

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS  
YANKTON, SOUTH DAKOTA  
JANUARY 22, 2018**

Board of City Commissioners of the City of Yankton was called to order by Mayor Hoffner.

**Roll Call:** Present: Commissioners Carda, Gross, Johnson, Knoff, Maibaum, Miner, and Moser. Deputy City Attorney Hovden and City Manager Nelson were also present. Absent: Commissioner Ferdig. Quorum present.

Action 18-11

Moved by Commissioner Johnson, seconded by Commissioner Knoff, to approve the Minutes of the regular meeting of January 8, 2018.

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

Motion adopted.

Action 18-12

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

AOX Welding Supply Co Inc-Argon Gas-\$72.68-Avera Education & Staffing-Cpr Cards-\$155.00-Bartlett & West Inc-Lift Station-\$8,267.50-Brenntag Great Lakes-Chemicals-\$1,265.04-C&D Plumbing-Meter Refund-\$54.00-Cedar Knox Public Power Dist-Elect-\$1,297.77-City Of Yankton-Fox Run-Landfill Charges-\$255.10-Credit Collection Service-UT Collection-\$45.80-Fastenal-Bolts-\$3.06-Feimer Construction-Lift Station Demo-\$37,441.31-Ferguson Water Works Supply-Water Meters-\$7,007.11-Geotek Eng & Testing Serv Inc-Water Treat Plant-\$40,433.25-Fred Haar Co-Repairs-\$258.02-Hawkins Inc-Chemicals-\$799.89-Hdr Engineering Inc-WT Plant Constr-\$162,579.54-John T Jones Construction-Water Plant Const-\$1,043,076.37-Larrys Plumbing-Service Call-\$168.99-Longs Propane-Propane-\$502.74-Mcgrath North Mullin & Kratz-Professional Serv-\$1,770.00-Merkel Electric-Elect Repairs-\$576.82-Millennium Recycling-Single Stream Fee-\$1,891.00-Northwestern Energy-Replace Light Pole-\$3,033.33-Ping-Golf Equipment-\$167.31-Press Dakota-Ad-\$1,992.55-SD Redbook Fund-Subscriptions-\$100.00-Sioux Equipment Company Inc-Fuel Control System-\$17,897.00-Smith Insurance Inc/MT & RC-Notary Bond-\$80.00-South Dakota One Call-Message Fees-\$65.10-Stern Oil Co Inc-Fuel-\$2,240.55-Stockwell Engineers Inc-Design-\$14,680.00-Tour Edge Golf Group Inc-Golf Club-\$247.00-Tramp/Jason-Reimbursement-\$55.00-Truck Trailer Sales Inc-Truck Repair-\$11,852.73-Watertown Regional Library-Damaged Book-\$15.00-Xerox Corporation-Copier Lease-\$210.01-Xerox Corporation-Copier Lease-\$970.46-Xtreme Car Wash-Car Washes-\$446.40-Yankton Ag Service-Repairs-\$11.79-Yankton Area Ice Association-Reimbursement-\$2,161.56-Yankton Medical Clinic-Drug Screening-\$508.50

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

Motion adopted.

Commissioner Ferdig arrived at 7:02pm.

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

Action 18-13

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

1. **Work Session**  
Setting date of February 26, 2018, at 6:00 pm in Room No 114 of the Regional Technical Education Center for the next work session of the Yankton City Commission to discuss Yankton Youth Soccer.
2. **Establish public hearing for sale of alcoholic beverages**  
Establish February 12, 2018, as the date for the public hearing on the request for a Special Events (on-sale) Liquor License for 1 day, February 24, 2018, from Boomer's Inc., (Gary W. Boom, President) d/b/a Boomer's Lounge, NFAA, 800 Archery Lane, Yankton, South Dakota.
3. **Possible Quorum Event**  
January 30, 2018, for 2018 Yankton Day at the Legislature, no official commission action.
4. **Possible Quorum Event**  
February 3, 2018, for 2018 Legislative Cracker Barrel, no official commission action.
5. **Possible Quorum Event**  
March 3, 2018, for 2018 Legislative Cracker Barrel, no official commission action.
6. **Possible Quorum Event**  
February 14-19, 2018, for World Archery Tournament, no official commission action.
7. **Peddler's License Application**  
Consideration of Memorandum 18-06 recommending approval of an application for a Peddler's License for Midco to go house-to-house to demonstrate new services, answer questions, ascertain any problems and check the quality of their signal.
8. **Possible Quorum Event**  
February 22, 2018, for CVB Presentation, no official commission action.
9. **Possible Quorum Event**  
February 27, 2018, for State of the Community Event, no official commission action.
10. **Establish public hearing for sale of alcoholic beverages**  
Establish February 12, 2018, as the date for the public hearing on the request for a Special Events Retail (on-sale) Liquor License for 1 day, March 16, 2018, from Dayhuff Enterprises, Inc. d/b/a O'Malley's Bar (Jeff Dayhuff, President), NFAA, 800 Archery Lane, Yankton, S.D.
11. **Establishing public hearing for sale of alcoholic beverages**  
Establish February 12, 2018, as the date for the public hearing on the request for a Special Malt Beverage (on-sale) Retailers License for 3 days, August 17-19, 2018, from Yankton Area Riverboat Days, Inc. (Milissia Wuebben, Treasurer), Riverside Park, Yankton, S.D.

12. **Establishing public hearing for sale of alcoholic beverages**  
Establish February 12, 2018, as the date for the public hearing on the request for a Special Malt Beverage (on-sale) Retailers License for 3 days, August 17-19, 2018, from Yankton Area Riverboat Days, Inc. (Milissia Wuebben, Treasurer), City Hall Auditorium, Yankton, S.D.
13. **Possible Quorum Event**  
February 13, 2018, for 2018, YAPG Annual Meeting, no official commission action.
14. **Establish public hearing for sale of alcoholic beverages**  
Establish February 12, 2018, as the date for the public hearing on the request for a Special Events Malt Beverage (on-sale) Retailers License and a Special RETAIL (on-sale) Wine dealers License for 1 day, Saturday, March 17, 2018, from Lewis & Clark Theatre Company, (Katie Fargo, Executive Director) 328 Walnut, Yankton, SD 57078.

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

Action 18-14

Moved by Commissioner Knoff, seconded by Commissioner Johnson, to approve utility dedication on city owned property. (Memorandum 18-05)

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

Action 18-15

Moved by Commissioner Knoff, seconded by Commissioner Ferdig, to approve red recycling cans to be installed in the City of Yankton parks. (Memorandum 18-10)

**Roll Call:** Members present voting “Aye” were Commissioners Ferdig, Johnson, Knoff, Maibaum, Miner, Moser, and Mayor Hoffner; voting “Nay” were Commissioners Carda and Gross.  
Motion adopted.

Action 18-16

Moved by Commissioner Knoff, seconded by Commissioner Johnson, to approve Resolution 18-05 regarding 911 Phone Automatic Policy Routing. (Memorandum 18-14)

**RESOLUTION 18-05**

WHEREAS, the City of Yankton has from time to time provided 911 call answering services for Bon Homme County, Clay County, and Union County, and

WHEREAS, the Next Generation 9-1-1 statewide project requires formal agreements with participating agencies for 9-1-1 failover locations, then

NOW, THEREFORE BE IT RESOLVED, that the Yankton City Commission duly authorizes the partnering with Bon Homme County, Clay County, and Union County 9-1-1 agencies in response to the statewide 9-1-1 Next Generation project, and

BE IT FURTHER RESOLVED, that the City Manager be authorized to sign and execute the 9-1-1 Phone Automatic Policy Routing documents.

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

Action 18-17

Moved by Commissioner Carda, seconded by Commissioner Ferdig, to not proceed with the relocation of the overhead power utility to underground along 8<sup>th</sup> Street from Broadway Avenue to Summit Street. (Memorandum 18-11)

**Roll Call:** Members present voting “Aye” were Commissioners Carda, Ferdig, Gross, Johnson, Maibaum, Miner, Moser and Mayor Hoffner; voting “Nay” was Commissioner Knoff.  
Motion adopted.

Action 18-18

Moved by Commissioner Carda, seconded by Commissioner Miner, to approve Resolution 18-03 regarding salary correction for the City Attorney. (Memorandum 18-07)

**RESOLUTION 18-03**

WHEREAS, SDCL 9-14-28 requires that the salaries of municipal officers be fixed and determined by City resolution,

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, effective January 1, 2018, that the salary of the City Attorney shall be at an annual rate of \$44,163.09.

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

Action 18-19

Commissioner Gross introduced and Mayor Hoffner read the title of Ordinance No. 1003, AN ORDINANCE AMENDING ORDINANCE NO. 1001, THE 2018 ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF YANKTON, SD, and set the date of the second reading and public hearing as February 12, 2018.

Action 18-20

Moved by Commissioner Johnson, seconded by Commissioner Knoff, to adopt Resolution No 18-04. (Memorandum 18-12)

**RESOLUTION 18-04**

WHEREAS, the Yankton Public School District is the owner of North 3/4 of the SW 1/4 of the NE 1/4 except Lot H1 and further excepting land previously conveyed for road purposes, Section 7, T93N, R55W of the 5<sup>th</sup> PM, Yankton County, South Dakota, located at 2000 Mulberry Street, and

WHEREAS, the above described property is zoned A-1 Agricultural in the City of Yankton’s zoning jurisdiction which allows conditional uses under the City of Yankton's Zoning Ordinance No. 711 as amended, and

WHEREAS, this conditional use request is necessary for the expansion of the properties use as an athletic field and has been reviewed and recommended for approval by a vote of the City Planning Commission.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Yankton, South Dakota hereby approves a Conditional Use Permit for the expansion of the athletic field in accordance with all applicable ordinances and regulations on the above described property.

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

Action 18-21

Moved by Commissioner Gross, seconded by Commissioner Knoff, to adjourn into Zoning Board of Adjustment at 7:21 p.m. to discuss Zoning Board of Adjustment Variance Request.

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

Zoning Board of Adjustment meeting was called to order by Mayor Hoffner.

**Roll Call:** Present: Commissioners Carda, Ferdig, Gross, Johnson, Knoff, Maibaum, Miner, and Moser. Deputy City Attorney Hovden and City Manager Nelson were also present. Absent: None.  
Quorum present.

Action 18-22

Moved by Commissioner Miner, seconded by Commissioner Maibaum, to approve the Minutes of the Zoning Board of Adjustment meeting of January 8, 2018.

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

Action 18-23

This was the time and place for the public hearing on the Zoning Board of Adjustment variance request to adjust the maximum height requirements for a fence in the 25-foot front yard setback in an A-1 Agricultural zoning district on the North 3/4 of the SW 1/4 of the NE 1/4 except Lot H1 and further excepting land previously conveyed for road purposes, Section 7, T93N, R55W of the 5<sup>th</sup> PM, Yankton County, South Dakota. Address, 2000 Mulberry Street, northwest of the intersection of Burleigh Street and E. 20th Street. Yankton Public School District, owner. (Memorandum 18-13) Chuck Turner was present in support of the request.

Moved by Commissioner Carda, seconded by Commissioner Gross, to approve the variance request.

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

Action 18-24

Moved by Commissioner Johnson, seconded by Commissioner Carda, to adjourn and reconvene as Board of City Commissioners at 7:26 p.m.

**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 Hoffner.

**Roll Call:** Present: Commissioners Carda, Ferdig, Gross, Johnson, Knoff, Maibaum, Miner, and Moser. Deputy City Attorney Hovden and City Manager Nelson were also present. Absent: None. Quorum present.

Action 18-25

Moved by Commissioner Carda, seconded by Commissioner Ferdig, to adjourn at 7:28 p.m.

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

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Jake Hoffner  
Mayor

ATTEST:

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Al Viereck  
Finance Officer