

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
MARCH 14, 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 16-69

Moved by Commissioner Gross, seconded by Commissioner Johnson, to approve the Minutes of the work session of February 22, 2016, and the regular meeting of February 22, 2016

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

Motion adopted.

Action 16-70

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

A T & T Cell Phone Bill-\$386.17; ACS Government Inf Service-Maint Program Support-\$1,937.87; Active Network-Quarterly Transactions-\$723.48; Alvarado/Beck-Refund-Rec Program-\$21.20; AMG Occupational Medicine-CDL/DOT Drug Tests-\$94.50; Applied Concepts Inc-Trailer/Traffic Sensor-\$8,246.60; Arborists Assn/SD-Conference Registration-\$199.00; Associated Supply Co-Pool Valve-\$173.12; Automated Drive Systems LLC-Blowers/Control Panel-\$17,478.50; Automatic Building Controls-Fire Alarm Inspection-\$1,574.00; Avera Education & Staffing-CPR Cards-\$130.00; Avera Sacred Heart Hospital-CDL/DOT Drug Tests-\$100.00; Bailey/Colleen-Seminar Supplies-\$27.30; Balloons By Abby-Balloon Creations-\$20.00; Banner Associates Inc-SW Scale Design/Bidding-\$4,500.00; Bartlett & West Inc-Lift Station-\$4,052.00; Benjamin/Jeff And Jaci-Uniform-\$30.00; Blackstrap Inc-Road Salt-\$37,397.16; Bluetarp Financial Inc-Pressure Washer-\$3,599.99; Bomgaars Inc-Shovel-\$8.99; Bow Creek Metal Inc-SS Blackspash-Meridian B-\$12,966.00; Boys & Girls Club-CDBG Grant #4-\$46,993.64; Brosz Engineering Inc-Pine St Bridge Replace-\$12,707.50; Building Officials/SD-Seminar-\$150.00; Cedar Knox Public Power Dist-Water Electric-\$2,618.41; Centurylink-Phone-Feb-\$1,652.23; Chamber of Commerce-Annual Banquet-\$438.00; Chempure Products Corporation-Chain-\$152.55; Chesterman Company-Soft Drinks-\$80.51; City of Vermillion-Jt Power Cash Trans-\$32,508.07; City of Yankton-Central Garage Rubbish-\$12.00; City of Yankton-Parks Landfill Charges-\$49.05; City of Yankton-Solid Waste Compacted Garbage-\$9,703.32; City Utilities-Water/WW Charges-\$3,433.24; Concrete Material-Road Materials-\$1,662.40; Conkling Dist- Malt Beverages-\$199.70; Cornhusker Intl Truck Inc-Filters-\$605.41; Credit Collection Service Inc-Util Collection Jan 2016-\$163.01; CSI Software LLC-Fees-\$878.90; D & T Ventures LLC-Web Support-\$2,575.00; Dakota Beverage Co Inc-Malt Beverages-\$86.25; Danko Emergency Equipment-Name Tag-\$58.97; Dept Of Corrections-DOC Work Program-\$204.00; Dept Of Env & Nat Resources-Permit-\$5,850.00; Dept Of Environment-Operator Certifications-\$120.00; Dex Media East-Phone Books-\$31.00; Ehresmann Engineering Inc-Steel-\$343.54; Electronic Engineering-Radio Repairs-\$190.00; Ethanol Products LLC-Carbon Dioxide-\$1,576.78; Fastenal Company-Bolts-\$48.60; Fedex-Postage-\$11.77; Feimer Construction-Water Main-\$155,604.78; Fejfar Plumbing Inc-Roof Drain Repairs-\$7,038.69; First National Bank-Clear Water #3-\$106,494.59; First National Bank-Drinking

Water SRF-\$61,349.87; First National Bank-Drinking Water #2-\$15,301.27; First National Bank-Drinking Water #3-\$74,282.98; Flannery/Kirt-Officer Stipend-Feb-\$50.00; Flexible Pipe Tool Company-Parts-\$845.00; Freedom Valu Center-Car Washes-\$122.50; Frick/Adam-Officer Stipend-Feb-\$50.00; Frick/Brian-Officer Stipend-Feb-\$100.00; Geotek Eng & Testing Serv Inc- Collector Well-\$3,664.35; Gerstner Oil Co-Diesel Fuel-\$10,703.85; GOSCMA-GOSCMA Registration-\$275.00; Graymont Capital Inc-Lime-\$21,966.05; Hanson Briggs Advertising Inc-Notecards-\$377.25; Harding Glass-Building Repairs-\$3,367.35; Hawkins Inc-Chemicals-\$13,202.56; HD Supply Waterworks LTD-Valves-\$2,613.90; HDR Engineering Inc-WTP Design-\$367,299.72; Hedahl's Parts Plus-Filters-\$219.97; Hillcrest Golf & Country Club-Meeting Expense-\$110.40; Holophane-Parts-\$340.47; J & H Care & Cleaning Company-Janitorial Services-\$2,795.00; Johnson Electric-Install Generator-\$65,229.99; Kadrmas Lee & Jackson Inc-Apron Expansion Project-\$10,334.25; Kaiser Refrigeration Inc-Repair Water Fountain-\$142.95; Kimball-Midwest-Wire-\$132.95; Larry's Plumbing Service-Plumbing Repairs-\$66.30; Locators & Supplies Inc-Warning Markers-\$459.78; Long's Propane Inc-Propane-\$324.00; McLaury Flannery Eng Inc-Hwy 50 Utilities-\$2,805.50; Mehlhaff/Larry-Refund-Airport Key-\$10.00; Metering & Technology Solution-Meter Parts-\$101.67; Midamerican Energy-Fuel-February-\$9,039.17; Midamerican Energy-Water/WW Fuel-\$12,734.74; Midwest Alarm Company Inc-Alarm Monitoring/Testing-\$676.00; Midwest Tape-Audio Books-\$404.89; Midwest Turf & Irrigation-Parts-\$600.52; Missouri Valley Tool Inc-Pump Repair-\$2,740.00; Moser/Brad-Officer Stipend-February-\$50.00; Motorola-Repair Pager-\$234.00; Municipal Pipe Tool Inc-Parts-\$158.01; MW Automotive Services-Vehicle Towing-\$80.00; Nebraska Journal-Leader-Advertisement-\$84.65; Nebraska Life-Advertisement-\$900.00; Nelson/Amy-Travel Reimbursement-\$75.00; Neumayer/Brian-Uniform Reimbursement-\$125.00; Olson's Pest Technicians Inc-Pest Control-\$130.00; Overhead Door Co-Remove/Replace Door-\$1,976.00; Peterson/Sharlotte-Uniform Reimbursement-\$100.00; Petroleum Traders Corp-Diesel Fuel-\$5,652.21; Pheasantland Industries-T-Shirts-\$211.25; Plant & Flanged Equipment Co-Seal Kit-\$195.29; Power Source Electric-Wire Outlets For Wtr Htr-\$1,211.75; Press Dakota Mstar Solutions-Classified Ads-\$4,023.36; Printing Specialists-Utility Applications-\$90.67; Pro Auto-Vehicle Tow-\$80.00; Racom Corporation-EDACS Access-\$1,370.46; Regional Technical Education-Lease-January-\$2,933.34; Reinhart Foods Inc-Coffee-\$92.69; Schelde North America LLC-Collegiate System-Stand-\$4,137.00; Schmidt/Willard-Sludge Removal-\$97,085.00; SD Electrical Commission-Annual Inspection-\$90.00; SDPA-toby brown-SDPA Membership-\$25.00; Sheehan Mack Sales & Eq Inc-Accumlator-\$890.66; Signs By Design-Decals & Installation-\$694.51; Sioux Equipment Company Inc-Repairs-\$430.55; Smith Insurance Inc-Notary Bond-\$177.50; South Dakota Humanities-Program-\$50.00; South Dakota Magazine-Fox Run Ads-\$820.00; Southeast Firefighters Assoc-Membership Fee-\$50.00; Stensland/Patsy-Book-\$6.38; Stern Oil Co Inc-Fuel-\$1,667.83; Titleist And Foot-Joy-Golf Clubs-\$385.78; Todd Inc-Signs/ Letters-\$1,068.75; Truck Trailer Sales Inc-Truck Repairs-\$3,773.50; Turfwerks-Supplies-\$93.68; US Post Office-Utility Postage-Feb-\$1,200.00; United Parcel Service Inc-Postage-Feb-\$441.94; United States Postal Service-Postage Meter-Feb-\$1,020.00; Vellek/Frank-Range Fees-\$100.00; Wage Works-Flex Serv Fee-Jan-\$95.00; Walt's Homestyle Foods Inc-Entree-\$198.60; Welfl Construction Corp-Collector Well-\$24,817.50; Wellmark Blue Cross-COBRA Adminstrative Fee-\$250.00; Wholesale Supply Inc-Candy-\$135.95; Woehl/Toby-Officer Stipend-\$50.00; Woods Fuller Shultz & Smith PC-Professional Services-\$1,552.50; Xerox Corporation-Copier Lease-\$1,679.59; Yankton Area Ice Association-Reimbursement Payment-\$1,203.56; Yankton Area Prog Growth-Annual Meeting-\$45.00; Yankton Co Historical-1/4 Sp Appropriation-\$2,025.00; Yankton County Auditor-Safety Center Bill-\$46,989.83; Yankton County Sheriff Dept-DOJ Reimbursement-\$19.68; Yankton County Treasurer-1/2 Taxes-\$270.42; Yankton Fire & Safety Co-Extinguishers-\$1,661.00; Yankton Medical Clinic-Pre-

Employment Physical-\$762.00; Yankton School District 63-3-2015 4th Qtr Bill-\$26,211.49; Ziegler/William P-Officer Stipend-\$100.00; A & B Business Inc-Copier Maintenance-\$425.39; Ace Hardware-Park Supplies-\$1,659.69; Adafruit Industries-Teen Program-\$44.74; Amazon Mktplace Pmts-DVDs-\$299.04; Amazon.Com-Code Books-\$379.70; Amer Soc Civil Engineers-ASCE Membership-\$235.00; American Public Works-APWA Membership-\$92.00; Animal Health Clinic Animal-Shelter Expense-\$12.75; Ann Taylor Loft-Uniform Reimburse-\$139.39; Appeara-Towels-\$197.14; Applied Ind Tech-Blower Filters-\$512.93; Arbys-Travel Expense-\$14.84; Army Lodging-Travel Lodging-\$152.00; AT&T Bill Payment-AT&T Mobility-\$314.53; Atlantic Tactical-Equipment Bag-\$53.94; Autozone-Equipment Repair-\$5.54; Baker-Taylor-Books-\$4,645.91; Battery Exchange-Batteries-\$55.90; Beacon Hills-Travel Expense-\$47.41; Becker Body Shop-Repair Vehicle-\$4,003.67; Bizco Technologies-Computers/Dock/Console-\$7,889.00; Field&Stream-Magazine Subscription-\$19.97; Bobs Candy Service Inc-Special Olympics-\$38.55; Boller Printing-Printing-\$929.00; Bomgaars-Power Washer Set Up-\$1,569.79; Book Systems Inc-Atrium Annual Subscript-\$3,195.00; Coffee Cups-Travel Expense-\$21.51; Burger King-Travel Expense-\$13.12; Caseys Gen Store-Staff Appreciation-\$7.49; CDW Government-Laptop Mount-\$112.89; Center Point-Books-\$126.42; Chief Supply-Vehicle Equipment-\$1,511.39; Christian Century-Magazine Subscription-\$65.00; Cleveland Golf-Golf Equipment-\$181.22; Coffee Cup-Travel Fuel-\$59.94; Country Living-Magazine Subscription-\$34.97; Cox Auto Supply-Backup Alarms-\$806.60; Crescent Electric-Lamps-\$749.45; D-P Tools Inc-Strut-\$48.95; Dayhuff Enterprises-Janitorial Supplies-\$847.31; Delta-Travel Expense-\$2,282.50; Demco Inc-Office Supplies-\$103.56; Dex One-Phone Book Publishing-\$39.00; Dollartree-Summer Reading/Adult Crafts-\$32.00; Dropbox Department-Dropbox Cloud-\$99.00; Dunhams-Recreation Supplies-\$64.97; Dwyer Instruments Inc-Polymer Flow Switch-\$150.47; DX Service-Salt-\$3,023.01; Echo Electric Supply-Photocell Fuses-\$355.44; Ehresmann Engineering-Shop Supplies-\$643.62; Embroidery & Screen Works-Office Supplies-\$34.00; Esquire Magazine-Magazine Subscription-\$29.97; Expedia-Travel Baggage-\$30.00; Exxonmobil-Travel Fuel-\$30.55; Quilter's News-Magazine Subscription-\$41.99; Facebook-Fox Run Facebook Ads-\$24.80; Fastenal Company-Grommets-\$542.11; Fred Haar Company-Mower Parts-\$294.79; Gilbarco Veeder Root-Upgrade-\$162.18; Grafix Shoppe-Graphics New Vehicle-\$339.51; Hampton Inns-Lodging-\$312.39; Hardee's-Travel Expense-\$10.25; Harding Glass-Building Repair-\$135.05; Hedahls-Brakes and Pads-\$664.55; Hillcrest Golf-Maintenance Supplies-\$1,485.00; Homedepot.Com-Building Repair-\$161.95; Huskers Illustrated-Magazine Subscription-\$62.95; Hy-Vee-Concessions/Gatorade-\$608.36; IAPMO Plumbing-Continuing Ed-\$60.00; ICSC-Registration-\$1,140.00; In Powerphone-New Dispatcher Training-\$729.00; Independence Waste-Rentals-\$433.90; Int'l Code Council Inc-ICC Plumbing Certificate-\$190.00; Interstate-Radio Batteries-\$238.50; JJ Benji-Awards-\$2,217.00; Jack's Uniforms-Uniforms-\$552.97; JCL Solutions-Cleaning Supplies-\$812.74; Jimmy John's-Travel Expense-\$20.07; JoDeans Steak House-Meeting-\$19.20; Kaiser Refrigeration-Trail Supplies-\$24.99; Kendell Doors & Hardware-Door Locks Parks/Padlock-\$704.90; Kmart-Janitorial Supplies-\$214.42; Kohl's-Clothing Allowance-\$139.93; Kiplinger Editors-Magazine Subscription-\$23.95; Language Line-Interpretation Services-\$21.15; Larrys Heating-Filters-\$587.52; Lewis and Clark Ford-Trailer Hitch Kit-\$118.00; Longs Propane Service-Propane-\$22.00; Mark's Machinery Inc-Couplers-\$252.89; Marlins Family Restaurant-Travel Expense-\$21.05; McDonald's-Travel Expense-\$7.54; McMaster-Carr-Pump Solenoid-\$98.99; Mead Lumber-Park Maintenance-\$296.52; Med-Vet-Sharps Containers-\$447.00; Menards-Meridan Bridge Project-\$1,309.92; Midwest Alarm Co Inc-Alarm System Repair-\$310.50; Midwest Turf-Park Supplies-\$541.04; National Business Inst-Registration-\$339.00; National Review-Magazine Subscription-\$59.00; National Tactical Office-Membership Dues-\$150.00; Nike Golf-Golf Equipment-\$149.83; Northern Tool-Lance-\$57.92; Northern Tool Equip-Shop Supplies-\$429.98;

Northtown Automotive-Struts-\$1,003.48; Hardees-Travel Expense-\$11.21; Hardees-Travel Expense-\$10.04; Office Elements Group-Office Supplies-\$95.44; Olsons Pest Technician-Chemicals-\$68.00; O'Reilly Auto-Exhaust Fluid-\$240.14; Oriental Trading Co-Summer Reading-\$80.93; Overdrive Dist-Downloadable Books-\$723.58; Apexstore-Batteries-\$63.72; Paypal-CV Supply-Building Repair-\$129.99; Paypal Ideagroupi Supplies-PC Monitors-\$317.63; Paypal Itr-PC Monitors-\$105.54; Paypal KK4SDN-Radio-\$285.00; Paypal Penterprise-Microphone Receiver-\$44.89; Paypal Rickyfalek- PC Monitors-\$159.98; Portable Computer-Syst Software-Netmotion-\$1,947.00; Postage Refill Mailstation-Postage-\$200.00; Prandomhouse-Books-\$339.75; Printsource Network In Building-Permit Printing-\$175.00; Provantage LLC-Software Antivirus-\$1,043.35; Push Pedal Pull Corp-Equipment Repair-\$275.00; Quill Corporation-Office Supplies-\$375.52; Ramos Pizza & Pub- Travel Expense-\$33.84; Range Servant America-Golf Ball Dispenser-\$8,985.00; Recreation Supply Co-Pool Furniture-\$1,206.57; Redrossa Italian Grill-Travel Expense-\$22.73; Remington Arms Company-Training-\$675.00; Riverside Hydraulics-Build Cylinder-\$1,015.65; The Golfworks-Club Repairs-\$896.37; Rock Bottom Beers Burg-Meeting Expense-\$26.65; Ron's Auto Glass-Park Supplies-\$10.00; Royal Sport Shop-Uniforms-\$1,927.74; Sanfords Grub & Pub-Travel Expense-\$16.12; SD Secretary of State-Foundation Registration-\$10.00; SF Regional Airport-Airport Parking-\$38.00; Sheehan Mack Sales-Air Tank-\$192.46; Sherwin Williams-Park Supplies-\$175.30; Sioux Falls Two Way Radio-Mobile Radio Repair-\$449.49; Sirchie Finger Print-Evidence Tape-\$15.50; Smithsonian Mag-Magazine Subscription-\$34.00; So Pt Baja Miguels-Travel NFAA-\$63.91; So Pt Coronado Café-Travel NFAA-\$119.58; So Pt Hotel-Lodging-\$1,008.00; So Pt Silverado Steakhouse-Travel NFAA-\$1,196.35; South Dakota State Historical Society-Microfilm-\$28.80; Signs By Design-Graphics for SRT Van-\$1,061.96; The Collision Co-Repair Hood and Grill-\$1,382.96; The Gyro Hub-Travel Expense-\$10.16; Sturdevants-Impact Sensor-\$239.55; Swim 2000-Pool Supplies-\$1,007.01; Teledyne Isco-Tubing-\$344.50; TMA-Tires-\$4,536.35; Fortune Magazine-Magazine Subscription-\$60.00; Tractor Supply Co-Tractor Chains-\$95.47; Travelocity.Com-Conference ICSC-\$727.16; Truck Trailer Sales-Fuel Treatment-\$1,817.40; U Stop-Travel Fuel-\$12.69; United Conference- GOSCMA-\$787.40; Universal Printing Solutions-Office Supplies-\$1,256.76; UPS-Postage-\$14.32; Upstart/Edupress-Summer Reading Supplies-\$545.02; USA Blue Book-Supplies-\$1,988.04; USPS-Postage-\$43.43; Valentino's-Travel Expense-\$32.21; Value Line Publishing-Magazine Subscription-\$950.00; Vanderhule Moving-Torch Tip-\$207.50; Register Of Deeds-Recording Fees-\$32.50; Viddler Inc-Video Hosting-\$30.42; Vistaprint.Com-Business Cards-\$425.58; VWR International Inc-Lab Supplies-\$1,119.51; Verizon Wireless-Internet Access-\$506.17; Verizon Wireless-Prepaid Paid Minutes-\$37.80; Wal-Mart-Office Supplies-\$669.66; Walgreens-Supplies-\$14.97; Wendy's-Travel Expense-\$8.43; Western Office Product-Office Supplies-\$3,230.86; WM Supercenter-Ink-\$568.75; WW Grainger-Janitorial Supplies-\$327.80; WWW.Logmein.Com-Professional Services-\$625.00; Yankton Pizza Ranch-Meeting-\$25.68; Yankton Winnelson Co-Hot Water Tank Heater-\$190.43; 4imprint Recycling-Pencils-\$531.96; AFSCME Council 65-Employee Deductions-\$1,379.91; American Family Life Corp-Cancer & ICU Premiums-\$7,077.84; Assurant Employee Benefits-Vision Insurance-March-\$680.77; Bass/Stewart-Training-\$920.00; Connections Inc-EAP Insurance-February-\$371.28; Delta Dental-Dental Insurance-March-\$7,349.64; Dept of Social Services-Employee Deduction-\$1,835.00; First Natl Bank South Dakota-Employee Deduction-\$2,477.78; Foote/Jason-Training-\$540.00; Johnson/Jeffrey-Training-\$1,140.00; Midwest Boiler Repair Inc-City Hall Boiler Repair-\$9,526.80; Minnesota Life Insurance Co-Life Insurance-March-\$721.55; Police Chiefs' Association-Registration-\$85.00; Retirement SD-SD Retirement-February-\$69,414.45; SDSRP-Employee Deduction-\$4,810.00; South Dakota Airport Conference-Registration-\$90.00; Summit Activities Center-Employee Deduction-\$811.40; Tom's Custom Rifles-Shotguns-\$4,123.00; TS Startups LLC-Start Up Weekend Yankton-\$1,500.00; United

Way-Employee Deduction-\$89.32; Vast Broadband-Internet Services-\$3,461.93; Warrior Mindset.com-Registration-\$125.00; Wellmark Blue Cross-Health Ins-March-\$90,167.41;

SALARIES FEBRUARY, 2016:

Administration-\$33,213.92; Finance-\$31,118.68; Community Development-\$22,219.07; Police-\$154,823.45; Fire-\$11,223.24; Engineering-\$38,778.87; Street-\$38,460.89; Snow & Ice-\$7,192.75; Traffic Control-\$1,843.46; Library-\$29,560.15; Parks/SAC-\$59,546.43; Marne Creek-\$3,460.08; Water-\$39,327.18; Wastewater-\$34,493.39; Cemetery-\$3,452.47; Solid Waste-\$19,956.60; Landfill-\$17,122.89; Golf Course-\$14,013.00; Central Garage-\$6,885.94.

PERSONNEL CHANGES & NEW HIRES:

New Hires: Christopher Allington-\$1269.50 bi-wk.-Dispatch; Thomas Kruse-\$1208.35 bi-wk.-Transfer Station; Brittany LaCroix-\$1750.04 bi-wk.-Parks & Rec.

Status Change: Corey Potts-\$2213.08 bi-wk.-from Public Works Mgr. Assistant to Public Work Manager.

Longevity: Jason Tramp-\$1633.23 bi-wk.-Water

Mayor Carda read a proclamation proclaiming March 16 through March 25, 2016, as “Community Champions Week in the City of Yankton” in support of the March for Meals Campaign efforts to raise awareness of Senior Hunger.

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

Action 16-71

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

1. Possible Quorum Event
March 22, 2016, for Chamber Annual Meeting, no official commission action
2. Budget Workshop Meeting Dates
Consideration of Memorandum 16-76 regarding setting Budget workshop meeting dates
3. Establish public hearing for a transfer of ownership – Package Off-Sale
Establish March 28, 2016, as the date for the public hearing on the transfer of ownership of a Package (off-sale) Malt Beverage License for July 1, 2015, to June 30, 2016, from Freedom Valu Center, Inc. (Joseph V. Topper, Jr., CEO) dba Freedom Valu Center to JAY AMBE-8, LLC (Kamleshkumar Patel, Owner) dba Freedom Valu Center, 301 Broadway Avenue, Yankton, South Dakota.
4. Establish public hearing for a transfer of ownership – Malt Beverage
Establish March 28, 2016, as the date for the public hearing on the request for the transfer of ownership of a Retail (on-off sale) Malt Beverage License for July 1, 2015, to June 30, 2016, from Freedom Valu Center, Inc. (Joseph V. Topper, Jr., CEO) dba Goldmine to JAY AMBE-8, LLC (Kamleshkumar Patel, Owner) dba Freedom Valu Center, 301 Broadway Avenue, Yankton, South Dakota.
5. Establish public hearing for a transfer of ownership – Malt Beverage
Establish March 28, 2016, as the date for the public hearing on the transfer of ownership of a Retail (on-off sale) Malt Beverage License for July 1, 2015, to June 30, 2016, from Charlies

Pizza House, Inc. (Steve Slowey, President) dba Charlie's Pizza House to Chuck Stop, LLC (Robert Rezac, President), dba Charlie's Pizza, 804 Summit Street, Yankton, South Dakota.

6. Establish public hearing for a transfer of ownership – Wine

Establish March 28, 2016, as the date for the public hearing on the transfer of ownership of a Retail (on-off sale) Wine License for January 1, 2016, to December 31, 2016, from Charlies Pizza House, Inc. (Steve Slowey, President) dba Charlie's Pizza House to Chuck Stop, LLC (Robert Rezac, President), dba Charlie's Pizza, 804 Summit Street, Yankton, South Dakota.

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

Motion adopted.

Action 16-72

This was the time and place for the public hearing on the application 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. (Memorandum 16-58) No one was present to speak for or against approval of the transfer of location of license. Moved by Commissioner Knoff, seconded by Commissioner Gross, to approve the application for transfer of the license.

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

Motion adopted.

Action 16-73

This was the time and place for the public hearing on the application for transfer of location of a Retail (on-off sale) Wine License for January 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. (Memorandum 16-59) No one was present to speak for or against approval of the transfer of location of license. Moved by Commissioner Knoff, seconded by Commissioner Sommer, to approve the application for transfer of the license.

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

Motion adopted.

Action 16-74

This was the time and place for the public hearing on the application 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. (Memorandum 16-60) No one was present to speak for or against approval of the license application. Moved by Commissioner Sommer, seconded by Commissioner Knoff, to approve the license application.

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

Motion adopted.

Action 16-75

This was the time and place for the public hearing on the application 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. (Memorandum 16-61) No one was present to speak for or against approval of the license

application. Moved by Commissioner Johnson, seconded by Commissioner Sommer, to approve the license application.

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

Action 16-76

This was the time and place for the public hearing on Resolution 16-13, Special Assessment Roll for Assessment Project to Pave the Alley from 7th Street to 8th Street between Walnut Street and Douglas Avenue. (Memorandum 16-55) A number of residents were present to speak against adoption of Resolution 16-13. Moved by Commissioner Knoff, seconded by Commissioner Gross, to adopt Resolution 16-13.

RESOLUTION 16-13

**A RESOLUTION DECLARING THE NECESSITY OF CONSTRUCTING
IMPROVEMENTS FOR THE ALLEY SOUTH OF 8TH STREET
BETWEEN WALNUT STREET AND DOUGLAS AVENUE**

BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota:

SECTION 1. That it is deemed and declared necessary to construct improvements in accordance with plans and specifications therefore, prepared under the direction of the Department of Public Works on the alley south of 8th Street, between Walnut Street and Douglas Avenue, in the City of Yankton, South Dakota, abutting upon the following described property to be assessed therefore:

**Parcel D, Lot A of Parcel D & Parcel B, Polly’s Subdivision
Lots 2 through 17, Block 74, Todd’s
Lot 1, Block 57, Todd’s**

SECTION 2. That the nature of said improvements is to construct a three inch asphalt pavement surface, along with items such as six inches of gravel base course, unclassified excavation/earthwork and grading, seeding and approach pavements, as needed, and all other incidentals in the above named location.

This project does not include improvements outside of the alley right-of-way, concrete driveway approaches. The project does include some slope work on private property, as necessary.

SECTION 3. That the cost and expense of the above listed improvements shall be levied by special assessment upon the above described properties in accordance with Chapter 9-43 of the South Dakota Codified Laws (SDCL). Said improvements shall be assessed upon the above described properties abutting thereon according to the benefits derived in accordance with Chapter 9-45 of the South Dakota Codified Laws.

SECTION 4. Said assessment may be paid in ten (10) equal annual installments. Any such assessment or any installment thereof unless paid within thirty (30) days after the filing of the Assessment Roll in the Office of the City Finance Officer shall be collected under Plan Two, with

interest in accordance with the procedure provided in SDCL 9-43. In all cases where interest on such assessment or the installment thereof is to be charged and collected in accordance with the law, the rate to be charged shall be as established by the Board of City Commissioners.

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

Action 16-77

This was the time and place for the public hearing and second reading of Ordinance No. 986, AN ORDINANCE AMENDING VEHICLES FOR HIRE REGULATIONS WITHIN THE CITY OF YANKTON. No one was present to speak for or against adoption of Ordinance No. 986. Following discussion, it was proposed to amend language in Section 13-38(d) and Section 13-38(f). Moved by Commissioner Knoff, seconded by Commissioner Johnson, to approve the proposed amendments to Sections 13-38(d) and (f) of Ordinance No. 986 as discussed.

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

It was then moved by Commissioner Hoffner, seconded by Commissioner Knoff, to adopt Ordinance No. 986 as amended.

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

Action 16-78

Moved by Commissioner Sommer, seconded by Commissioner Woerner, to adopt Resolution 16-09. (Memorandum 16-47)

RESOLUTION 16-09

**A RESOLUTION TRANSFERRING A HANGAR LAND LEASE AGREEMENT FROM
JACOB HOFFNER d/b/a HOFFNER FLYING INC. TO KEITH E. TOCZEK AND
JULIUS C. LARSON**

WHEREAS, The City of Yankton has been given the authority to approve the airport hangar ground lease agreement transfer for Airport Hangar No. 14 owned by Jacob Hoffner dba Hoffner Flying Inc.; and,

WHEREAS, Keith E. Toczec and Julius C. Larson wish to assume ownership of the hangar from Jacob Hoffner dba Hoffner Flying Inc.; and,

WHEREAS, Keith E. Toczec and Julius C. Larson have signed an agreement assuming the responsibilities and obligations of the current lease agreement; and,

WHEREAS, it is in the best interest of the City of Yankton and the operations of Chan Gurney Municipal Airport to approve the transfer of the ownership of this airport hangar and to approve the assignment of the land lease agreement to Keith E Toczec and Julius C. Larson,

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, SD, that the transfer of the ownership of the airport hangar and the assignment of the land lease agreement from Jacob Hoffner dba Hoffner Flying Inc. to Keith E. Toczec and Julius C. Larson is hereby approved.

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

Action 16-79

Moved by Commissioner Johnson, seconded by Commissioner Knoff, to approve the multiple listing agreements with Achieve Realty, Anderson Realty, America’s Best Realty, Century 21 Professional Real Estate, Discovery Realty & Management Services, LLC, Lewis and Clark Realty, Shore to Shore Realty, and Vision Real Estate Service, for City owned property described as an approximately 11 acre industrial area located South of SAPA on the north side of 15th Street East and the 1.48 acre site located southeast of the intersection of Bill Baggs Road and Alumax Road. (Memorandum 16-57)

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

Action 16-80

Moved by Commissioner Knoff, seconded by Commissioner Johnson, to approve the Mayor’s Appointments of Commissioners Ferdig, Gross, and Hoffner to serve on the Consolidated Board of Equalization. (Memorandum 16-64)

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

Action 16-81

Moved by Commissioner Johnson, seconded by Commissioner Woerner, to adopt Resolution 16-16. (Memorandum 16-62)

AUTHORIZING RESOLUTION 16-16

RESOLUTION AUTHORIZING EXECUTION OF THE GRANT AGREEMENT AND DESIGNATING A REPRESENTATIVE TO CERTIFY AND SIGN PAYMENT REQUESTS

WHEREAS, the **City of Yankton (the “CITY”)** has secured financial assistance from the South Dakota Board of Water and Natural Resources (the “**BOARD**”) via the Solid Waste Management Program to assist in financing improvements at the City’s Solid Waste Transfer Station; and

WHEREAS, the **CITY** shall designate an authorized representative to execute and submit State of South Dakota documents in support of the funding award, to include certification and execution of requests for payment.

NOW THEREFORE, BE IT RESOLVED, the **City Manager** is hereby authorized to execute and cause to be delivered all documents in support of an award and perform all acts necessary to effectuate administration of said grant.

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

Action 16-82

Moved by Commissioner Knoff, seconded by Commissioner Sommer, to adopt Resolution 16-14.
(Memorandum 16-56)

RESOLUTION 16-14
BRIDGE RE-INSPECTION PROGRAM RESOLUTION
FOR USE WITH SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION (SDDOT)
RETAINER CONTRACT

WHEREAS, Title 23, Section 151, United States Code and Title 23, Part 650, Subpart C, Code of Federal Regulations, requires initial inspection of all bridges and re-inspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are re-inspected at intervals not to exceed four years.

THEREFORE, the City of Yankton is desirous of participating in the Bridge Inspection Program using Bridge Replacement funds.

The City of Yankton requests SDDOT to hire Brosz Engineering, Inc. for the inspection work. SDDOT will secure federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the City for 20% of the cost. The City of Yankton will be responsible for the required 20% matching funds.

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

Action 16-83

This was the time and place to award the bid for 2016 Model Skid Steer Loader for the Department of Public Works, Street Department. The following bids were received and opened on February 17, 2016: Mark’s Machinery, Yankton, South Dakota-\$43,420.00; Koletzky Implement, Yankton, South Dakota-Model L221-\$41,253.70 or Model L228-\$42,730.30. (Memorandum 16-65) The bid from Koletzky Implement for the Model L221 Skid Steer Loader did not meet specifications and, therefore, was not considered. Moved by Commissioner Knoff, seconded by Commissioner Johnson, to award the bid to Koletzky Implement, Yankton, South Dakota, for the lowest qualified bid in the amount of \$42,730.30 for Model L228 Skid Steer Loader.

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

Action 16-84

This was the time and place to award the bids for a 2017 Model 33,000 GVW 4x2 Class Truck and a 2016 Model Asphalt Oil Distributor for the Department of Public Works, Street Department. The following bids were received and opened on February 24, 2016:

33,000 GVW 4x2 Class Truck: North Central International of Sioux Falls, Inc., Sioux Falls, South Dakota-\$77,393.00; Boyer Trucks, Sioux Falls, South Dakota-\$79,540.00.

Asphalt Oil Distributor: Sheehan Mack Sales & Equipment, Sioux Falls, South Dakota-\$91,350.00; Titan Machinery, Sioux Falls, South Dakota-\$91,365.00. (Memorandum 16-66)

Moved by Commissioner Johnson, seconded by Commissioner Knoff, to award the bid to the low bidders, North Central International, Sioux Falls, South Dakota, for the 33,000 GVW 4x2 Class Truck in the amount of \$77,393.00 and to Sheehan Mack Sales & Equipment, Sioux Falls, South Dakota, for the Asphalt Oil Distributor in the amount of \$91,350.00.

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

Motion adopted.

Action 16-85

Moved by Commissioner Sommer, seconded by Commissioner Woerner, to authorize the purchase of a 2016 Chevrolet 2500 HD 4x4 regular cab pickup for the Department of Public Works, Street Department, from Northtown Automotive, Yankton, South Dakota, for the cost of \$29,352.00 under the State bid price. (Memorandum 16-77)

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

Motion adopted.

Action 16-86

Moved by Commissioner Knoff, seconded by Commissioner Sommer, to approve the purchase of a 2016 Ford F350 chassis cab only for the Department of Parks and Recreation for the a base cost of \$31,723.00 under the State bid price. (Memorandum 16-69)

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

Motion adopted.

Action 16-87

Moved by Commissioner Knoff, seconded by Commissioner Johnson, to allow members of the Yankton High School National Honor Society to camp in Fantle Memorial Park on the night of Friday, April 29 into the morning of Saturday, April 30, to raise money and awareness of the Homeless Shelter. (Memorandum 16-68)

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

Motion adopted.

Action 16-88

Moved by Commissioner Sommer, seconded by Commissioner Woerner, to approve the request from organizers of the Meridian Mile event, to close both levels of the Meridian Bridge on June 18, 2016, from 8:00 a.m. to 3:00 p.m. to host a one-mile age-grouped run on the Meridian Bridge as a fund raising event for the Mead Building. (Memorandum 16-70)

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

Motion adopted.

Memorandum 16-71 recommending that the bid for the Cemetery Turf Maintenance RFP be rejected was considered. No motion was made.

Action 16-90

Memorandum 16-72 recommending terminating the Lease Agreement between the City of Yankton (City) and Regional Technical Education Center (RTEC) effective as of June 30, 2016, at 11:59 p.m.

was considered. Ron Kraft, Dr. Wayne Kindle, and Matt Pietz, from the Yankton School District, were present to answer questions and to support the adoption of Resolution 16-18 authorizing a transfer of deed between City and Yankton School District; and the approval of a lease agreement between the City and Yankton School District. Following discussion, it was moved by Commissioner Knoff, seconded by Commissioner Gross, to approve terminating the lease agreement between the City and RTEC effective June 30, 2016. After further discussion and prior to a vote being taken, moved by Commissioner Gross, seconded by Commissioner Hoffner, to table action on the motion to terminate the lease agreement between the City and RTEC.

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

After tabling the recommendation to terminate the Lease Agreement between the City and RTEC, and following further discussion, it was the consensus of the Commission to move on to New Business Items 14 and 15.

Action 16-91

Moved by Commissioner Johnson, seconded by Commissioner Ferdig, to adopt Resolution 16-18. (Memorandum 16-73)

RESOLUTION 16-18
A RESOLUTION TO TRANSFER REGIONAL TECHNICAL EDUCATION
CENTER REAL PROPERTY

WHEREAS, The City of Yankton is the owner of the property serving as the Regional Technical Education Center located at 1200 West 21st Street in Yankton, and legally described as follows:

Lots 3, 6 and 7 of Lot A, N1/2 of the NW1/4 of Section 12, Township
93 North, Range 56 West of the 5th P.M., City and County of Yankton, South Dakota

(hereafter the “RTEC Facility”).

WHEREAS, the Yankton School District (“YSD”) has requested that the City of Yankton transfer ownership of the RTEC Facility to YSD, effective July 1, 2016, in order to permit the YSD access to additional grant funds and expanded educational programming;

WHEREAS, YSD has assured the City that it may continue utilizing the RTEC Facility for its public meeting purposes on similar terms to its current contractual use of the RTEC Facility.

WHEREAS, City staff and YSD have negotiated the attached written lease agreement granting the City the right to utilize the RTEC Facility meeting room so long as the City Commission desires to make use of such facility for public meeting purposes; and

WHEREAS, YSD has also negotiated written leases with Regional Technical Education Center, Inc. and Southeast Job Link, Inc. for the continuing use of the RTEC Facility and the administrative staff of both entities do not object to the change of ownership.

NOW, THEREFORE, BE IT RESOLVED, by the Board of City Commissioners of the City

of Yankton, South Dakota, that the RTEC Facility shall be transferred to YSD by quit claim deed to be signed by City Manager Amy Nelson and recorded with the Yankton County Register of Deeds, said deed to have a springing effective date of July 1, 2016; and

BE IT FURTHER RESOLVED, that the attached lease agreement is hereby approved, and City Manager Amy Nelson is hereby directed to execute the lease agreement on behalf of the City of Yankton; and

BE IT FURTHER RESOLVED that the City Manager shall cause written notice to be sent to Regional Technical Education Center, Inc. terminating the current lease agreement for use of the RTEC Facility with an effective termination date of July 1, 2016.

Following discussion it was moved by Commissioner Knoff to amend the motion to be contingent upon the lease agreement being for a longer term and eliminating the 90-day notice of termination. Motion died for lack of a second. Roll call was then taken on the original motion.

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

Action 16-92

Moved by Commissioner Gross, seconded by Commissioner Johnson, to approve the lease agreement between the City of Yankton and the Yankton School District for use of the RTEC building. (Memorandum 16-74)

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

Action 16-93

Moved by Commissioner Hoffner, seconded by Commissioner Ferdig, to remove Action 16-90 from the Table and open for reconsideration.

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

Action 16-94

Moved by Commissioner Ferdig, seconded by Commissioner Sommer, to terminate the Lease Agreement between the City of Yankton (City) and Regional Technical Education Center (RTEC) effective as of June 30, 2016, at 11:59 p.m.

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

Action 16-95

Moved by Commissioner Knoff, seconded by Commissioner Johnson, to adopt Resolution 16-17. (Memorandum 16-75)

RESOLUTION 16-17

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

WHEREAS, Mark Erdmann, Drain Masters has offered \$10,000 to purchase one acre, 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 Mark Erdmann, Drain Masters, 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 600 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 A.

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

Action 16-96

Moved by Commissioner Sommer, seconded by Commissioner Johnson, to approve the purchase of a 2016 Chevrolet 1500 4x4 double cab pickup for the Department of Public Works, Engineering Department, from Northtown Automotive, Yankton, South Dakota, for a cost of \$29,912.00 under the state bid price. (Memorandum 16-78)

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

Action 16-97

Moved by Commissioner Sommer, seconded by Commissioner Ferdig, to adjourn at 9:18 p.m.

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

David Carda
Mayor

ATTEST: _____
Al Viereck
Finance Officer