,703.06; Cemetery \$4,935.24; Solid Waste \$31,370.25; Landfill/Recycle \$24,020.63; Central Garage \$8,650.52

December 2022 Wage Changes: Park, Recreation and City Events Dept: Luke Youmans, Recreation and City Events Manager, \$2,901.35 to \$2,937.88 biweekly; Community Development: Brandon Mastalir, Building Maintenance/Custodial Supervisor, \$1,769.35 to \$1,814.23 biweekly; Fire Department: Timothy Linke, Fire Chief, \$3,856.26 to \$3,904.84 biweekly.

2023 Monthly Salaries: Bridget Benson \$563.90; Ben Brunick \$563.90; Nathan Johnson \$563.90; Anthony Maibaum \$563.90; Amy Miner \$563.90; Stephanie Moser \$774.84; Mason Schramm \$563.90; Michael Villanueva \$563.90; Jerry Webber \$563.90

2023 Bi-Weekly Salaries: Garrett Anderson \$2,127.73; Colleen Bailey \$2,718.34; Brian Ballard \$1,874.23; Jean Barkley \$1,947.38; Brad Bies \$3,110.89; Brad Binde \$2,892.81; Dillon Bollinger \$2,242.46; Chris Bornitz \$2,621.77; Ashley Bouza \$2,489.23; Jeremiah Braxton \$1,655.42; Samantha Bruening \$2,884.00; Hunter Bryant \$1,761.08; Robert Buechler \$2,884.00; Shane Bush \$2,097.81; Brian Carda \$2,204.77; Garrett Carda \$1,718.77; Sage Chytka \$3,270.70; Preston Crissey \$2,596.50; Roger Dather \$2,124.96; Linda Dobrovolny \$2,495.34; Robert Dooley \$2,302.11; Adam Doyle \$1,739.15; Ryan Eddy \$2,127.77; Rebecca Eskens \$1,898.50; Michael Feilmeier \$2,204.77; Brett Fishel \$2,184.34; Jason Foote \$4,367.70; Sandi Fox \$1,850.23; Brandon Frey \$2,426.19; Brian Frick \$3,308.54; Dan Frick \$2,433.66; Dylan Gobel \$1,969.77; Brooke Goeden \$1,898.50; Kyle Goodmanson \$4,235.04; Adam Goodwillie \$2,127.77; Jordan Groves \$1,831.15; Devin Gullikson \$1,676.27; Dustin Gusso \$1,655.42; Gregory Gusso \$2,892.81; James Haas \$1,655.42; Adam Haberman \$4,508.66; Dustin Hagemann \$2,623.96; Hunter Hallock \$1,783.27; Brooke Hansen \$2,302.11; Tanner Hanson \$3,438.66; George Hite \$2,302.11; Sarah Hochstein \$1,427.42; Jeremy Hoeck \$1,657.15; Michael Hofer \$2,258.46; Matthew Hoilien \$2,398.42; Gregg Homstad \$3,189.81; Julia Hussein \$3,194.19; Eileen Ibach \$1,828.50; Maria Ishmael \$1,784.66; William Jensen \$2,072.38; Duane Johnson \$4,452.54; Danita Jordan \$1,657.15; Jennifer Keitel \$2,302.11; Leslie Kirchner \$2,432.04; Nikole Knox \$1,739.15; Elizabeth Knutson \$1,720.04; Lisa Kortan \$2,525.11; Dave Kuehler \$2,174.38; Emily Kuenzli \$1,764.19; Kevin Kulhavy \$2,493.70; Todd Larson \$4,561.11; Cole Larson \$2,302.11; Michael Lee \$2,204.77; Larry Lee Jr \$2,521.58; Timothy Linke \$4,191.19; Laurie Lockwood \$2,589.15; Brandon Mastalir \$1,947.38; Jordan Maxon \$2,184.34; Ryan McClennen \$1,897.85; Chasity McHenry \$1,742.27; Jeremy McNinch \$2,529.23; Camille Mertens \$2,146.71; Thomas Miles \$1,782.70; David Mingo \$4,683.04; Michele Moderegger \$1,658.34; Joshua Monson \$2,043.19; Bradley Moser \$3,652.23; Peter Mueller \$2,204.77; Elizabeth Nedved \$1,764.19; Larry Nickles \$3,308.54; Matthew Nighbert \$2,019.73; Steve Nowak \$1,967.89; Kelly O'Dea \$1,657.15; Sarah O'Farrell \$2,809.27; Susan O'Grady \$2,205.54; Jeremy Olson \$2,557.00; Brittany Orr \$3,517.27; Jericho Osborne \$2,411.11; Jennifer Palsma \$1,828.50; Brandon Pavel \$1,763.66; Taylor Peters \$3,749.73; Alan Peterson \$2,460.34; Cassandra Pietz \$2,068.96; Corey Potts \$3,524.81; Royce Reisner \$1,655.42; Tahlia Reynolds \$1,657.15; Donnie Robinson \$2,958.92; Mike Roinstad \$2,787.27; Monty Rothenberger \$3,339.34; Jonah Rothermel \$2,428.62; Courtney Russenberger \$1,851.54; Skyler Russenberger \$2,363.34; Dylan Ruter \$1,827.23; Tamra Ruzicka \$1,739.15; Robert Ryken \$2,720.15; Dwayne Schantz \$2,148.15; Amanda Schieffer \$2,178.11; Caitlin Schindler \$2,363.34; Scott Schindler \$2,884.00; Dana Schmidt \$3,229.00; Roger Schroeder \$2,204.77; Kole Simonsen \$1,655.42; Kelly Skrzypek \$1,739.15; Melisa Smith \$1,655.42; Robert Snyder \$1,949.46; Marietta Sprakel \$2,069.66; Brandon Steenholdt \$1,655.42; Gail Stocking \$1,901.85; Kimberly Storgaard \$2,260.66; Shawn Stuen \$1,850.23; Tanner Termansen \$1,805.73; Jonathan Todd \$2,242.46; Jason Tramp \$2,490.23; Bruce Ulmer \$2,718.34; Marcus Urban \$2,242.46; Sara VanderTuig \$1,850.23; Richard Vellek \$2,150.23; Josh Voeltz \$1,655.42; Cameron Voigt \$2,242.46; Tamara Wadsworth \$2,205.54; David Walsh \$1,718.77; Jay Walsh \$1,898.50; Sonya Wattier \$2,432.04; Dylan Wilson \$2,251.77; Dylan Wilson \$2,363.34; Lisa Yardley \$3,269.70; Kristin Yonke \$2,584.50; Luke Youmans \$3,153.34

2023 Hourly Salaries: Emma Bargstadt \$14.08; Marissa Caballero \$14.00; Jaycee Fischer \$12.75; Jordyn Fischer \$12.75; Sarah Hart \$13.50; Jayden Horrach \$12.75; Rachel Houdek \$14.25; Isyck Johnson \$12.75; Emilee LaBarge \$13.50; Adam Lange \$14.00; Nancy Leonard \$14.00; Mary Loecker \$15.00; LaVonne Lorenzen \$15.00; Cade Manzanares \$12.50; Claire Martinson \$12.75; Suzanne Olsen \$13.50; Jill Paulson \$14.08; Sharolette Peterson \$15.00; Grace Peterson \$12.75; Mikael Pietila

\$13.75; Shana Platt \$15.00; Karley Schieffer \$13.75; Leila Schumacher \$12.75; Logan Smallwood \$12.75; Marcus Teel \$14.08; Bonnie Voagen \$17.00

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.

Action 23-003

Moved by Commissioner Brunick, seconded by Commissioner Villanueva, to approve the following consent agenda items:

1. Work Session

Setting date of January 23, 2023, at 6:00 pm in Room #114 of the Career Manufacturing Technical Education Academy for the next work session of the Yankton City Commission

2. Establish Public Hearing for Transfer of Ownership of Retail Liquor License

Establish January 23, 2023 as the date for the public hearing on the request for transfer of ownership of a Retail (on-sale) Liquor License for January 1, 2023 to December 31, 2023 from W R Capital, LLC (Don Anderson, President), dba Minerva's Grill & Bar to LLTD1, LLC (Kimberly Ocampo, Owner), dba Boss' Pizza & Chicken Sports Bar, 1607 E. Hwy 50, Suite 1, PO Box 146, Yankton, SD.

Attachment II-2

3. Establish Public Hearing for sale of alcoholic beverages

Establish January 23, 2023 as the date for the public hearing on the request for a Special Events Retail (on-sale) Liquor License for 1 day, February 4, 2023, from BPO Elks Lodge 994 (Lindsay Stotz, Secretary), 504 W 27th Street, NFAA, 800 Archery Lane, Yankton, SD.

Attachment II-3

4. Establish Public Hearing for sale of alcoholic beverages

Establish January 23, 2023 as the date for the public hearing on the request for a Special Events Retail (on-sale) Liquor License for 2 days, February 10 and 11, 2023, from BPO Elks Lodge 994 (Lindsay Stotz, Secretary), 504 W 27th Street, NFAA, 800 Archery Lane, Yankton, SD.

Attachment II-4

5. Establish Public Hearing for sale of alcoholic beverages

Establish January 23, 2023 as the date for the public hearing on the request for a Special Events Retail (on-sale) Liquor License and a Special (on-sale) Wine Retailers License for 1 day, February 16, 2023, from The Center (Kriss Thury, Executive Director), 900 Whiting Drive, Yankton, SD.

Attachment II-5

6. Establish Public Hearing for sale of alcoholic beverages

Establish January 23, 2023 as the date for the public hearing on the request for a Special Events (on-sale) Liquor License for February 18, 2023 from Hanten, Inc., (Ben Hanten, Owner) dba Ben's Brewing Company, 222 West 3rd Street, NFAA, 800 Archery Lane, Yankton, South Dakota.

Attachment II-6

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

Motion adopted.

Action 23-004

While The City Commission was acting as the Zoning Board of Adjustment, this was the time and place for the second reading and public hearing to consider a variance from the City's maximum front yard fence height in a residential district on Lot 16, Block 2, Mayer's Addition to the City of Yankton, South Dakota. Address, 203 West 25th Street. Travis Arens and Kelly Arens, owners. (Memorandum 23-06).

Citizen Travis Arens, owner of said residence, appeared to answer Commission questions and request Commission approval of the variance request for front yard fence height. Dave Mingo, Community and Economic Development Director, and City Attorney Ross Den Herder, explained the definition of a land use related hardship and their opinions that it wouldn't apply to this variance request. After Commission discussion, Commissioner Johnson moved, and Commissioner Webber seconded, a motion to deny the proposed variance.

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

Motion adopted.

Action 23-005

City Manager Amy Leon explained previous Commission action approving four permanent Sertoma Park shade structures at up to \$50,000 total expense. After receiving quotes for structures and installation for a total of \$59,000, the Friends of Sertoma reviewed the possibility of using four portable "Kool Cow" shade structures for \$18,000. (Memorandum #23-10) After some Commission discussion, Commissioner Brunick moved to purchase two permanent shade structures and installation and/or request shared funding from Friends of Sertoma for the extra \$9,000 for four shade structures and to have the Commission review this topic again during the normal 2023-2024 budgeting process. After further discussion, Commissioner Webber moved, and Commissioner Johnson seconded, to "call the question". Prior to this vote, Commissioner Maibaum moved to table this item. This Motion failed for lack of a second.

The Commission then voted to end the discussion.

Roll Call: Members present voting "Aye:": Commissioners Benson, Brunick, Johnson, Miner, Schramm, Webber, Villanueva, Mayor Moser; voting "Nay:" Commissioner Maibaum.

Commission then voted on Commissioner Brunick's original Motion.

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

Motion adopted.

Action 23-006

This was the time and place for the public hearing for a Special Events Retail (on-sale) Liquor License for 1 day, January 21, 2023, from Ben's Brewing Co. (Ben Hanten, Owner), 222 West 3rd Street, NFAA, 800 Archery Lane, Yankton, S.D. (Memorandum 23-11) No one was present to speak for or against the application.

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

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

Motion adopted.

Action 23-007

Moved by Commissioner Webber, seconded by Commissioner Villanueva, to approve the lease agreement of Unit #2 of the city-owned T-Hangars at Chan Gurney Municipal Airport to Mr. Scott Olson. (Memorandum 23-01)

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

Action 23-008

Moved by Commissioner Benson, seconded by Commissioner Brunick, to approve the Music at the Meridian Concert Series and grant the City Manager the ability to sign all documents/contracts for the event. (Memorandum 23-02)

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

Action 23-009

Moved by Commissioner Benson, seconded by Commissioner Villanueva, to approve the Kids in the Park event series and allow for the City Manager to be granted the ability to sign all documents/contracts needed for the event. (Memorandum 23-03)

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

Action 23-010

Moved by Commissioner Villanueva, seconded by Commissioner Webber, to approve the lease agreement of Unit #1 of the city-owned T-Hangars at Chan Gurney Municipal Airport to Hoffner Flying Inc., Jake Hoffner, President. (Memorandum 23-04)

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

Action 23-011

Moved by Commissioner Johnson, seconded by Commissioner Webber, to authorize the write-off of \$2,040.63 as uncollectible per SDCL 9-22-4 and take favorable action on the Application for Abatement or Refund of Taxes relating to property at 1402 Ash Street, located within the City of Yankton jurisdiction. (Memorandum 23-05)

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

Action 23-012

Moved by Commissioner Villanueva, seconded by Commissioner Brunick, to authorize the City Manager to sign and execute the Professional Services Agreement with KLJ Engineering LLC for the Runway 20 End Turnaround Project. (Memorandum 23-16)

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

Action 23-013

Moved by Commissioner Benson, seconded by Commissioner Villanueva, to approve a Sidewalk Cafe Permit to 301 East 3rd Street doing business as The Boat House. (Memorandum 23-07)

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

Action 23-014

Moved by Commissioner Benson, seconded by Commissioner Brunick, to approve a Sidewalk Cafe Permit to 102 & 104 East 3rd Street doing business as Mojo’s Third Street Pizza, and to adopt Resolution #23-01 (Memorandum 23-08)

RESOLUTION #23-01

RESOLUTION OF SIDEWALK EXTENSION

WHEREAS, the City of Yankton, permits sidewalk cafes to operate on public sidewalks in the B-3 Central Business District, and

WHEREAS, the owner/operator of 102 & 104 East 3rd Street has requested a sidewalk cafe permit in a boardwalk extension to the existing public sidewalk, and

WHEREAS, the applicant has provided a detailed set of plans for a boardwalk extension to the public sidewalk, and

WHEREAS, the City of Yankton, South Dakota, after due review and consideration, has determined that applicant has met the minimum sidewalk cafe requirements, and

WHEREAS, the design: SD planning process and other redevelopment efforts in the Meridian District emphasize the creative use of public spaces, and

WHEREAS, the applicant has requested the boardwalk extension be formally recognized by the City Commission as a portion of the public sidewalk.

NOW THEREFORE BE IT RESOLVED, that boardwalk extension as shown in the 2023 sidewalk cafe application of 102 & 104 East 3rd Street be recognized as a portion of the public sidewalk during the time period during which it is installed.

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

Commissioner Webber introduced, and Mayor Moser read the title of Ordinance #1068, AN ORDINANCE RESTRICTING CAMPING WITHIN YANKTON CITY LIMITS, (Memorandum 23-

17) and set the date of the second reading and public hearing as January 23, 2023.

Action 23-015

Moved by Commissioner Maibaum, seconded by Commissioner Miner, to set April 11, 2023 as the annual Municipal Election and direct Finance staff to work with the Yankton School District for a combined election if both entities have elections. The Finance staff shall also be directed to work with YSD administration on an agreement sharing expenses and responsibilities for said election. (Memorandum 23-09)

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

Action 23-016

Moved by Commissioner Villanueva, seconded by Commissioner Benson, to adjourn into Executive Session at 8:40 p.m. to discuss **contractual, litigation and 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 Moser.

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

Quorum present.

Action 23-017

Moved by Commissioner Villanueva, seconded by Commissioner Benson, to adjourn at 11:00 p.m.

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

Stephanie Moser
Mayor

ATTEST:

Al Viereck
Finance Officer