

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS  
YANKTON, SOUTH DAKOTA  
SEPTEMBER 25, 2017**

Board of City Commissioners of the City of Yankton was called to order by Acting Mayor Johnson. **Roll Call:** Present: Commissioners Carda, Ferdig, Gross, Knoff, Maibaum, Miner, and Moser. City Attorney Den Herder and City Manager Nelson were also present. Absent: Mayor Hoffner. Quorum present.

Action 17-282

Moved by Commissioner Knoff, seconded by Commissioner Gross, to approve the Minutes of the regular meeting of September 11, 2017.

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

Acting Mayor Johnson read a proclamation declaring October 10, 2017, as *Disability Awareness Day* in Yankton, and the month of October, 2017, as *Disabilities Employment Awareness Month*.

City Manager Nelson submitted a written report giving an update on community projects and items of interest and reminded the Commission of the Dive In Yankton event scheduled for Tuesday, September 26, at 6:30 p.m.

Commissioner Maibaum commented that he supported City leadership in their handling of the Meridian Bridge report and subsequent denial of Fireball Run having all vehicles on the bridge at the same time.

Action 17-283

Moved by Commissioner Gross, seconded by Commissioner Ferdig, that the following items on the Consent Agenda be approved.

1. Transient Merchant License and Special Events Dance License  
Consideration of Memorandum 17-213 recommending approval of the applications from Lewis & Clark Theatre for:
  - A) Transient Merchant License for October 14, 2017;
  - B) Special Events Dance License for October 14, 2017.
2. Possible Quorum Event  
September 26, 2017, for Dive In Yankton presentation, no official commission action

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

Action 17-284

Moved by Commissioner Gross, seconded by Commissioner Carda, to adopt Resolution 17-43. (Memorandum 17-208)

**RESOLUTION 17-43**

WHEREAS, it appears from an examination of the plat of Lots 3 and 4 of Doris Schenk Addition and a Vacation of Right of Way in Lot 2 and a portion of Doris Schenk Addition as recorded in Book S17 Page 280, all located in the East Half of the Southeast Quarter (E 1/2 SE 1/4), Section 8, township 93 North, Range 55 West of the 5<sup>th</sup> P.M., City of Yankton, Yankton County, South Dakota prepared by Brett R. Kennedy, 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 17-285

Moved by Commissioner Ferdig, seconded by Commissioner Knoff, to adopt Resolution 17-44. (Memorandum 17-209)

**RESOLUTION 17-44**

WHEREAS, it appears from an examination of the plat of Tract 1 of Law Addition in the Southeast Quarter of Section 2, Township 93 North, Range 56 West of the 5th Principal Meridian, City of Yankton, South Dakota prepared by Paul A. Sandman, 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 17-286

Moved by Commissioner Gross, seconded by Commissioner Knoff, to adopt Resolution 17-45. (Memorandum 17-210)

**RESOLUTION 17-45**

WHEREAS, it appears from an examination of the Replat of Lots 7, 8 and 9 in Block 5, as

recorded in Book S20 on Page 182 of Ridgeway North Subdivision to the City of Yankton, South Dakota, and to be hereafter known as:

Lots 7, 8 and 9 in Block 5, as recorded in Book S20 on Page 182 of Ridgeway North Subdivision to the City of Yankton, South Dakota prepared by Brett R. Kennedy, 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:** Members present voting "Aye:" Commissioners Carda, Ferdig, Gross, Knoff, Miner, Moser, and Acting Mayor Johnson; voting "Nay:" None; Abstaining: Commissioner Maibaum. Motion adopted.

Action 17-287

Moved by Commissioner Gross, seconded by Commissioner Knoff, to adopt Resolution 17-46. (Memorandum 17-211)

**RESOLUTION 17-46**

WHEREAS, it appears from an examination of the plat of TL-1, TL-1A, TL-2, TL-2A, TL-3, TL-3A, TL-4 and TL-4A in Lot 9, Block 8 of Christensen Heights, City and County of Yankton, South Dakota, and TL-1, TL-1A, TL-2, TL-2A, TL-3, TL-3A, TL-4, TL-4A, TL-5 TL-5A, TL-6 and TL-6A in Lot 10, Block 8, Christensen Heights, City and County of Yankton, South Dakota prepared by John L. Brandt, 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 17-288

Moved by Commissioner Carda, seconded by Commissioner Miner, to adopt Resolution 17-40. (Memorandum 17-207)

**RESOLUTION 17-40**

WHEREAS, Section 16-23 of the Yankton Code of Ordinances permits the discharge of arrows at an approved location determined to be an archery range meeting the requirements of the National Field Archery Association, provided that the inspected, official archery range has been approved by the board of City Commissioners; and

WHEREAS, NFAA is interested in having an off-site archery range event to be held on October 7, 2017 in Yankton Riverside Park during Manufacturers Olympics; and

NOW THEREFORE, BE IT RESOLVED that the City Commission hereby authorizes the NFAA to hold an off-site archery range event on October 7, 2017 in Yankton Riverside Park during Manufacturers Olympics.

**Roll Call:** Members present voting “Aye:” Commissioners Carda, Ferdig, Gross, Knoff, Maibaum, Miner, and Acting Mayor Johnson; voting “Nay:” None; Abstaining: Commissioner Moser. Motion adopted.

Action 17-289

Moved by Commissioner Gross, seconded by Commissioner Carda, to approve Change Order No. 1 from Masonry Components, Inc., Yankton, South Dakota, for the 25<sup>th</sup> Street from Douglas Avenue to Mulberry Street reconstruction project, a decrease of \$7,384.20 for a new contract total of \$242,378.25; to accept the project as complete; and to authorize the City Finance Officer to issue a manual check in the amount of \$3,455.50 to Masonry Components, Inc., as final payment for the project. (Memorandum 17-214)

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

Action 17-290

The proposed Memorandum of Understanding (MOU) between the City and the Yankton Rodeo Association which would allow the Rodeo Association to utilize City-owned property south and east of the Chamber of Commerce Building to develop rodeo grounds was considered.

(Memorandum 17-212) Doug Hevle from the Rodeo Association was present to thank the Commission for consideration of the MOU. Moved by Commissioner Carda, seconded by Commissioner Ferdig, to approve the MOU between the City and the Rodeo Association.

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

Action 17-291

The recommendation from the Health Insurance Committee for 2018 Group Health Insurance and Dental Insurance for City employees was considered. (Memorandum 17-199) Moved by Commissioner Carda, seconded by Commissioner Miner, to send the recommendation for the Avera Plan to negotiations.

**Roll Call:** Members present voting “Aye:” Commissioners Carda, Ferdig, Gross, Knoff, Maibaum, and Miner; voting “Nay:” None; Abstaining: Commissioner Moser and Acting Mayor Johnson.

Motion adopted.

Action 17-292

Moved by Commissioner Gross, seconded by Commissioner Carda, to adjourn into Executive Session at 7:31 p.m. to discuss personnel, contractual and litigation 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 Acting Mayor Johnson.

**Roll Call:** Present: Commissioners Carda, Ferdig, Gross, Knoff, Maibaum, Miner, and Moser. City Attorney Den Herder and City Manager Nelson were also present. Absent: Mayor Hoffner. Quorum present.

Action 17-293

Moved by Commissioner Carda, seconded by Commissioner Ferdig, to adjourn at 8:11 p.m.

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

Motion adopted.

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Nathan Johnson  
Acting Mayor

ATTEST:

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Al Viereck  
Finance Officer

Published October 3, 2017