

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
MAY 8th, 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 23-106

Moved by Commissioner Benson, seconded by Commissioner Miner, to approve Minutes of work session meeting of April 24th, 2023, and regular meeting of April 24th, 2023.

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

Motion adopted.

Action 23-107

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

1 Office - Office Supplies - \$80.01; 3rd Millennium - Utility Billing - \$700.66; A&B Business Equipment Inc - Lease - \$385.30; Adobe - Subs - \$14.99; Adobe - Computer Program - \$58.56; Aexcel Corp - Paint - \$11,020.81; Afscme Council - Afscme Deduct - \$930.40; Als Oasis - Travel Expense - \$21.94; Alyssa Lange - Election Worker - \$39.78; American Red Cross - Lifeguard Cert - \$1,554.00; Amzn - Dvd - \$18.99; Amzn - Dvd Drive - \$24.99; Amzn - Supplies - \$100.43; Amzn - Book - \$15.67; Amzn - Radio Strap - \$79.89; Amzn - Knobs - \$38.22; Amzn - Cleaning Supplies - \$16.42; Amzn - Dvd - \$18.11; Amzn - Key Ring - \$7.59; Amzn - Lanyards/Whistles - \$123.45; Amzn - Handset - \$23.98; Amzn - Books - \$425.04; Amzn - Exit Sign - \$42.90; Amzn - Supplies - \$24.73; Amzn - Program Supplies - \$7.85; Amzn - Janitorial Supplies - \$129.05; Amzn - Books - \$49.75; Amzn - Janitorial Supplies - \$81.75; Aox - Compressed Gas - \$182.34; Associated Supply - Sand - \$1,076.32; Att Bill - Mobile Data - \$1,249.50; Aurora Training Advant - Train Prog - \$599.00; Automatic Building - Fire System Check - \$1,954.00; Autozone - Brake Rotos - \$1,460.27; Avera - Premium - \$88,783.84; Axvoice - Dialer Service - \$21.44; Baker-Taylor - Books - \$6,077.29; Ballard/Brian - Reimb Boots - \$104.99; Ballard/Brian - Travel Advance - \$49.00; Banner Assoc - Prol Services - \$13,485.54; Batterysharks - Batteries - \$84.84; Bb&T - Hfac Bond - \$483,387.10; Bbg Const - Attorney Fees - \$14,006.90; Becker Body - Vehicle Repair - \$2,274.43; Bluepeak - Internet Service - \$3,904.11; Bomgaars - Grass Seed - \$2,171.26; Bow Creek Metal - Trash Cans Lids - \$1,989.00; Brammer/Rick - Summer Program - \$425.00; Bro Brgr - Staff Appreciation - \$96.72; Brock White - Cold Asphalt Patch - \$2,196.00; Buhls - Cleaning - \$404.16; Burger King - Travel Expense - \$38.67; Burger King - Travel Expense - \$12.14; C&B - Mower Repairs - \$514.73; Care Center - Pool Repairs - \$393.75; Caseys - Fuel - \$25.00; Caseys - Election Training - \$15.55; Caseys - Dispatch Appreciation - \$66.61; Cattlemans Club - Travel Expense - \$42.30; Ceco Ind - Blower - \$8,329.50; Cedar Knox Pub Pwer Dist - Electricity - \$1,238.93; Centurylink - Phone - \$1,163.66; Chemtek - Asphalt Remover - \$497.38; Christensen Radiator - Parts - \$350.24; Chs - Bulk Def - \$498.45; City Of Verm - Jt Powers Cash Trans - \$78,856.88; Clarks Rentals - Mower Repairs - \$245.02; Clubhouse Hotel - Lodging - \$336.64; Concept2 - Rowers - \$2,090.00; Conoco - Fuel - \$128.74; Cornwell - Shop Tool - \$122.35; Counterfeit Catering - Program - \$392.00; Country Inn - Lodging - \$231.00; Cowboy

Store - Interview Training - \$60.91; Coy - Rubbish - \$15.00; Coy - Clean Up - \$15,660.89; Coy - Landfill - \$291.87; Coy - Compacted Garbage - \$16,848.09; Coy - Garbage - \$187.61; Coy - Utility Collect - \$106.81; Crescent Elect - Pole Light - \$11.10; Crescent Elect - Electrical Supplies - \$829.75; Crouch Rec - Westside Pk Play Equip - \$117,004.00; Cty Utilities - Wtr-Ww Charges - \$8,335.44; D&G Concrete - 15th St Reconst - \$101,220.59; Deadwood Lodge - Lodging - \$534.06; Deadwood Resort - Travel Expense - \$51.60; Delight Donuts - Cmar Interview Team - \$71.45; Dept Of Ag - Permit Fee - \$102.50; Dept Of Environment - 2017I-Rec-403 Sw - \$63,173.59; Dept Of Health - Water Samples - \$503.00; Dept Of Mv - Title & License - \$53.40; Design Sol & Int - Scada - \$2,141.25; Diamond Vogel - Road Materials - \$3,815.75; Dooley/Robert - Glasses Reimb - \$194.00; Dri Uprinting - Backdrop - \$828.27; Dss - Sd Child Support - \$1,316.84; Dugout - Snow Conf - \$119.05; Ebay - Office Supplies - \$17.99; Echo - Lab Elec Repairs - \$2,622.68; Ehresmann Eng - Drop Steel (Plate) - \$65.00; Ehresmann Engineering - Tubes/Flats - \$362.65; Election Systems - Ballots - \$1,384.84; Fair Mfg - Blower Spout - \$1,304.00; Fastenal Co - Bolts - \$1,171.42; Fedex - Mail Evidence - \$33.86; Fejfar Plumbing - Plumbing Repairs - \$86.74; Feld Fire - Compressor Service - \$1,495.00; Fenton Const - Marne Creek Restore - \$137,075.16; Ferguson Ent - 2" Meters - \$12,266.43; Finance - Supplies - \$39.71; Finance Dept - Training & Election Day - \$2,295.00; Firefighter Inspir - Fireground Class - \$4,009.79; First Dakota - Hsa Cont - \$11,866.53; First Dakota Nat'l Bank - Fire Station Debt Serv - \$12,496.25; Fnbo - Cafeteria Plan - \$1,759.16; Foss/Kasi - Resloution Board - \$41.38; Frontier Mills - Grass Seed - \$554.16; Galls - Handcuff Key - \$11.89; Game Lodge - Lodging - \$470.72; Gerstner Oil - Mower Oil - \$344.10; Gerstners - Fuel - \$53,926.67; Grainger - Air Com - \$567.31; Graymont - Lime - \$7,588.30; Guardian Alliance - Backgrnd Invest - \$102.00; H&K Oil - Tires - \$150.00; Hach - Reagents - \$823.14; Hansen Locks - Lock Core - \$135.00; Hanson Briggs - Evidence Inventory - \$216.48; Hanson Briggs - Logo Coffee Mugs - \$286.54; Hanson Briggs Adv - Delinquent Notices - \$238.58; Hartfiel Auto - Pump Parts - \$888.03; Hawkins - Chemicals - \$29,423.73; Hdr Eng - Wwtp Eda - \$57,249.57; Heritage Homes - 1/2 Sp Approp - \$1,250.00; Hilton Hotels - Snow Conf - \$1,547.04; Hy-Vee - Program Supplies - \$256.99; Icma Ret Trust - Icma Cont - \$3,314.52; Ingersoll Rand - Service Call - \$912.98; Intl Code Council - Membership Dues - \$145.00; Ir Industrial - Air Comp - \$1,917.94; Ivans Boring - Shade Structures - \$2,000.00; J&H Cleaning - Janitorial Services - \$4,200.00; Jacks Uniforms - Sergeant Badges - \$1,400.06; Jansen Roofing - Steel Roofing - \$21,267.00; Jcl Solutions - Cleaning Supplies - \$2,271.77; Jimmy Johns - Travel Expense - \$12.88; Jj Benji's - Shirts - \$3,061.50; Jones Constr - Wwtp - \$511,287.48; Kaisers - Equipt - \$2,241.40; Kay Park Rec - Bleachers - \$31,839.60; Kinsman Garden - Flower Baskets - \$2,131.00; Klj Engineering - Design Services - \$1,298.17; Knife River - Asphalt Gravel - \$8,277.75; Koletzkys - Equipt Repairs - \$94.34; Kopetskys - Downtown Baskets - \$2,851.12; Kuehler/Dave - Glasses Reimb - \$546.00; Language Line - Language Interp - \$278.69; Lawler Fixture - Cooler - \$3,660.00; Lewis & Clark Bhs - 1/2 Sp Approp - \$10,504.00; Lewis & Clark Ford - Air Deflectr - \$88.32; Lewis & Clark Homebuilder - Dues - \$450.00; Lewis & Clark Theatre - 1/2 Sp Approp - \$1,250.00; Lewis & Clark Vet - Vet Bill - \$3,751.77; Lifeguard Store - Uniforms - \$227.90; Linke/Timothy - Travel Advance - \$168.00; Llrmi - Interview Class - \$1,350.00; Locators & Supplies - Safty Sweatshirt - \$52.00; Lodge At Deadwood - Conference - \$252.00; Lumen - Fiber Internet - \$347.36; Macqueen Emergency - Co Sensor - \$166.51; Malloy Elect - Blower Motor - \$511.29; Marshall-Bond Pumps - Pumpkit - \$10,607.11; Masonry Component - Douglas Ave Levee To 2nd - \$48,858.43; Mayer Signs - Vinyl Signs - \$1,050.00; Mcgrath North - Professional Services - \$587.50; McMaster - Air Comp - \$510.34; Mead Lumb - Field Marker - \$923.72; Menards - Washing Machine - \$3,577.61; Metrofax - Fax Service - \$11.95; Midam Energy - Fuel - \$17,214.99; Midam Enrgy - Fuel - \$11,620.56; Midam - Books - \$1,884.83; Midwest Lab - Lab Testing - \$167.59; Midwest Striping - Lights - \$4,581.84; Midwest Tape - Av - \$512.87; Millenium Recycling - Single Stream Recycling - \$2,242.80; Minnesota

Life - Life Group Ins - \$659.47; Money Movers - Sac Maint Fee - \$11.50; Morrow/Joseph C. - Design Work - \$1,920.00; Morvalue - Bubbler Motor - \$3,167.23; Napa Auto - Light Plug - \$267.33; Nbs Calib - Calibration - \$201.00; Nebraska Dor - Ne Income Tax - \$1,529.07; Nj Criminal - Law Class - \$199.00; Northern Truck Equipt - Trailer - \$84,704.00; Northtown - Handle - \$10.34; Northwestern - Electricity - \$84,727.12; Observer - Ad - \$72.00; Oconnor - Air Filter - \$167.70; Ofarrell/Sarah - Travel Advance - \$138.00; Ofarrell/Sarah - Travel Advance - \$64.00; Olson/Jeremy - Travel Advance - \$75.00; Olsons - Pest Control - \$278.00; Olson's Pest Tech - Pest Control - \$540.00; One Office - Office Desk & Chair - \$2,917.08; Oreillys - Brake Rotors - \$779.93; Otc Brands - Adult Craft - \$66.50; Overdrive - Ebooks - \$1,615.86; Overhead Door - Door Opener - \$92.93; P&D - Commission Minutes - \$858.42; Parkway Const - Mcvay Family Ref Garden - \$57,150.00; Pavel/Russ - Sertoma Concession - \$5,539.00; Paypal - Black Toner - \$228.00; Pfeifer Imp - Mower Supplies - \$1,037.62; Pheasantland - Safety Clothing - \$92.47; Piano Studio - Singers Program - \$175.00; Pilot - Fuel - \$37.60; Pitney Bowes - Postage - \$200.00; Pittsburgh Spray - Sprayer - \$137.20; Pizza Ranch - Supplies - \$63.50; Playaway - Books - \$812.10; Power Source Elec - Labor - \$105.83; Principal - Dental Ins - \$7,349.52; Psn - Cc System - \$69.85; Qdoba - Travel Expense - \$17.31; Quadient Leasing - Postage - \$678.00; Racom - Radio Antennas - \$1,025.00; Real Reptiles - Summer Program - \$300.00; Restaurant - Travel Expense - \$142.89; Retirement - Sdrs Cont - \$93,107.22; Rhomar - Netra Wash - \$2,206.47; Riverside Hydr -Swtich,Hose,Fittings - \$1,128.71; Russenberger/Skyler - Travel Advance - \$75.00; Ruter/Dylan - Boot Reimb - \$100.00; Sanaas Gourmet - Travel Expense - \$27.84; Sanitation Products - Parts - \$726.72; Schroeder/Roger - Glasses Reimb - \$100.00; Schuurmans Farm Supply - Mower - \$7,600.00; Sd Dept Of Labor - Unemployment - \$12,225.54; Sd H2O & Ww - Water Seminar - \$515.00; Sd Property Mangmnt - Sd Flags - \$197.85; Sd Public Assurance Alliance - Walking Trler - \$1,607.13; Sdsrp - Sd Retiremen - \$20,744.76; Shell Oil - Fuel - \$34.79; Shell Oil - Fuel - \$39.00; Sherwin Williams - Shop Supplies - \$95.75; Sign Solutions - Signs - \$194.23; Slowey Construction - Mead Property - \$125,430.98; Sodak Shrm - State Conf - \$548.00; Southgate - Tires - \$500.00; Spencer Quarries - Chips - \$18,720.36; Sprinkler Warehouse - Supplies - \$1,823.05; Standard - Vision Ins - \$699.04; State Secretary - Filing Fee - \$30.00; Stein Sign Display - Hfac - \$1,350.00; Stockwell Engineers - Upgrade - \$1,200.00; Store - Travel Expense - \$10.19; Sturdevants - Filters - \$1,736.30; Suderman/Barb - Refund - \$100.00; Swimoutlet - Uniforms - \$1,959.80; Tessman - Agsupplies - \$8,528.29; Tessman - Chemicals - \$8,031.20; Thrive - Retire Supplies - \$100.00; Thrive - Sales Tax Reimb - \$77,679.28; Titan Machinery - Garage Parts - \$1,533.00; Titan Machinery - Air Filter - \$20.04; Tma - Tires - \$2,562.99; Tractor Supply - Jack - \$142.96; Traffic Logix - Subscription - \$900.00; Train Firefighters - Command Class - \$299.00; Transource - Parts - \$454.69; Tre Environmental Strategies - 2nd Qtr Wet Test - \$650.00; Trk Hosting - Internet Access - \$7.95; Truck Towne - Travel Expense - \$54.60; Truck Trailer - Gasket - \$2,584.37; Tumblebooks - Subscription - \$699.00; Turfwerks - Ball Field - \$38,444.60; Ukg - Payroll Sftware - \$2,076.00; United Lab - Red Primer - \$918.64; United Way - 1/4 Sp Approp - \$9,831.25; United Way - United Way - \$172.00; Ups - Wet Test - \$318.23; Ups - Equipt Shipping - \$150.60; Ups - Equipt Shipping - \$8.00; Us Treasury - Fed Tax - \$175,666.14; Us01mdm - Service Call - \$3,827.81; Usps - Postage Meter - \$642.44; Usps - Mail Evidence - \$152.95; Usps - Postage - \$2,382.20; Viddler - Video Hosting - \$41.49; Vistaprint - Business Cards - \$251.99; Vitality - Sharp Containers - \$1,325.25; Vwr Intern - Lab Supplies - \$199.34; Vzwrlls - Internet Access - \$2,408.70; Walmart - Fruit Fridays - \$269.14; Walmart - Retirement Supplies - \$177.75; Walmart - Office Supplies - \$898.76; Winnelson - Water Fountains - \$6,464.78; Xerox - Copies - \$2,940.58; Yaa - 1/2 Sp Approp - \$2,500.00; Yankton Bowl - After Hours Event - \$223.50; Yankton County Auditor - Safty Centr - \$12,662.06; Yankton Fire & Safety Co - Fire Ext Service - \$309.25; Yankton Janitor Supply - Janitorial Supplies - \$316.95; Yankton Nurseries - Trees - \$557.00; Yankton School District 63-3 - 2023 1st Quarter - \$36,598.16; Yankton Thrive - 1/4

Sp Approp - \$115,000.00; Yesway - Fuel - \$37.36; Ymc - Pro Services - \$38.00; Ymc - Pro Services - \$369.00; Zoro Tools - Knob - \$408.22;

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

Salaries by Department: April 2023

Administration \$58,047.61; Finance \$37,876.35; Community Development \$30,289.84; Police/Dispatch \$206,682.39; Fire \$15,049.46; Engineering / Sr. Citizens \$48,709.28; Streets \$55,097.29; Traffic Control \$4,703.34; Library \$36,366.76; Parks / Sac \$83,759.02; Marne Creek \$7,924.84; Water \$46,587.13; Wastewater \$45,826.12; Cemetery \$5,293.54; Solid Waste \$31,089.78; Landfill / Recycle \$26,027.97; Central Garage \$8,953.33, \$748,284.05

Personnel Changes

New Hires

Parks, Recreation and City Events Department: Zayne Schramm, Lifeguard, \$13.00/hr; Austin Steinberg, Park Maintenance, \$14.00/hr; Robert Schaefer, Park Maintenance, \$13.00/hr. Public Works Department: Gaige Koster, Street Maintenance Seasonal, \$14.50/hr; Jack Schaa, Street Maintenance Seasonal, \$14.50/hr.

Wage Changes

Police Department: Sarah O’Farrell, Investigative Sergeant, \$2,809.26 to \$2,884.04 biweekly; Jeremy McNinch, Patrol Sergeant, \$2,529.23 to \$2,596.50 biweekly; Environmental Services Department: Thomas Miles, Operations Specialist, \$1,782.69 to \$1,827.88 biweekly; Tanner Termansen, Waste Water Operations Specialist, \$1,805.73 to \$1,828.50 biweekly. Parks, Recreation and City Events Department: Dawn Bergeson, Water Safety Instructor, \$13.00 to \$13.25/hr; Barbara Law, Instructor, \$14.00 to \$14.25/hr; Tracy Raab, Fitness Instructor, \$16.00 to \$16.25/hr; Isyck Johnson, Weight Room Attendant, \$12.75 to \$14.00/hr; Kelsey Quame, Weight Room Attendant, \$12.50 to \$14.00/hr; Tanner Rohde, Lifeguard, \$12.00 to \$14.00/hour; Rockie Wampol, Park Maintenance, \$22.00 to \$24.00/hr; John Gleich, Park Maintenance, \$22.00 to \$24.00/hr.

Mayor Moser Read the Proclamation for Mental Wellness Conference and presented it to Tom Stange and Senator Jean Hunhoff, The Proclamation for National Police Week and presented it to Monte Rothenberger, Adam Goodwillie and Brandon Frey, and the Proclamation for the Recognition for Jerry Oster.

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 23-108

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

1. Work Session

Setting date of May 22, 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. Special Events Dance License

Consideration of Memorandum #23-79 recommending approval of the application from Rock & Rumble DBA 3rd on 3rd for:

A) Special Events Dance License for July 3, 2023

3. Establishing public hearing for sale of alcoholic beverages

Establish May 8, 2023 as the date for the public hearing on the request for a Special Events (on-sale) Liquor License for July 22, 2023 from Rock 'N' Rumble, Inc. (Michael Carda, President), dba Rock 'N' Rumble, 3rd St. from Douglas to ½ block East on Capitol, plus intersecting Capitol Street, ¼ Block North to ½ Block South, Yankton, S.D.

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

Motion adopted.

Action 23-109

This was the time and the place for the public hearing on the applications for the renewal of Malt Beverage & SD Farm Wine Licenses for July 1, 2023 through June 30, 2024 licensing period.

RETAIL (ON-OFF SALE) MALT BEVERAGE & SD FARM WINE:

Angelas La Mexicana, LLC dba Angelas La Mexicana, 401 Picotte St.

Hanten, Inc. dba Ben's Brewing Company, 222 W. 3rd St.

Hanten, Inc. dba Ben's Brewing Company, 719 Walnut St.

Boomers, Inc. dba Boomers Lounge, 100 E. 3rd St.

DBC, LLC dba Bro Burger Bar, 304 W. 3rd St.

ADDAR INC. dba Broadway Inn, 1210 Broadway

Casey's Retail Company dba Casey's General Store #2268, 1000 Broadway

Casey's Retail Company dba Casey's General Store #2260, 608 E. 8th St.

Casey's Retail Company dba Casey's General Store #3855, 2300 Broadway

I & E, LLC dba Chaparros Tacos, 100 E. 4th St,

Chuck Stop, LLC dba Charlie's Pizza, 804 Summit St.

Hayes Enterprises, LLC dba Cheers-Pizza Plus, 310 Walnut St.

Chuck Stop, LLC dba Chuck Stop, 800 Summit St.

Lady Bird, Inc. dba The Cockatoo Bar & Zebra Club, 100 E. 3rd St.

Cork 'N Bottle, Inc. dba Cork 'N Bottle, 1500 Broadway

Czeckers, Inc. dba Czeckers, Inc., 407 Walnut St.

Diggers Inc. dba Diggers Casino, 2020 Elm St. #7

Diggers Inc. dba Diggers 2.0, 511 West 4th St. Suite B

East Eight, LLC dba Econo Lodge, 611 W. 23rd St.

El Tapatio Family Mexican Restaurant, Inc. dba El Tapatio Family Mexican Restaurant, 2502 Fox Run Parkway

GL Management, LLC dba Fox Run Golf Course, 600 W. 27th St.

The Fox Stop, Inc. dba The Fox Stop, 1316 W. 30th St.

Diggers, Inc. dba Goldrush, 2020 Elm St. Suite 7B

ABG Ventures dba Happy Hourz, 311 Douglas Ave.
 SYMS, LLC dba Holiday Inn Express Hotel & Suites, 2607 Broadway
 Hy-Vee Inc. dba Hy-Vee Gas, 2110 Broadway
 TC Corner, LLC dba JR's Oasis, 2404 E. Hwy 50
 JoDean Corp. dba JoDean Corp., 2809 Broadway
 King Buffet Mongolian Grill Restaurant, Inc. dba King Buffet Mongolian Grill, 3013 N. Broadway, Suite 5
 SAN JOSE, INC. dba Mexico Viejo, 1809 Broadway
 Mint Yankton, LLC dba Mint Yankton, LLC, 318 Douglas
 P & P Lottery Enterprises, LLC, dba P & P Lottery Enterprises, LLC, 3010 Broadway, Room 2
 P & P Lottery Enterprises, LLC, dba P & P Lottery Enterprises, LLC, 3010 Broadway, Room 3
 P & P Lottery Enterprises, LLC, dba P & P Lottery Enterprises, LLC, 3010 Broadway, Room 4
 P & P Lottery Enterprises, LLC dba Pin-ups Casino & Gaming Lounge #5, 3010 Broadway, Room 5
 Annis Properties, Inc. dba Patriot Express, 2217 Broadway

RETAIL (ON-OFF SALE) MALT BEVERAGE & SD FARM WINE:

Phinney's LLC dba Phinney's Pub & Casino, 2101 Broadway, Suite 40
 Phinney's Casino, LLC dba Phiney's Casino, 2101 Broadway, Suite 50
 Annis Properties, Inc. dba Prairie Pumper, 909 Broadway
 Pump-N-Stuff Yankton, Inc. dba Pump-N-Stuff, 215 W. 2nd St.
 Pump-N-Stuff Yankton, Inc. dba Pump-N-Stuff, 215 W. 2nd St., Suite 2
 Pure Ice Partners, LLC dba Pure Ice Company, 101 Capital St.
 Zaccon, Inc. dba Roadrunner Convenience Mart, 300 W. 23rd St.
 JoAnne D. Selves dba Selves Concessions, Sertoma Park, 15th & Ferdig St.
 SHREE, LLC dba SHREE, 821 Broadway, Suite 3
 Diggers Inc. dba Smokey Hollow, 511 W. 4th St. Suite A
 Morgen, LLC dba South Point, 1101 Broadway, Suite 107A
 Morgen, LLC dba South Point, 1101 Broadway, Suite 109
 Morgen, LLC dba South Point Gaming Lounge, 1101 Broadway, Suite 111A
 Morgen, LLC dba South Point Gaming Lounge, 1101 Broadway, Suite 111C
 Five Futures, LLC dba The Boat House, 301 E. 3rd St.
 Tokyo Japanese Cuisine of Yankton, Inc. dba Tokyo Japanese Cuisine of Yankton, Inc., 2007 Broadway, Suite J
 Yankton Convenience, Inc. dba Total Stop Convenience Store #6112, 700 E. 4th St.
 Gerstner Oil Company, Inc. dba Triple Time Rudy's, 1606 Broadway
 Dave Tunge dba Mule Train, 901 Broadway, Suite A
 Dave Tunge dba Kankota's, 901 Broadway, Suite C
 Dave Tunge dba Sportsman's, 901 Broadway, Suite B
 Upper Deck, Inc. dba Upper Deck, 311-315 Broadway
 Walgreen Co. dba Walgreens #09806, 2020 Broadway
 Walnut Tavern, Inc. dba Walnut Tavern, 100 W. 3rd St.
 WILLA B's, LLC dba WILLA B's, LLC, 114 Douglas Ave., Suite 2
 Yankton Missouri River Kampground, LLC dba Yankton Missouri River KOA, 807 Bill Baggs Rd.
 Yankton Morning Optimist, Inc. dba Yankton Morning Optimist, Inc., Riverside Park, 200 Levee St.

The above applications are in compliance with City Code of Ordinances, as checked by the Department of Finance.

A police check has been done on all the above applicants by the Yankton Police Department. The applicants are in compliance with all Building and Fire Codes. (Memorandum 23-81)

Moved by Commissioner Johnson, seconded by Commissioner Benson, to approve the renewal of these licenses.

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

Motion adopted.

Action 23-110

This was the time and the place for the public hearing on the application for a Special Events Retail (on-sale) Liquor License for 1 day, May 13, 2023, from Hillcrest Golf & Country Club (Rob Ness, President), 2206 Mulberry Street, Meridian Venue, 101 E. 3rd Street, Yankton, S.D.

The above applicant is in compliance with the City Code of Ordinances, as checked by the Department of Finance. A police check on the applicant revealed no felony convictions or wants. The applicant is in compliance with all building and fire codes. (Memorandum 23-77)

Moved by Commissioner Brunick, seconded by Commissioner Webber, to approve the license.

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

Motion adopted.

Action 23-111

This was the time and the place for the public hearing for an application for a transfer of ownership of a Retail (on-off sale) Malt Beverage & SD Farm Wine License for July 1, 2022, to June 30, 2023, from Allison Gullikson dba Happy Hourz to ABG Ventures, LLC (Allison Gullikson, Owner), 311 Douglas, Yankton, S.D.

The above applicant is in compliance with the City Code of Ordinances, as checked by the Department of Finance. A police check on the applicant revealed no felony convictions or wants. The applicant is in compliance with all building and fire codes. (Memorandum 23-78)

Moved by Commissioner Miner, seconded by Commissioner Webber, to approve the transfer.

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

Motion adopted.

Action 23-112

Moved by Commissioner Johnson, seconded by Commissioner Miner, to approve Resolution #23-11

RESOLUTION #23-11

A RESOLUTION APPROVING THE 2023 SPECIAL ASSESSMENT ROLL FOR
NUISANCE ABATEMENT

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

SECTION 1. That the special assessment roll for the assessment of the property assessable for nuisance abatement in the City of Yankton, South Dakota, is hereby approved and the assessments

as set out in said special assessment roll approved this date are hereby levied against such property upon filing of said special assessment roll in the office of the City Finance Officer.

SECTION 2. The assessments set forth in the assessment role will become due and payable in one (1) annual installment together with interest at a rate prescribed by the Board of City Commissioners, by resolution, per annum, in accordance with SDCL 9-43.

The above assessments may be paid without interest to the City Finance Officer on or before June 7, 2023, thereafter, the entire assessment may be paid with interest from the date of filing with the City Finance Officer at the rate established by resolution of the Board of City Commissioners.

Citizen Larry Stevens, appeared as a new property owner who was assessed for services that were performed for the previous property owner. City Attorney Den Herder explained how state law determines that it's a lien on the property, not on the owner. He explained that he would advise Mr. Stevens about how to possibly receive those funds from the previous owner.

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

Action 23-113

This was the time and the place for the second reading and public hearing for Ordinance No. 1072. AN ORDINANCE AMENDING CERTAIN LANGUAGE IN IDENTIFIED SECTIONS OF CHAPTER 27. No one was present to speak for or against the adoption of the ordinance.

Moved by Commissioner Schramm, seconded by Commissioner Benson, to approve Ordinance No.1072

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

City Manager Leon thanked Commissioner Maibuam for his service on the board.

Action 23-114

Moved by Commissioner Villanueva, seconded by Commissioner Benson, to adjourn Sine Die at 7:31p.m.

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

In absence of a Mayor, City Manager Leon called the meeting to order.

City Attorney DenHerder administered the Oath of office to re-elected City Commissioners Stephanie Moser, Ben Brunick and newly elected Commissioner Brain Hunhoff.

Finance Officer Viereck took roll call

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

Quorum present.

City Manager Leon requested nominations for Office of Mayor for the 2023-2024 term. Commissioner Webber nominated Commissioner Moser for the Office of Mayor, seconded by Commissioner Johnson.

Action 23-115

Moved by Commissioner Johnson, seconded by Commissioner Miner, that nominations cease and a unanimous ballot be cast for Commissioner Moser for the position of Mayor.

Roll Call: Commissioners voting “Aye” were Benson, Brunick, Hunhoff, Johnson, Miner, Schramm, Villanueva and Webber; Commissioners voting “Nay:” None. Abstain: Commissioner Moser. Motion adopted.

City Manager Leon turned the meeting over to Mayor Moser at this time.

Action 23-116

Moved by Commissioner Benson, seconded by Commissioner Schramm, to approve Resolution 23-17. (Memorandum #23-74).

RESOLUTION #23-17

RESOLUTION PROVIDING FOR THE CREATION OF YANKTON TAX INCREMENTAL DISTRICT NUMBER THIRTEEN, CITY OF YANKTON

WHEREAS, the Yankton City Planning Commission hereby recommends to the Yankton Board of City Commissioners the creation of Tax Increment District Number 13 after publishing a Notice of Hearing at which interested parties were afforded a reasonable opportunity to express their views on the proposed creation of a Tax Incremental District on real property consisting of the following parcels:

District Legal Description:

- Lots 1 - 5 and the vacated alley running east and west between Lots 2-5 and the east half of the vacated Pine Street, Block 25, Lower Yankton Addition to the City of Yankton, South Dakota.

All Located in the City of Yankton, Yankton County, South Dakota including within and adjacent rights-of-ways.

WHEREAS, such Notice was published in the official newspaper in City of Yankton not less than ten (10) nor more than thirty (30) days from the date of the hearing which was held on May 8th, 2023.

WHEREAS, a copy of the Notice was sent prior to publication by first-class mail to the Chief Executive Officers of the following taxing entities:

City of Yankton
Yankton County Commission

James River Water Development District
Yankton School District 63-3

WHEREAS, a hearing was held on May 8th, 2023, as provided in such Notice, and all interested parties were allowed a reasonable opportunity to be heard on the proposed Tax Incremental District Thirteen plan;

NOW THEREFORE, BE IT RESOLVED by the City Commission of City of Yankton, South Dakota:

Authority and declaration of necessity. Pursuant to SDCL §§ 11-9-4 & 11-9-13, City of Yankton- City Commission hereby declares the necessity to form a tax incremental district in the City of Yankton.

NOW THEREFORE, IT IS HEREBY RESOLVED:

1. **Authority and Declaration of Necessity.** The City Commission declares the necessity for the approval of Tax Incremental District Number Thirteen plan, City of Yankton, Yankton County (hereinafter sometimes referred to as the “District”), pursuant to SDCL Chapter 11-9, and finds that the improvement of the area within the District are likely to enhance significantly the value of substantially all of the other real property in the District and is necessary for the development of affordable housing within the County and the City of Yankton.
2. **Findings.** The City Commission makes the following findings with regard to economic development:
 - A. The proposed improvements will diversify the overall economic base of the City of Yankton through housing opportunities.
 - B. The South Dakota Department of Revenue has reviewed the TIF Plan and classified the Tax Increment District Thirteen of City of Yankton to be Affordable Housing.
 - C. Not less than twenty-five percent, by area, of the real property within the district is a blighted area as defined under SDCL 11-9-11.
 - D. At least fifty percent of the real property within the district will stimulate and develop the general economic welfare and prosperity of the state through the promotion of Affordable Housing.
 - E. The improvement of the area is likely to significantly enhance the value of substantially all other real property in the district;
 - F. The aggregate assessed value of the District plus the tax incremental base of all other existing Districts in the City does not exceed Ten (10%) percent of the total assessed valuation in the City;
3. **Boundaries of District.** The Boundaries of the district are determined to be as follows:
 - Lots 1 - 5 and the vacated alley running east and west between Lots 2-5 and the east half of the vacated Pine Street, Block 25, Lower Yankton Addition to the City of Yankton, South Dakota.

All Located in the City of Yankton, Yankton County, South Dakota including within and adjacent rights-of-ways.
4. **Findings of Annual Appropriation TID.** Tax Increment District #13 will be designated as an Annual Appropriations TIF to ensure that it does NOT count against constitutional debt.

5. **Creation of Tax Incremental Fund.** There is hereby created, pursuant to SDCL 11-9-31, a Tax Incremental District Number Thirteen Fund, which shall be a segregated asset account. All tax increments collected pursuant to Tax Incremental District Number Thirteen shall be deposited into the Tax Incremental District Number Thirteen Fund. All funds in the Tax Incremental District Number Thirteen Fund shall be used solely for those purposes expressly stated and reasonably inferred in SDCL Chapter 11-9
6. **Adoption of Tax Increment Plan.** The City Commission of the City of Yankton does hereby adopt the Tax Increment Plan Number Thirteen as presented.

Developer Nathan Stencil with Stencil Group II LLC., appeared to explain the proposed plans and urged Commission to support. Toby Morris with Colliers Securities also appeared to explain the proposed TID and also encouraged the Commission to adopt. Nancy Wenande the Executive Director of Thrive, also spoke in favor of the proposed project and also urged the Commission adoption.

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

Action 23-117

Moved by Commissioner Schramm, seconded by Commissioner Miner, to approve Memorandum #23-75, establishing May 22, 2023 as the date for a public hearing to consider the vacation of the west 7 feet of Dakota Street right-of-way lying north of 12th Street and adjacent to Lot 1 in Block 1 of Dakota West Addition to the City of Yankton, Yankton County, South Dakota. Address, 1201 Dakota Street. Steve and Lori Drotzmann, owners. This is a quasi-judicial action.

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

Action 23-118

Moved by Commissioner Webber, seconded by Commissioner Miner, to approve Memorandum #23-80 regarding SAC rental rate structure for 2025 and no rental dates for holidays starting July 1, 2023.

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

Action 23-119

Moved by Commissioner Johnson, seconded by Commissioner Brunick, to approve Memorandum #23-82 recommending that the City Commission award the North Hangar Taxilanes, Access Road, and Runway 20 End Turnaround Project, BIL-AIG #3-46-0062-037-2023 and AIP #3-46-0062-038-2023 as described in the attached KLJ “Letter of Recommendation” to Double H Paving, Inc. for \$1,470,353.85, and authorize the City Manager to execute all contract, grant, and engineering consultant documents associated with the project. Said recommendation is contingent upon Federal Aviation Administration Grant approval.

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

County Commissioner Dan Klimisch appeared to congratulate newly elected City Commissioners and requested continual positive interaction and cooperation between the two Boards.

Action 23-120

Moved by Commissioner Schramm, seconded by Commissioner Villanueva, to adjourn at 7:54 p.m.

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

Motion adopted.

Stephanie Moser
Mayor

ATTEST:

Al Viereck
Finance Officer

Published on May 17th , 2023