

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
OCTOBER 10, 2016**

Regular meeting of the Board of City Commissioners of the City of Yankton was called to order by Mayor Gross.

Roll Call: Present: Commissioners Carda, Hoffner, Johnson, Knoff, Maibaum, Miner, and Sommer. City Attorney Den Herder and City Manager Nelson were also present. Absent: Commissioner Ferdig.

Quorum present.

Action 16-294

Moved by Commissioner Johnson, seconded by Commissioner Carda, to approve the Minutes of the regular meeting of September 26, 2016.

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

Motion adopted.

Action 16-295

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

A T & T-Cell Phone Bill-\$387.11; ABM Equipment Supply LLC-Bucket Truck Inspection-\$1,231.08; ACS Government Inf Service-Maint Program Support-\$1,937.87; Allegiant Emergency Svs Inc-Hose-\$137.47; AMG Occupational Medicine-DOT CDL Random Drug Test-\$31.50; Avera Education & Staffing-AED Training-\$5.00; Avera Sacred Heart Hospital-DOT CDL Random Drug Test-\$54.00; Banner Associates Inc-SW Facility Scale Site-\$2,824.25; Bartlett & West Inc-Lift Station Design-\$6,902.67; Boller Printing Inc-Bike Registration Cards-\$115.00; Bomgaars Inc-Concrete Mix-\$3.99; Boys & Girls Club-CDBG Grant #10-\$29,867.54; Brandt/Todd-Book-\$30.00; Brosz Engineering Inc-Pine St Bridge-\$1,155.00; C & C Hauling & Const Inc-Concrete Pad-\$2,000.00; Cedar Knox Public Power Dist-Elect-Sept-\$643.94; Centurylink-Phone-Sept-\$1,614.66; Chesterman Company-Pop-\$378.40; City of Brookings-Reimbursement-\$68.19; City of Vermillion-Jt Power Cash Trans-\$49,335.59; City of Yankton-Central Garage Rubbish-\$34.50; City of Yankton-Parks Landfill Charges-\$295.75; City of Yankton-Solid Waste Compacted Garbage-\$11,840.00; City of Yankton-Street Rubbish-\$28.74; City of Yankton-Waste Water Garbage-\$34.56; City Utilities-Water/WW Charges-Sept-\$42,487.67; Cole Papers Inc-Janitorial Supplies-\$346.37; Concrete Material-Hot Mix-\$26,616.35; Conkling Dist-Beer-\$1,247.85; Cornhusker Intl Truck Inc-Antifreeze-Filters-\$953.08; Credit Collection Service Inc-Ut Collection-Aug-\$177.31; D & G Concrete Const-Hwy 50 Utilities-\$79,483.20; Dakota Beverage Co Inc-Beer-\$903.07; Danko Emergency Equipment-Uniform Patches-\$58.81; Department of Revenue-Water Tests-\$249.00; Dept of Corrections-DOC Work Program-\$1,686.83; Design Solutions & Integration-Labor-\$311.50; DETCO-Repairs-\$1,400.35; DEX Media East-Phone-Sept-\$31.30; Diesel Machinery Inc-Parts-\$2,276.74; Environmental Energy-Oil Disposal-\$65.00; Ethanol Products LLC-CO2-\$899.01; Feimer Construction-Watermain Reconstruction-\$36,008.06; Flannery/Kirt-Officer Stipend-Sept-\$25.00; Footjoy-Golf Shoes-\$68.16; Fox Run Golf Course-Employee BBQ-\$880.00; Frick/Adam-Officer Stipend-Sept-\$25.00; Frick/Brian-Officer Stipend-Sept-\$50.00; Gary's Repair-Towing-\$180.00; Geotek Eng & Testing Serv Inc-Testing-\$850.00; GOSCMA-Membership Dues-\$100.00; Graymont Capital Inc-Pebble Lime-\$26,944.75; Gridor Construction Inc-Lift Station Const-\$49,701.62; Hanson Briggs Advertising Inc-Decals-

\$4,822.00; Hard Drive Outlet-HD Copier Fee-\$61.15; Hawkins Inc-Ferric Chloride-\$5,075.08; HD Supply Waterworks LTD-Repairs-\$2,065.14; HDR Engineering Inc-Collector Well-\$41,343.15; Hedahl's Parts Plus-Brakes & Rotors-\$1,953.09; Heine Electric & Irrigation-Repair Pump-\$1,189.90; J & H Care & Cleaning Company-Janitorial Services-\$2,795.00; JCL Solutions/Janitors Closet-Janitorial Supplies-\$502.73; Johnson/Sierra-Reimburse-Rec Program-\$103.03; Kadmas Lee & Jackson Inc-Professional Services-\$3,444.75; Kaiser Refrigeration Inc-Repair Walk-In Cooler-\$2,017.40; Larry's Home Center-Install Furnace-\$9,789.91; Light and Siren-Patrol Car Equipment-\$81.31; Lilly/Paul-Refund-Deposit-\$182.30; Locators & Supplies Inc-Safety Sweatshirts-\$387.96; Luken Memorials Inc-Plaque-\$394.28; Maibaum/Tony-Music At Meridian-\$10.64; Masonry Components Inc-Douglas Ave Reconstruct-\$99,881.77; Mclaury Engineering Inc-Hwy 50 Reconstruction-\$30.00; Mcleods Printing-Traffic Tickets-\$294.85; Midamerican Energy-Fuel-Sept-\$1,716.48; Midamerican Energy-Water/Ww Fuel-\$583.18; Midwest Alarm Company Inc-Fire Alarm Monitoring-\$156.00; Midwest Tape-Audio Book-\$39.99; Midwest Wheel Companies-Mats/Parts-\$359.20; Moser/Brad-Officer Stipend-Sept-\$25.00; Motor Vehicle Dept SD-Title & License-\$63.60; Motorola Solutions Inc-Pager Repairs-\$234.00; Northwestern Energy-Elect-Sept-\$73,495.46; Observer-Advertisement-\$48.00; Overhead Door Co-Repair Door-\$319.43; Pack & Ship-Shipping-\$45.10; Paladine Data Systems-Software Permit-\$9,986.40; Pilger Sand and Gravel Inc-Golf Course Sand-\$1,427.00; Press Dakota MStar Solutions-Classified Ads-\$2,596.28; Pro Auto Inc-Towing-\$80.00; R & R Products Inc-Irrigation Parts-\$1,030.26; Racom Corporation-EDACS Access-\$1,404.90; Reinhart Foods Inc-Entrees-\$1,933.71; SADA Systems-License Fee-\$6,950.52; Safety Benefits Inc-Registration Fee-\$65.00; Sanitation Products Inc-2016 Snow Plow-\$6,561.00; SD Electrical Commission-Electrical Inspection-\$100.00; SD Public Assurance Alliance-Insurance-\$2,037.12; Slowey Construction Inc-Construction-\$180,800.77; South Dakota One Call-Message Fees-August-\$236.25; Stern Oil Co Inc-Fuel-\$43,410.03; Thomson Reuters-Local Gov't Law-\$560.00; Titleist-Golf Clubs-\$1,257.84; Todd,Inc-Signs-\$1,121.05; Top Notch Window Cleaning-Professional Services-\$50.00; Truck Trailer Sales Inc-Repairs-\$6,453.09; U.S. Post Office-Util Postage-Sept-\$1,200.00; United Parcel Service Inc-Postage-Sept-\$156.88; United States Postal Service-Postage Meter-Sept-\$743.00; US Bank Equipment-Finance Copier Lease-\$219.56; Vermeer High Plains-Brush With Shaft-\$834.27; Vogel Paint Inc-Traffic Paint-\$1,470.75; Wage Works-Flex Service Fee-Aug-\$155.00; Walt's Homestyle Foods Inc-Entree-\$191.70; Water & Env Eng Research Ctr-Water Samples-\$122.00; Welfl Construction Corp-Collector Well-\$486,951.66; Wholesale Supply Inc-Candy-\$725.50; Williams & Company PC-Audit-\$3,500.00; Woehl/Toby-Officer Stipend-Sept-\$25.00; Xerox Corporation-Copier Lease-\$214.19; Xerox Corporation-Copier Lease-\$2,641.37; Yaggie's Inc-Grass Seed-\$389.00; Yankton Co Historical-1/4 SP Appropriation-\$2,025.00; Yankton County Treasurer-1/2 Taxes-\$242.42; Yankton Janitor Supply Inc-Cleaning Supplies-\$60.00; Yankton Medical Clinic-Pre-Employee Physical-\$1,032.00; Yankton Redi Mix-Concrete-\$122.00; Yankton Vol Fire Department-Fire Calls-Aug/Sept-\$1,790.00; Ziegler/William-Officer Stipend-Sept-\$50.00; A & B Business Inc-Rentals & Xerox Supplies-\$125.48; Alfa Laval GBT-Electronic Valve-\$755.94; All Star Pro Golf-Merchandise-\$199.18; Amazon Digital Svcs-Computer Program-\$49.99; Amazon Mktplace Pmts-Office Supplies-\$418.18; Amazon.Com-Sprinkler Controller-\$62.31; Amer Lib Assoc-Brightkey Office Supplies-\$32.40; Appera-Towels-\$476.37; Applebees-K-9 Training-\$20.81; Applied Ind Tech-Chemical Feed Parts-\$421.94; Army Lodging-K-9 Training-\$300.00; AT&T Bill Payment-Patrol Car Wireless-\$314.56; Augustana University-Book-\$14.00; Avera Heart Hospitals-Safety Supplies-\$76.00; Baker-Taylor-Books-\$4,358.59; Battery Exchange-Buffer Maintenance-\$634.75; BDR Bottomline- Magazine Subscription-\$39.00; Berkley Motors-Professional Services-\$178.00; Best Western Hotels-Travel Expense-\$638.94; Best Western Hotels-Travel Expense-\$31.42; Bomgaars-

Gloves & Glasses-\$1,918.58; Get N Go-K-9 Training-\$37.77; Broadway Chrysler-Shift Solenoid Pack-\$828.25; Brownells Inc-Weapon Equipment-\$188.46; Buffalo Wild Wings-Travel Expense-\$77.80; Burger King-Travel Expense-\$9.29; Butler Machinery-Garage Parts-\$50.01; Carus Corporation-Phosphate-\$4,141.17; Caseys Gen Store-Staff Appreciation-\$38.16; Caseys Gen Store-Meeting Expense-\$34.38; Caseys Gen Store-K-9 Training-\$30.01; Cedar County Veterinary-K-9 Vet Visit-\$40.00; Center Point-Books-\$130.62; Central Rest Products-Chemical Feed Parts-\$177.01; Christensen Radiator-Repair Radiator-\$121.25; Clark-Travel Fuel-\$34.86; Clarks Rentals-Custom Equipment Rental-\$30.00; Concrete Materials-Riverside Baseball-\$1,859.00; Cowboy Store-Travel Fuel-\$26.00; Cox Auto Supply-Equipment Repair-\$173.49; Crescent Electric-Park Repairs-\$2,153.42; Crowne Plaza Hotel-F&B Meeting-\$44.86; Culvers-K-9 Training-\$76.53; Culvers-K-9 Training-\$6.33; D-P Tools Inc-Bits and Polisher Kit-\$341.50; Dakota Archery-Weapon Equipment-\$11.98; Dayhuff Enterprises-Janitorial Supplies-\$751.64; Demco Inc-Office Supplies-\$24.81; Detco Industries-Tar Remover-\$5,108.96; Dexone-Publishing-\$39.00; DX Service-Salt-\$6,894.94; EB Social Tilt-Conference-\$27.37; Eberl Iron Works Inc-Post Adaptor-\$174.40; Echo Electric-Supply Flood Light-\$572.50; Ehresmann Engineering-Sheet Steel-\$157.87; Embroidery & Screen Works-Uniforms-\$262.00; Environmental Express-Lab Supplies-\$86.69; Fastenal Company-Reamer Bits-\$802.11; Fedex-Evidence Mailed From Lab-\$24.71; Firehouse Subs-K-9 Training-\$12.98; Fred Haar Company-Equipment Repair-\$52.95; GIH Global Industrial-Safety Supplies-\$28.61; Gilibertos LLC-K-9 Training-\$9.61; Godfathers Pizza-DOC Work Program-\$23.99; Good Housekeeping-Magazine Subscription-\$19.97; Hach Company-Lab Supplies-\$323.14; Hampton Inns-Training Lodging-\$393.60; Hardees-Travel Expense-\$17.19; Hilt Mpls Parking-Travel Parking-\$56.00; Hilton Hotels-Travel Hotel-\$1,587.60; Hilton Skywater Lounge-Travel Expense-\$138.31; Holiday Inn Hotel-Conference-\$551.94; Howe Inc-Dry Sprinkler Inspection-\$360.58; Hy-Vee Gas-Travel Expense-\$51.88; Hy-Vee-Meeting Supplies-\$786.94; I-State Truck Center-Blower Motor-\$164.00; Ikea Home Shopping Program-Supplies-\$230.32; In Kraskin Baton Co-Recreation Supplies-\$227.35; Independence Waste-Retrnals-\$698.80; Industrial Sales-Transducers-\$203.10; Jack Stack Bbq-Meeting-\$37.22; Janway Company-Earbuds-\$722.92; JCL Solutions-Cleaning Supplies-\$633.50; JCPenney-Clothing Allowance-\$265.59; Jimmy Johns-Training Expense-\$18.75; Jimmy Johns-Travel Expense-\$8.56; Jimmy Johns-Travel Expense-\$9.69; John M. Ellsworth Co-Chemical Tote Fittings-\$59.91; Kaiser Refrigeration-Cutoff Saw-\$1,573.41; Karls TV and Appliance-TV-\$209.96; Kendell Doors & Hardware-Keys-\$39.75; Koflo Corp-Calibration Columns-\$210.00; Koletzky Implement Inc-Loader Filters-\$633.87; Kopetskys ACE Hdwe-Equipment Repair-\$468.97; Kum & Go-K-9 Training-\$111.73; Lakeshore Learning-Program Supplies-\$233.98; Lewis and Clark Ford-Patrol Car Repair-\$1,196.25; Longfellow Grill-Travel Expense-\$13.47; Longs Propane Service-Propane-\$63.00; Marks Machinery Inc-Filter-\$57.87; McDonalds-Travel Expense-\$9.12; Mead Lumber-Shingles-\$156.97; Menards-Vacuum/Electrical Meter-\$1,433.61; Midwest Radiator-Equipment Repair-\$60.00; Midwest Turf-Mower Parts-\$363.88; Murphy-Walmart Travel Fuel-\$43.40; Mutt Mitt-Mutt Mitts-\$1,379.69; NADA Appraisal Guides-Subscription-\$75.00; National League of NLC-Meeting-\$2,755.00; Northtown Automotive-Part-\$105.51; Olsons Pest Technician-Pest Control Services-\$96.00; One Office Solution-Office Supplies-\$18.75; OReilly Auto-Starter-\$319.13; Oriental Trading Co-Office Supplies-\$13.98; Overdrive Dist-Downloadable Books-\$2,356.12; Paypal KMElectronic-Power Supply-\$17.99; Paypal Southdakota NSPE/SDES-Dues-\$253.00; Paypal Sparkscustom Equipment-Repair-\$100.86; Paypal Tegerjaw-Special Events Program-\$200.00; Pbileasedequipment-Mail Station Rental-\$104.00; Perkins-Travel Expense-\$40.45; Pitney Bowes-Mail Station Supplies-\$220.96; Pizza Man-K-9 Training-\$19.33; Pizza Man East-K-9 Training-\$24.59; Pool and Spa Products-Pool Repair-\$29.99; Prandomhouse-Books-\$202.50; Quill Corporation-Office Supplies-\$179.89; Ray Allen

Manufacturing-K-9 Equipment-\$42.59; Red Robin-Background Investigation-\$28.75; Redrossa Napoli Pizza-K-9 Training-\$10.75; Research Technology-Merchandise-\$254.95; Riverside Hydraulics-Rebuild Cylinder-\$481.88; Rmethe Golfworks-Club Repairs-\$791.31; Royal Sport Shop-Park Supplies-\$593.20; Sanford Learn Cybersou-Detective Training-\$110.00; SD Lib Assoc-Membership Dues-\$45.00; Sherwin Williams-Paint-\$11.67; Shur-Co Outletservice-Glue and Thinner-\$66.00; Pizza Ranch-K-9 Training-\$17.20; Sirchie Finger Print- Crime Scene Supply-\$106.37; South Dakota Magazine-Magazine Subscription-\$46.00; Specialty Store Service-Office Supplies-\$192.30; SQ Hansen Locksmith-Keys Patrol Cars-\$85.00; SQ Hanson Briggs Spec-Office Supplies-\$116.70; SQ The Pickle Barr-K-9 Training-\$2.69; Stan Houston Equip Co-Repairs-\$573.38; Steak-N-Shake-Travel Expense-\$6.37; Stellas Bar & Grill-Meeting-\$12.97; Sturdevants-Control Arm-\$137.82; Swim 2000-Recreation Supplies-\$179.94; Taser Training Academy-Taser Recertification-\$225.00; Teledyne ISCO-Sampler Tubing-\$358.91; Texas Roadhouse-Travel Expense-\$17.07; The Crofton Journal-Advertisement-\$29.75; The Landing Eatery-Travel Expense-\$16.98; The UPS Store-Shipping-\$85.78; The Webstaurant Store-Equipment-\$95.00; TMA-Tires-\$3,814.02; Tmetime Magazine-Magazine Subscription-\$34.95; Tractor Supply Co-K-9 Supplies-\$158.81; TRK Hosting-Internet Access-\$68.85; Truck Trailer Sales-Fan-\$577.37; US Plastic Corp-Sludge Bottles-\$141.07; Uline Ship Supplies-Evidence Tape-\$114.48; United Laboratories-Maintenance Supplies-\$1,725.82; USA Blue Book-Meter Parts-\$1,154.43; USPS-Stamps-\$9.40; Vanderhule Moving-Shop Supplies-\$92.93; Viddler Inc-Video Hosting-\$35.31; Villa Fresh It-K-9 Training-\$10.83; Vistaprivistaprint.Com-Business Cards-\$26.97; VWR International Inc-Lab Supplies-\$898.36; Vzwrllssmy VZ VB P-Internet Access-\$1,052.38; Wal-Mart-TV-\$2,325.90; Walgreens-Office Supplies-\$19.49; Walmart.Com-Office Supplies-\$155.65; Western Office Product-Labels/Printer Ink-\$195.24; Wheelco Brake & Supply-Strobe-\$88.42; WM Supercenter-Dvds-\$311.80; WM Supercenter-K-9 Training-\$20.28; WW Grainger-Plumbing Parts-\$1,174.08; Yankton Rexall Drug-Flow Meter Batteries-\$9.58; Yourmember Careers-Conference Registration-\$325.00; Zumba Fitness-Membership Dues-\$360.00; 5guys-K-9 Training-\$6.22; AFSCME Council 65-Employee Deduction-\$1,203.63; American Family Life Corp-Cancer & ICU Premiums-\$7,083.82; Assurant Employee Benefits-Vision Insurance-October-\$723.20; Connections Inc-EAP Insurance-September-\$373.32; Delta Dental-Dental Insurance-October-\$7,420.20; Dept of Social Services-Employee Deduction-\$2,182.50; First Natl Bank South Dakota-Employee Deduction-\$3,177.78; Minnesota Life Insurance Co-Life Insurance-October-\$701.00; Municipal League SD-SDML Registration-\$700.00; Nelson/Amy-Travel-\$600.00; Parker/Brad-Training-\$210.00; Regional Technical Education-RTEC-CDBG Grant-\$150,000.00; Retirement SD-SD Retirement-September-\$68,629.02; SDSRP-Employee Deduction-\$5,315.00; Summit Activity Center-Employee Deduction-\$847.80; US Post Office-Util Postage-\$1,350.19; United Way-Employee Deduction-\$76.00; Vast Broadband-Internet Services-\$3,420.65; Wellmark Blue Cross-Health Insurance-October-\$91,351.86.

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

Motion adopted.

SALARIES SEPTEMBER, 2016:

Administration-\$37,023.64; Finance-\$31,118.66; Community Development-21,856.99; Police-\$146,652.71; Fire-\$11,223.24; Engineering-\$37,370.88; Street-\$42,902.67; Traffic Control-\$1,745.30; Library-\$29,354.07; Parks/SAC-\$56,197.26; Memorial Pool-\$1,149.60; Marne Creek-\$3,686.64; Water-\$36,132.98; Wastewater-\$33,241.19; Cemetery-\$4,243.35; Solid Waste-\$19,952.85; Landfill-\$17,503.23; Golf Course-\$24,636.78; Central Garage-\$6,885.93.

PERSONNEL CHANGES & NEW HIRES:

New Hires: Kelia Barta-\$8.55 hr.-Golf Division; Chase Huether-\$8.55 hr.-Golf Division; Joshua Monson-\$1,401.27 bi-wk.-Wastewater; Kelli Steffen-\$8.55 hr.-Rec. Division.

Wage Change: Annie Kruse-\$9.30 hr.-Rec. Division; Ali Leonard-\$8.80 hr.-Rec. Division; Savannah Murray-\$8.80 hr.-Rec. Division; Lauren Uttecht-\$9.05 hr.-Rec. Division.

Status Change:

Justin Groves-\$8.80 hr.-Marne Creek to Rec. Division; Daniel Thompson-\$10.30 hr.-PT Police to PT School Officer.

Mayor Gross read proclamations declaring October 13, 2016, as *Disability Awareness Day*, and October, 2016, as *Disability Employment Awareness Month*; recognizing the Dakota Prairie Quilt Guild and declaring October 10-16, 2016, as *Quilt Week*; and declaring January, 2017, as *Rotary Awareness Month*.

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

Dan Specht and John Kramer appeared to give an update on the progress of the Westbrook Estates Development Project.

Action 16-296

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

1. Assessment Roll; Noxious Vegetation and Abatement, set public hearing
Consideration of Memorandum 16-229 and Resolution 16-63, recommending that November 14, 2016, be established as the date for a public hearing on the special assessment roll for removal of noxious vegetation and abatement
2. Assessment Roll; Alley Reconstruction, set public hearing
Consideration of Memorandum 16-235 and Resolution 16-66, recommending that November 14, 2016, be established as the date for a public hearing on the special assessment roll for alley reconstruction from Riverside Drive to 2nd Street, between Broadway and Cedar
3. Meeting Date Change
Discussion to establish a date and time for the second City Commission meeting in December for December 22 at noon in City Hall
4. Work Session
Setting date of October 24, 2016, at 6:00 pm in Room 114 of the Regional Technical Education Center for the next work session of the Yankton City Commission to discuss Active Transportation Plan
5. Establishing public hearing for sale of alcoholic beverages
Establish October 24, 2016, as the date for the public hearing on the New Retail (on-off sale) Malt Beverage License for July 1, 2016, to June 30, 2017, from IHAH, LLC d/b/a Big River Burrito Company (Paul Lowrie, Managing Member), 100 Douglas Street, Suite 101, Yankton, South Dakota.

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

Motion adopted.

Action 16-297

This was the time and place for the public hearing on the application for a Special Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for one day, October 13, 2016, from TST, Inc. dba Phinney’s Pub & Casino, (John Tuttle, President) Yankton Mall, Yankton, South Dakota. (Memorandum 16-230) No one was present to speak for or against approval of the license application. Moved by Commissioner Johnson, seconded by Commissioner Knoff, to approve the license.

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

Action 16-298

This was the time and place for the second reading and public hearing on Ordinance No. 991, AN ORDINANCE TO REZONE PROPERTY DESCRIBED HEREIN. No one was present to speak for or against adoption of the ordinance. Moved by Commissioner Sommer, seconded by Commissioner Carda, to adopt Ordinance No. 991.

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

Action 16-299

Proposal to adopt Resolution 16-64 creating Tax Incremental District Number Seven, was considered. (Memorandum 16-232) Citizen Gary Moore appeared and urged the Commission to be cautious. Moved by Commissioner Carda, seconded by Commissioner Sommer, to adopt Resolution 16-64 and to approve the associated Tax Increment District Number Seven Development Agreement between the City of Yankton and Schrecht, LLC, Yankton, South Dakota, Developer.

RESOLUTION 16-64

RESOLUTION PROVIDING FOR THE CREATION OF TAX INCREMENTAL DISTRICT NUMBER SEVEN, CITY OF YANKTON, APPROVAL OF TAX INCREMENTAL DISTRICT SEVEN PROJECT PLAN

WHEREAS, the Planning Commission has recommended the creation of a Tax Incremental District Seven and adoption of a project plan for said district, and

WHEREAS, the City of Yankton has the power, pursuant to SDCL § 11-9-2, to create the Tax Incremental District Number Seven, City of Yankton and define its boundaries, and

WHEREAS, the City of Yankton pursuant to SDCL § 11-9-17 has the power to adopt a project plan for the district, and

THEREFORE, IT IS HEREBY RESOLVED:

1. **Authority and Declaration of Necessity.** The City declares the necessity for the creation of the Tax Incremental District Number Seven in the City of Yankton pursuant to SDCL 11-9. Further, the City finds that the improvement of the area is likely to enhance significantly the value of substantially all of the other real property in the District and is necessary for economic development within the city.

2. **Findings of Eligibility.** The City Commission makes the following findings with regard to blight:
 - a. More than 25% of the property in the District is a blighted area;
 - b. Improvements to the District are likely to add thousands of dollars assessed valuation to the district and will significantly and substantially enhance the value of all property in the district;
 - c. There is a reasonable likelihood that there will be multiple structures built in the District.
 - d. The aggregate assessed value of the District plus the tax incremental base of all other existing districts in the City does not exceed ten percent of the total assessed valuation in the City.
 - e. The District lacks adequate water connections which substantially impairs the sound growth of the District.
 - f. There exist inadequate street layouts which retards the provision of residential development.
 - g. The District lacks sewerage connections or treatment which substantially arrests the sound growth of the District.
 - h. The District constitutes a blighted area as defined in SDCL 11-9.
3. **Findings of Maximum Percentage of Tax Incremental Districts.** The aggregate assessed value of the taxable property in the District, plus all other tax incremental districts, does not exceed ten percent of the total assessed valuation of the City.
4. **Creation of District.** There is hereby created, pursuant to SDCL 11-9, the Tax Incremental District Number Seven, City of Yankton (the "District"). The District is hereby created on the day this resolution becomes effective which shall be twenty days after publication.
5. **Designation of District Boundaries.** The District shall have boundaries which shall include the following described real property:

THE N38.9' OF E22' LT 8 & ALL LT 9 EXC W19' OF S159.50' BLK 18 WEST YANKTON AND LTS 2, 3, 4 & 5 BLK 18 WEST YANKTON MOBILE HOME COURT FORMERLY KNOW AS CIRCLE "C" (The "District").
6. **Creation of Tax Incremental Fund.** There is hereby created, pursuant to SDCL § 11-9-31, a City of Yankton Tax Incremental District Number Seven Fund, a segregated asset account. All tax increments collected pursuant to Tax Incremental District Number Seven shall be deposited into the Tax Incremental District Number Seven Fund. All funds in the Tax Incremental District Number Seven Fund shall be used solely for those purposes expressly stated and reasonably inferred in SDCL 11-9.
7. **Adoption of Project Plan.** The City does hereby approve the project plan as presented and finds that the plan is feasible and in conformity with the master plan of the City of Yankton.

Roll Call: Members present voting "Aye:" Commissioners Carda, Hoffner, Johnson, Maibaum,

Miner, Sommer, and Mayor Gross; voting "Nay:" None; Abstaining: Commissioner Knoff.
Motion adopted.

Action 16-300

Moved by Commissioner Sommer, seconded by Commissioner Carda, to adopt Resolution 16-65.
(Memorandum 16-233)

RESOLUTION 16-65

WHEREAS, it appears from an examination of the Replat of Lots 1B, 3B and 5B, Block 1, Slaughter's Subdivision a Part of the NE 1/4 of the NE1/4, Section 12, Township 93 North, Range 56 West of the 5th P.M., in the City of Yankton, Yankton County, South Dakota. To be known as Lots 1C and 3C, Slaughter's Subdivision a Part of the NE 1/4 of the NE1/4, Section 12, Township 93 North, Range 56 West of the 5th P.M., in the City of Yankton, Yankton County, South Dakota prepared by Michael Skroch, a registered land surveyor in the State of South Dakota, and

WHEREAS, such plat has been prepared according to law and is consistent with the City's overall Comprehensive Development Plan.

NOW, THEREFORE BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota, that the plat for the above described property is hereby approved.

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

Action 16-301

Moved by Commissioner Carda, seconded by Commissioner Sommer, to approve the contract with Patrick Ibarra of the Mejoranda Group, Glendale, Arizona, to conduct a two-day Strategic Planning Session for the City of Yankton, tentatively scheduled for January 5-6, 2017, for \$13,500.00 plus travel and printing costs. (Memorandum 16-234)

Roll Call: Members present voting "Aye:" Commissioners Carda, Johnson, Knoff, Miner, Sommer, and Mayor Gross; voting "Nay:" Commissioners Hoffner and Maibaum.
Motion adopted.

Action 16-302

Commissioner Johnson introduced consideration of the SRF Application for the Water Plant Project and set the date for a public hearing as October 24, 2016.

Action 16-303

Moved by Commissioner Johnson, seconded by Commissioner Hoffner, to adjourn into Executive Session at 8:08 p.m. to discuss contractual matters under SDCL 1-25-2.

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

Regular meeting of the Board of City Commissioners of the City of Yankton was reconvened by Mayor Gross.

Roll Call: Present: Commissioners Carda, Hoffner, Johnson, Knoff, Maibaum, Miner, and Sommer. City Attorney Den Herder and City Manager Nelson were also present. Absent: Commissioner Ferdig. Quorum present.

Action 16-304

Moved by Commissioner Carda, seconded by Commissioner Maibaum, to adjourn at 9:43 p.m.

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

Motion adopted.

C.N. Gross
Mayor

ATTEST:

Al Viereck
Finance Officer

Published October 18, 2016