

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
July 23, 2018**

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

Roll Call: Present: Commissioners Benson, Carda, Ferdig, Gross, Hoffner, Maibaum, Miner and Moser. City Attorney Den Herder and City Manager Nelson were also present. Absent: None. Quorum present.

Action 18-226

Moved by Commissioner Gross, seconded by Commissioner Moser, to approve the Minutes of the regular meetings of June 25th, 2018 and July 9th, 2018.

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

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

Commissioner Gross gave an update on last week's meeting for the Missouri River Sedimentation Coalition.

Josh Svatos, Chairman of the Dive In Yankton Committee, gave an update on plans to construct a new water facility to replace Memorial Pool.

Action 18-227

This was the time and place for the public hearing on the application for a New Retail (on-sale) Liquor-Restaurant License for January 1, 2018, to December 31, 2018, from El Tapatio Family Mexican Restaurant, Inc., (Maria D. Guitron, President) dba El Tapatio Family Mexican Restaurant, 2502 Fox Run Parkway, Yankton, S.D. (Memorandum 18-153) No one was present to speak for or against approval of the application.

Moved by Commissioner Miner, seconded by Commissioner Gross, to approve the application.

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

Action 18-228

Moved by Commissioner Moser, seconded by Commissioner Hoffner, to approve the agreement, authorize the City Manager to sign, and enter into the School Resource Officer Agreement with the Yankton School District for the 2018-2019 school year. (Memorandum 18-156)

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

Commissioners Ferdig and Maibaum volunteered to serve on the Sponsorship and Naming Rights Committee. No official action was taken. (Memorandum 18-155)

Action 18-229

This was the time and place for the public hearing on the application for a Sidewalk Café Permit located at 100 W. 3rd Street for the Walnut Tavern. (Memorandum 18-157) No one was present to

Speak for or against approval of the application.

Moved by Commissioner Carda, seconded by Commissioner Ferdig, to approve the application.

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

Motion adopted.

Action 18-230

This was the time and place to award the bid for the Chan Gurney Municipal Airport Barrel Hanger Re-Roof Bid. One bid was received and opened on July 16th, 2018 at 3:00pm from Roy Johnson Roofing, Yankton, SD, for \$76,885.02. (Memorandum 18-159)

Moved by Commissioner Gross, seconded by Commissioner Carda, to award the bid in the amount of \$76,885.02 from Roy Johnson Roofing, Yankton, South Dakota.

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

Motion adopted.

Action 18-231

Moved by Commissioner Gross, seconded by Commissioner Miner, to adopt Resolution No. 18-46. (Memorandum 18-161)

RESOLUTION 18-46

WHEREAS, it appears from an examination of the plat of Tract 2 of Block 3, Missouri View Addition in the N 1/2 of the NE 1/4, Section 15, Township 93 North, Range 56 West of the 5th P.M., in Yankton County, South Dakota prepared by Travis J. Kropuenske, 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 18-232

Moved by Commissioner Gross, seconded by Commissioner Carda, to adopt Resolution No. 18-47. (Memorandum 18-162)

RESOLUTION 18-47

WHEREAS, it appears from an examination of A Vacation of the remainder of Lot 4 and all of Lots 5 and 6, Schrempp's Addition, in the South 1/2 of the Northeast 1/4, Section 2, T93N, R56W of the 5th P.M., Yankton County, South Dakota. And, A Plat of Lot 6 and Lot 7 of Block 1, Lots 4 – 7 of Block 2, Lots 4 – 10 of Block 3, Lots 1 – 5 of Block 5 and Lots 1 – 6 of Block 6, Benedict Estates Addition, located in the SE 1/4 of the NE 1/4 of Section 2, T93N, R56W in Yankton County, South Dakota prepared by Travis J. Kropuenske, 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 and associated Developer's Agreement for the above described property are hereby approved.

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

Action 18-233

Moved by Commissioner Ferdig, seconded by Commissioner Carda, to adopt Resolution No. 18-48. (Memorandum 18-163)

RESOLUTION 18-48

WHEREAS, Ralph J. Marquardt, Lucile M. Marquardt, Doug Marquardt and Peggy Marquardt are the owners of land adjacent to the City of Yankton's Municipal Corporate Limits, and have petitioned the City, pursuant to SDCL 9-4-1, to annex certain real property into the corporate limits of the City of Yankton.

NOW, THEREFORE, BE IT RESOLVED by The Board of City Commissioners of the City of Yankton, South Dakota, that the following described real property is hereby annexed into the corporate limits of the City of Yankton, South Dakota:

DESCRIPTION OF TRACT TO BE ANNEXED

Lot 6 and Lot 7 of Block 1, Lots 4 – 7 of Block 2, Lots 4 – 10 of Block 3, Lots 1 – 5 of Block 5 and Lots 1 – 6 of Block 6, Benedict Estates Addition and all right of ways therein, located in the SE 1/4 of the NE 1/4 of Section 2, T93N, R56W in Yankton County, South Dakota containing 8.86 acres more or less.

As shown on the attached Exhibit A.

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

Action 18-234

Moved by Commissioner Maibaum, seconded by Commissioner Gross, to approve the Letter of Intent with GreatLIFE Golf & Fitness Club and authorize the City Manager and Director of Parks, Recreation, and Special Events to negotiate the final terms of an Interim Management Agreement. (Memorandum 18-158) Donn Hill, President of GreatLIFE Golf & Fitness Club, was present to answer questions about the Letter of Intent and Contractual Agreement. Dan Slowey, Fox Run Member, was present to express concerns about the future of the Fox Run Golf Course.

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

Action 18-235

Moved by Commissioner Moser, seconded by Commissioner Benson, to adjourn into Executive Session at 8:06 p.m. to discuss contractual 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 Mayor Johnson.

Roll Call: Present: Commissioners Benson, Carda, Ferdig, Gross, Hoffner, Maibaum, Miner and Moser. City Attorney Den Herder and City Manager Nelson were also present. Absent: None. Quorum present.

Action 18-236

Moved by Commissioner Carda, seconded by Commissioner Hoffner, to adjourn at 8:48 p.m.

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

Motion adopted.

Nathan V Johnson
Mayor

ATTEST:

Al Viereck
Finance Officer