

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS  
YANKTON, SOUTH DAKOTA  
FEBRUARY 9, 2015**

In the absence of the Mayor, the regular meeting of the Board of City Commissioners of the City of Yankton was called to order by City Finance Officer Viereck.

**Roll Call:** Present: Commissioners Akland, Ferdig, Gross, Hoffner, Knoff, Sommer, and Woerner. City Attorney Den Herder was also present. Absent: Commissioner Bhaalid, Mayor Carda, and City Manager Nelson. Quorum present.

Finance Officer Viereck requested nominations for Office of Acting Mayor for the ensuing meeting.

Commissioner Gross nominated Commissioner Knoff for the position of Acting Mayor, seconded by Commissioner Woerner.

Action 15-34

Moved by Commissioner Gross, seconded by Commissioner Woerner, that nominations cease and a unanimous ballot be cast for Commissioner Knoff for Acting Mayor for the meeting of February 9, 2015.

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

Motion adopted.

Finance Officer Viereck turned the meeting over to Acting Mayor Knoff at this time.

Action 15-35

Moved by Commissioner Gross, seconded by Commissioner Sommer, to approve the Minutes of the regular meeting of January 26, 2015.

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

Motion adopted.

Action 15-36

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

A T & T-Cell Phone Bill-\$377.28; ACS Government Info Service-Programming-\$4,500.00; ACS Solutions-Service Cash Register Printer-\$678.84; Active Network-Annual Transaction Fees-\$724.67; APCO International Inc-Membership Dues-\$92.00; APWA-APWA Conference-\$50.00; Best Western Ramkota Hotel-Training-\$340.00; Big Friend Little Friend-1/2 Special Appropriation-\$2,250.00; Bomgaars Inc-Shop Towels-\$763.95; Boys & Girls Club of Yankton-Special Appropriation-\$4,500.00; Bridgestone Golf Inc-Golf Balls-\$917.18; Building Sprinkler Inc-Inspection-\$249.00; Cedar Shores-SDSPLS Convention-\$81.95; Center For Education & Employ-Subscription-\$159.00; CenturyLink-Phone-Jan-\$1,659.61; Christensen Radiator & Repair-Cutting Edge-\$134.85; City of Vermillion-Jt Power Cash Trans-\$18,795.88; City of Yankton-Central Garage-Rubbish-\$5.00; City of Yankton-Solid Waste Compacted-Garbage-\$10,274.40; City Utilities-Water-WW-Charges-\$3,397.68; Claritus-Postage Supplies-\$203.04; Cleveland Golf-Golf Clubs-\$14,874.50; Concrete Material-Asphalt Gravel-\$2,723.68; Conkling Dist-Beer-\$167.10; Contact Center-Special Appropriation-\$10,000.00; Cornhusker Intl Truck Inc-Wiper Blades-\$104.52; Dakota Beverage Co Inc-Beer-\$82.65; Danko Emergency Equipment-Protective Gear-\$3,124.59; Dex Media East-Phone Book-\$30.40; Ethanol

Products LLC-Carbon Dioxide-\$61.70; Falkenberg Construction-Office Remodel-\$5,500.00; Feimer Construction-Repair Main Break-\$2,230.00; Ferguson Water Works Supply-Meters Parts-\$5,864.46; Finance Dept-Supplies-\$67.84; Flannery/Kirt-Officer Stipend-Jan-\$25.00; Frick/Adam-Officer Stipend-Jan-\$25.00; Frick/Brian-Officer Stipend-Jan-\$50.00; Gerstner Oil Co-Fuel-Oil-\$17,924.69; Gramps Fuel-\$79.63; Graymont Capital Inc-Lime-\$4,523.57; Hawkins Inc-Chemicals-\$3,527.81; Hedahl's Parts Plus-Filters-\$250.41; Intl Inst Of Mun Clerks-Membership Renewal-\$250.00; J & H Care & Cleaning Company-Janitorial Supplies-\$2,637.00; Johnson Electric-Labor & Material-\$532.52; Kadrmas Lee & Jackson Inc-Engineering Services-\$3,844.92; Kay Park Recreation-2015 Bleacher Order-\$11,941.00; Kimball-Midwest Fittings-\$213.74; Knology Inc-dba Wow-Phone-Jan-\$2,546.83; Krajewski/Erica-Refund-\$21.20; Larsen Carpet-Carpet-\$1,950.00; Lewis & Clark BHS-JAIBG Flow Thru-\$2,235.20; Long's Propane Inc-Propane-\$580.00; Lower James RC & D-Dues-\$110.00; Luken Construction LLC-Bookcase-\$715.00; Lyle Signs Inc-Signs-\$1,881.85; MailFinance-Postage-\$576.00; Mead Building Project-Special Appropriation-\$25,000.00; Meierhenry Sargent LLP-Bond Council-\$33,300.00; Menards Part-\$9.00; Meridian Grain-Road Salt-\$5,811.77; Midamerican Energy-Fuel-Jan-\$13,697.17; Midamerican Energy Fuel-Jan-\$11,206.32; Midstate Org Crime Info Ctr-Membership Dues-\$200.00; Missouri Sedimentation Action-Special Appropriation-\$2,500.00; Moser/Brad-Officer Stipend-Jan-\$25.00; Motor Vehicle Dept SD-License Plates-\$28.00; Nebraska Journal-Leader Advertisement-\$82.62; Northern Escrow Inc-WWTP Outfall Pipe-\$56,554.99; Northtown Automotive-Repairs-\$136.34; Northwestern Energy-Elect-Jan-\$62,680.32; Peterson/Shar-Swimsuit Reimbursement-\$100.00; Pied Piper Flowers-Memorial Plant-\$96.40; Plan & Development Dist III-Membership Dues-\$11,946.00; Porter Trustin Carlson Company-Repairs-\$2,511.00; Printing Specialists-Envelopes-\$75.70; Racom Corporation-Radio Access-\$1,490.86; RDG Planning & Design-Meridian Bridge Plaza-\$781.85; Regional Technical Education-CDBG Grant-\$2,000.00; Ricoh Production Print-Printer-\$361.98; Ridgway/Rick-Headstone Repairs-\$31.50; Ron's Auto Glass-Repair Repairs-\$70.00; Signs By Design-Vehicle Wrap-\$740.00; Small Business Development Center-Special Appropriations-\$4,500.00; South Dakota Firefighters Assn-Membership Dues-\$1,075.00; South Dakota Humanities-Programs-\$40.00; South Dakota Planner's Assn-SDPA Membership-\$50.00; Southeast Firefighters Assoc-Membership Dues-\$50.00; Sun Mountain Sports Inc-Golf Bags-\$127.00; Tifosi Optics Inc-Merchandise-\$563.80; Titleist And Foot-Joy Golf Balls-\$4,173.17; Trugreen-Fall Lawn Care-\$95.40; US Post Office-Utility Postage-Jan-\$1,400.00; Ulmer/Bruce-Safety Glasses-\$60.00; United Parcel Service, Inc-Postage-Jan-\$138.84; United States Postal Service-Postage Meter-Jan-\$827.00; Wage Works-Flex Serv Fee-Dec-\$105.00; Western Office Products-Office Equipment-\$329.00; Wilson Sporting Goods-Golf-Golf Balls-\$1,012.97; Woehl/Toby-Training-\$25.00; Woods Fuller Shultz & Smith PC-Prof Services-\$855.00; Xerox Corporation-Copier Lease-\$253.53; Yankton Area Convention-1/4 Special Appropriation-\$96,332.50; Yankton Area Ice Association-January Payment 2015-\$1,457.85; Yankton Family Visitation Center-Special Appropriation-\$2,250.00; Yankton Homeless Shelter-Special Appropriation-\$5,000.00; Yankton Housing-Counter Top-Cabinets-\$466.78; Yankton Insurance Agents-Firemen Accident Policy-\$1,654.00; Yankton Medical Clinic-Pre-Employment Physical-\$1,694.00; Yankton Riverwalk-Special Appropriation-\$4,800.00; Yankton Transit Inc-1/2 Special Appropriation-\$15,000.00; Yankton Volunteer Fire Department-Fire Calls Nov-Dec-\$4,630.00; Yankton Women's Shelter-Special Appropriation-\$2,250.00; Ziegler/William-Officer Stipend Jan-\$50.00; A & B Business Inc-Printer Maintenance-\$379.39; Ace Hardware-Treadmill Repairs-\$2,014.26; Airnav-Yearly Subscription-\$77.00; Amazon Mktplace Pmts-DVDs-\$508.26; Amazon.Com-Code Books-\$387.38; Americinn Ft Pierre-Travel Motel-\$102.91; Ann Taylor Loft-Merchandise-\$123.75; Appeara-Towels-\$282.28; Arbys-Travel Expense-\$4.48; ARC Services/Training-Contracted Service-\$950.00; AT&T Bill Payment-AT&T Mobility-\$310.32; Autozone-Water Pump Gaskets-\$33.85; Baker-Taylor-Books-\$1,764.83; Big Toms-Travel Expense-

\$8.51; Bizchair Office Furnit-SSC Chairs-\$543.83; Black Hills State Univ-SDLN Maintenance 4th Qtr-\$4,505.75; Boller Printing-Printing-\$709.00; Bomgaars-Shop Supplies-\$1,684.46; Cafe Patachou-Meeting-\$24.80; Center Point-Large Print Books-\$130.62; Christensen Radiator-Markers-\$126.35; Clarks Rental-Floor Sander Rental-\$351.40; Concrete Materials-Park Supplies-\$347.49; Cornhusker Internation-Mirror-\$60.13; Cowboy Store-Travel Fuel-\$29.81; Cox Auto Supply-Golf Maintenance-\$30.80; Crescent Electric-Airport Lamps-\$1,447.89; D-P Tools Inc- Radiator Purge-\$264.58; Dairy Queen-Staff Appreciation-\$14.72; Dart Tartan Mcnaugh-Mcnaughton Book Lease-\$1,893.36; Dayhuff Enterprises-Janitorial Supplies-\$1,883.01; Dept of Agriculture-Re-Certification Class-\$50.00; Diamond Mowers-Equipment Repair-\$354.90; Diesel Power Equipment-Sensor-\$141.37; Discount Two Way Radio-Radio Batteries-\$191.06; Digi Key Corp-Cooling Fans-\$253.64; DollarTree-Gourmet Guys-Friends-\$30.00; Don's Sinclair-Travel Expense-\$20.00; DX Service-Salt-\$1,749.30; Easy Picker Golf-Equipment Repairs-\$247.70; Echo Electric Supply-Supplies-\$607.34; Ehresmann Engineering-Shop Supplies-\$291.05; Epson Store-Office Supplies-\$46.98; Fastenal Company-Drill Bits-\$487.29; Flsmidth Inc-Motors-\$562.00; Fox Run Golf Course-Uniforms-\$248.92; Fred Haar Company-Mower Parts-\$119.95; Frontier-Meeting-\$614.40; Globalindustrialeq-Tables-\$674.08; Grafix Shoppe-Vehicle Graphics-\$71.23; Graham Tire-Tire-\$85.00; Hach Company-Lab Equipment-\$2,948.84; Hard Drive Central-Printer Contract-\$55.46; Hedahls-Heater Hose-\$611.27; Hobbylobby.Com-Craft Night Supplies-\$26.75; Hy-Vee Gas-Conference-\$14.78; Hy-Vee-Concessions-Gatorade-\$452.16; In Equipment-Blades-\$493.88; Jumbomax Golf Grip-Club Repairs-\$366.80; Independence Waste-Rentals-\$429.90; Indiana CC Concessions-Travel Expense-\$27.80; Intl Battery Exchange-Park Supplies-\$143.60; JJ Benjis Embroidery-Shirts Wellness Program-\$508.80; Jack's Uniforms & Equipment- Officer Uniforms-\$582.24; JCL Solutions-Spencer-Cleaning Supplies-\$528.07; JCPenney-Uniforms-\$242.61; Johnson Controls-SS Service Agreement-\$6,352.05; JW High Velocity-Meeting-\$43.42; Kaiser Heating-Filter-\$31.33; Kinsman Garden Company-Downtown Baskets-\$976.71; KMart-Janitorial Supplies-\$360.90; Kohl's-Uniforms-\$130.92; Koletzky Implement Inc-Mower Repair-\$300.79; Lakeland Engineering-Inlet Solenoid-\$455.37; Lewis & Clark Behavior-Professional Services-\$105.00; Lewis & Clark Ford-Repair Vehicle-\$919.93; Liquor Bar-Meeting-\$23.15; M&M Control Service-Pilot Valve-\$800.85; Mark's Machinery Inc-Mower Repairs-\$489.84; Marks Machinery Inc-Equipment Repair-\$853.11; Marriott JW Indianapl-Meeting-\$790.92; Mead Lumber-Building Supplies-\$95.10; Med-Vet-Sharps Containers-\$447.00; Menards.Com-Cold Kit-\$443.61; Menards-Building Supplies-\$1,802.39; Minerva's Grill And Bar-Staff Appreciation-\$145.73; MSFT-Software-\$79.50; Northern Tool-Cart-\$241.88; Norfolk Daily News-Newspaper Subscription-\$243.00; Northern Truck Equip-Valve-\$94.82; Northtown Automotive-Parts-\$394.19; Novelty Machine-Bearings-\$3,535.46; O-Rings Inc-O-Rings-\$10.50; Office Elements Group-Office Supplies-\$446.54; Oncourt Offcourt-Quick Start Tennis Supplies-\$157.07; O'Reilly Auto-Starter-\$130.03; Overdrive-Downloadable Books Control-\$3,000.00; Pack & Ship-Baskets-\$57.50; FFC-Fire Chaplain Membership-\$100.00; Insidecomp-Office Supplies-\$12.26; Rip Computer-Repair Parts-\$85.00; Shannadh-Toner-\$17.99; Shoplet Com-Literature Bins-\$150.76; Postage Refill-Postage Refill-\$100.00; Provantage LLC-Firewall Maintenance-\$167.88; Quill Corporation-Office Supplies-\$285.94; Radco/Pickupdaddy.C Lift-Struts-\$55.95; Research Technology-DVD Cleaning Materials-\$1,016.15; Rivercity Tools-Supplies-\$18.12; Riverside Hydraulics-Hydraulic Hose-\$166.66; The Golfworks-Club Repairs-\$355.56; Ron's Auto Glass Inc-Supplies-\$30.00; Royal Sport Shop-Recreation Supplies-\$7.90; Scheels All Sports Inc-Recreation Programs-\$276.11; SDSPLS-Registration-\$200.00; Sears Hometown-Tools-\$79.97; Severn Trent-Water Pure Sensor-\$251.50; SF Regional Airport-Meeting-\$21.00; Sheehan Mack Sales-Volvo Parts-\$477.60; Sherwin Williams-Digester Paint-\$695.91; Sirchie Finger Print-Evidence Supplies-\$142.50; Slumberland-Office Furniture-\$127.00; So Pt Hotel and Casino-Meeting-\$201.60; Specialty Store Service-Office Supplies-\$178.22; National Field Office-

Supplies-\$38.16; Sturdevant's-Engine Heater-\$76.03; The Library Store-Office Supplies-\$214.82; The Limited-Uniforms-\$39.95; The Wooden Spoon-Staff Appreciation-\$19.75; TMA-Tires-\$1,006.05; Sports Ills Kids Magazine-Subscription-\$39.95; Tractor Supply Co-Swivel Casters-\$63.86; Traffic Control-Sign Letters-\$420.50; Travelocity.Com-Meeting-\$24.79; Truck Trailer Sales-Landing Gear-\$975.59; Two Way Direct-Radios & Headset-\$270.27; UPS-Postage-\$18.45; UPS-Postage-\$16.32; UPS-Postage-\$102.07; UPS-Postage-\$106.32; UPS-Postage-\$102.07; UPS-Postage-\$102.07; UPS-Postage-\$115.09; UPS-Postage-\$115.09; UPS-Postage-\$6.02; UPS-Postage-\$6.02; Upstart/Edupress-Summer Reading-\$617.22; USA Blue Book-Supplies-\$3,909.61; USPS-Postage-\$32.70; Valentino's-Travel Expense-\$11.02; Vanderhule Moving-Argon Gas-\$164.25; Viddler Inc-Video Hosting-\$28.76; Vogt's Fine Cleaners-Clothing-\$10.00; Wal-Mart 1483-Cameras-\$686.00; Weber Grill Restaurant-Meeting-\$349.21; Western Office Product-Notepads/Rubberbands-\$485.51; Westside Wholesale-Building Maintenance-\$68.94; Wholesale Supply Co-Golf Supplies-\$310.15; WM Supercenter-Office Supplies-\$411.92; WW Grainger-Supplies-\$815.71; Yankton Chamber of Commerce-SAC Chamber Membership-\$490.00; Yankton Medical Clinic-Firefighter Physical-\$2,648.50; Yankton Winnelson Co-Pressure Valve-\$166.29; Younkers-Uniforms-\$59.00; AFSCME Council 65 Employee-Deductions-\$1,990.01; American Family Life Corp-Cancer & ICU PREMIUMS-\$6,331.82; Assurant Employee Benefits-Vision Ins - February-\$550.50; Connections Inc-EAP Insurance-January-\$273.00; Credit Collections Bureau-Employee Deduction-\$407.70; Delta Dental-Dental Ins - January-\$14,386.20; Department of Environmental Certification-Renewal-\$156.00; Department of Social Services-Employee Deduction-\$1,277.50; First National Bank-Clean Water #3-\$106,494.59; First National Bank-Drinking Water-\$61,349.87; First National Bank-Drinking Water #2-\$15,301.27; First National Bank-Drinking Water #3-\$74,282.98; First National Bank South Dakota-Employee Deduction-\$3,066.10; ICMA Retirement Trust No. 457-Employee Deductions-\$5,250.03; Minnesota Life Insurance Co-Life Ins-February-\$658.63; Nelson/Amy-ATA Meeting-\$300.00; Premier Pyrotechnics-2015 Fireworks-\$20,000.00; Retirement SD-SD Retirement-Jan-\$102,137.65; SDML-Municipal Government Day-\$40.00; SDSRP-Employee Deductions-\$3,585.00; Summit Activity Center-Employee Deductions-\$805.00; United Way-Employee Deductions-\$105.00; Wellmark Blue Cross- Health Ins-February-\$88,982.96.

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

Motion adopted.

#### SALARIES-JANUARY, 2015:

Administration-\$46,118.62; Finance-\$47,472.08; Community Development- \$28,723.29; Police-\$223,884.50; Fire-\$17,275.36; Engineering-\$61,400.62; Street-\$64,004.34; Snow & Ice-\$10,097.16; Traffic Control-\$3,127.36; Library-\$40,961.31; Parks/SAC-\$80,445.98; Marne Creek-\$5,024.31; Water-\$59,542.15; Wastewater-\$50,616.38; Cemetery-\$6,043.02; Solid Waste-\$28,779.12; Landfill-\$21,683.89; Golf Course-\$30,890.55; Central Garage-\$10,733.48.

#### PERSONNEL CHANGES & NEW HIRES:

New Hires: Brandon Frey-\$1,539.23 bi-wk.-Police; Maria Ishmael-\$1,250.19 bi-wk.-City Hall.

Wage Increase: Tristan Roy-\$9.25 hr.-Rec. Division.

Status Change: Linda Dobrovolny-\$1,722.58 bi-wk. from Senior Library Assistant to Assistant Library Director; Jennifer Palsma-\$1,257.23 bi-wk. from Communication Dispatcher to Communications Specialist; Shay Robinson-\$10.00 hr. from seasonal Water Maintenance to Part-Time Wastewater Plant Operator.

Finance Officer Viereck reviewed the written report submitted by the City Manager giving an update on community projects and items of interest.

Action 15-37

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

1. Establishing public hearing for sale of alcoholic beverages  
Establish February 23, 2015, as the date for the public hearing on the request for a Special Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for one day, March 21, 2015, from The Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota.
2. Establishing public hearing for sale of alcoholic beverages  
Establish February 23, 2015, as the date for the public hearing on the request for a Special Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for one day, April 18, 2015, from The Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota.
3. Establishing public hearing for sale of alcoholic beverages  
Establish February 23, 2015, as the date for the public hearing on the request for a Special Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for one day, May 2, 2015, from The Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota.
4. Establishing public hearing for sale of alcoholic beverages  
Establish February 23, 2015, as the date for the public hearing on the request for a Special Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for one day, July 25, 2015, from The Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota.
5. Possible Quorum Event  
February 25, 2015, YAPG luncheon, no official commission action

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

Action 15-38

This was the time and place for the public hearing on the application for a Special Events RETAIL (on-sale) Liquor License for one day, April 1, 2015, from Minerva’s Grill & Bar, (Janelle Wieseler, Catering & Banquets Director) dba Minerva’s Grill & Bar, NFAA Building, 800 Archery Lane, Yankton, Yankton, South Dakota. (Memorandum 15-29) No one was present to speak for or against approval of the license. Moved by Commissioner Gross, seconded by Commissioner Akland, to approve the license application.

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

Action 15-39

This was the time and place for the second reading and public hearing of Ordinance No. 971, AN ORDINANCE PROVIDING FOR THE LICENSURE AND REGULATION OF HORSE-DRAWN CARRIAGES WITHIN THE JURISDICTIONAL LIMITS OF THE CITY OF YANKTON. (Memorandum 15-30) John Shroeder, 101 Sky Ranch Drive, Highway 81, was present to answer questions about his operation and his intentions to operate a horse carriage in the downtown area this summer and to speak in favor of adoption of the ordinance. Moved by Commissioner Gross, seconded

by Commissioner Woerner, to adopt Ordinance No. 971.

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

Action 15-40

Moved by Commissioner Gross, seconded by Commissioner Woerner, to authorize the purchase of a 2015 Chevrolet 1500 4x4 regular cab pickup from Northtown Automotive, Yankton, South Dakota, in the amount of \$27,000.00 under the state bid contract for the Department of Public Works, Central Garage. (Memorandum 15-19)

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

Action 15-41

Moved by Commissioner Woerner, seconded by Commissioner Sommer, to authorize the purchase of a 2015 Chevrolet 1500 4X4 extended cab pickup from Billion Automotive, Sioux Falls, South Dakota, in the amount of \$28,029.00 under the state bid contract for the Department of Public Works, Street Division. (Memorandum 15-21)

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

Action 15-42

Commissioner Gross introduced and Acting Mayor Knoff read the title of Ordinance No. 972, AN ORDINANCE AMENDING THE REGULATION OF DISCHARGE OF WEAPONS WITHIN THE JURISDICTIONAL LIMITS OF THE CITY OF YANKTON, and set the date for the second reading and public hearing as February 23, 2015.

Action 15-43

Moved by Commissioner Gross, seconded by Commissioner Akland, to approve renewal of the multiple listing agreement with Anderson Realty, LLC, America’s Best Realty, Century 21, Discovery Realty, Lewis & Clark Realty, Shore-to-Shore Realty, and Vision Real Estate from February 2, 2015, through February 10, 2016, for city-owned development property described as: a twelve acre (approximate) industrial area located south of SAPA, north of East 15<sup>th</sup> Street, for the list price of \$123,400.00 (\$10,000.00 per acre); a 1.48 acre site located southeast of the intersection of Bill Baggs Road and Alumax Road for the list price of \$80,500.00 (approximately \$1.25 per square foot); and the remainder of Parcel B in the northwest corner of Fox Run Subdivision (just over 4 acres) for approximately \$1.00 per square foot, or a \$175,982.00 list price. (Memorandum 15-33)

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

Action 15-44

Moved by Commissioner Gross, seconded by Commissioner Akland, to approve the request from the South Dakota Kayak Association to allow tent camping on the grassy area in front of the Capitol Replica Building in Riverside Park on Friday, May 1, 2015, for participants in a new kayak event called the Dam-n-Back Run to be held in conjunction with the River Rendezvous and River Clean-Up events; and also on Friday, May 22, 2015, for the 5th Annual South Dakota Kayak Challenge. (Memorandum 15-28)

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

Motion adopted.

Action 15-45

Moved by Commissioner Gross, seconded by Commissioner Woerner, to approve the request from the Greenview Townhome Association for tax relief in the amount of \$1,520.33 for interest and penalty that was accrued on Yankton Road Tax Assessments on a parcel of land that had not been transferred by the developer to the association at the time the townhome association was put on the tax rolls. (Memorandum 15-35)

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

Motion adopted.

Action 15-46

Moved by Commissioner Gross, seconded by Commissioner Woerner, to approve flipping 2015 and 2016 budgeted items for Cemetery Capital Improvements Project purchases in order to allow the purchase of a John Deere Gator with canopy and windshield without box for a cost of \$24,835.00 in 2015 and the purchase of a 3/4 ton truck with snow blade for a cost of \$35,000.00 in 2016.

(Memorandum 15-17)

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

Motion adopted.

Action 15-47

Moved by Commissioner Woerner, seconded by Commissioner Akland, to approve the Right of Way Agreement between the City of Yankton and South Dakota Department of Transportation authorizing the purchase of property, with the City's share of cost being two-thirds and the State's share being one-third, described as Parcels 11 and 11A of Outlot 108 of the County Auditor's Plat of Outlots, from John and Pamela Frick for a total cost of \$69,370.00, that is needed for completion of the East Highway 50 Project; and to authorize the City Manager to execute associated documents.

(Memorandum 15-34)

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

Motion adopted.

Action 15-48

Moved by Commissioner Gross, seconded by Commissioner Woerner, to authorize the purchase of a Trimble Robotic Total Station, Data Collector, and associated appurtenances from Frontier Precision, Inc., Bismarck, North Dakota, for a cost of \$25,197.00 under the State Bid contract for the Public Works Department, Engineering Division. (Memorandum 15-24)

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

Motion adopted.

Action 15-49

Moved by Commissioner Gross, seconded by Commissioner Akland, to authorize the replacement of K-9 officer Grief in 2015 as outlined in Memorandum 15-31 for a cost of \$12,700.00.

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

Motion adopted.

Action 15-50

Moved by Commissioner Gross, seconded by Commissioner Akland, to adopt Resolution 15-05.

(Memorandum 15-32)

**RESOLUTION 15-05**

**WHEREAS**, SDCL 6-13-1 requires a municipality owning personal property which is no longer necessary, useable or suitable for municipal purposes to, by resolution, declare it surplus and may, by resolution, order the sale, trade, destruction or other disposal of said personal property.

**NOW, THEREFORE, BE IT RESOLVED** that the following personal property be declared no longer necessary, useful, or suitable for municipal purposes and said property shall be disposed of in accordance with SDCL 6-13-1, et sequential:

SURPLUS PROPERTY TO BE SOLD BY SEALED BIDS

1992 True Mfg. Direct Draw Beer Dispenser  
Model # TDD-3 s/n 1000147  
located at Fox Run Golf Course

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

Action 15-51

Moved by Commissioner Woerner, seconded by Commissioner Ferdig, to approve the purchase of a City Hall Gym Floor Covering system from Rush-Co, Yankton, South Dakota, for a cost of \$10,176.44. (Memorandum 15-33) Prior to a vote being taken, moved by Commissioner Gross, seconded by Commissioner Ferdig, to amend the motion to include specifying purchase of the floor covering systems with General Fund monies.

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

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

Action 15-52

Moved by Commissioner Akland, seconded by Commissioner Woerner, to approve the “First Addendum to Professional Services Agreement” between the City and Ross K. Den Herder, City Attorney, to amend the City Attorney Contract to appoint Lindsay Hovden and John Billings as Deputy City Attorneys with no additional compensation owed by the City. (Memorandum 15-36)

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

Action 15-53

Moved by Commissioner Woerner, seconded by Commissioner Sommer, to adjourn into Executive Session at 7:27 p.m. to discuss contractual matters.

**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 Acting Mayor Knoff.



**Roll Call:** Present: Commissioners Akland, Ferdig, Gross, Hoffner, Knoff, Sommer, and Woerner. City Attorney Den Herder was also present. Absent: Commissioner Bhaalid, Mayor Carda, and City Manager Nelson. Quorum present.

Action 15-54

Moved by Commissioner Akland, seconded by Commissioner Woerner, to adjourn at 7:45 p.m.

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

Motion adopted.

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David Knoff  
Acting Mayor

ATTEST:

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Al Viereck  
Finance Officer