

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
September 24th, 2018**

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

Roll Call: Present: Commissioners Benson, Ferdig, Gross, Hoffner, Maibaum, Miner and Moser. City Attorney Den Herder and City Manager Leon were also present. Absent: Commissioner Carda. Quorum present.

Action 18-265

Moved by Commissioner Maibaum, seconded by Commissioner Miner, to approve the Minutes of the regular meeting of September 10th, 2018.

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

Motion adopted.

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

Commissioner Gross gave an update on the Missouri Sedimentation Action Collation.

Action 18-266

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

1. **Establish public hearing for sale of alcoholic beverages**
Establish October 8, 2018, as the date for the public hearing on the request for a Special Events Retail (on-sale) Liquor License for 1 day, October 14, 2018, from Ben's Brewing Co. (Ben Hanten, Owner), Parking Lot and Green Space Westside of Meridian Bridge & the enclosed area of Levee Street, Yankton, S.D

2. **Establishing public hearing – Alley ROW Vacation**
Establishing October 8, 2018, as the date for the public hearing to consider an alley right-of-way vacation request for the south 72.79 feet of the north - south alley, located in Block 24, Lower Yankton, City and County of Yankton, South Dakota. Address, North side of the 200 Block of Levee Street. Gurney Redevelopment Group, LLC., Paul Lowrie, owner.

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

Motion adopted.

Action 18-267

It was the time and place for the public hearing on the application for a Special Malt Beverage (on-sale) Retailers License and a Special Events RETAIL (on-sale) Wine dealers License for 1 day, Saturday, October 27, 2018 from Czeckers, Inc. (Jean Hunhoff, President), Between 2nd & 3rd Street on Walnut Street, Yankton, S.D. (Memorandum 18-194) No one was present to speak for or against the approval of the license application. Moved by Commissioner Gross, seconded by Commissioner Miner, to approve the license.

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

Motion adopted.

Action 18-268

It was the time and place for the public hearing on the application for a Special Events (on-sale) Liquor License for 1 day, October 6, 2018 from Dayhuff Enterprises, Inc., (Jeff Dayhuff, President) d/b/a O'Malley's Bar, NFAA, 800 Archery Lane, Yankton, S.D. (Memorandum 18-193) No one was present to speak for or against the approval of the license application. Moved by Commissioner Moser, seconded by Commissioner Ferdig, to approve the license.

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

Action 18-269

It was the time and place for the public hearing on the application for a Special Malt Beverage (on-sale) Retailers License and a Special Events RETAIL (on-sale) Wine dealers License for 1 day, October 5, 2018 from Lewis & Clark Theatre Company (Amanda Horn, President), 328 Walnut, Yankton, S.D. (Memorandum 18-191) No one was present to speak for or against the approval of the license application. Moved by Commissioner Ferdig, seconded by Commissioner Benson, to approve the license.

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

Action 18-270

It was the time and place for the public hearing on the application for a Special Malt Beverage (on-sale) Retailers License and a Special Events RETAIL (on-sale) Wine dealers License for 1 day, October 12, 2018 from Lewis & Clark Theatre Company (Amanda Horn, President), 328 Walnut, Yankton, S.D. (Memorandum 18-192) No one was present to speak for or against the approval of the license application. Moved by Commissioner Gross, seconded by Commissioner Miner, to approve the license.

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

Josh Svatos, Chairman of Dive in Yankton, presented the committee proposal for a new aquatics center funded by a property tax opt-out. Richard Erickson, citizen, suggested the city use Second Penny Fund for \$600,000 to \$700,000 annually for the aquatics center. Nancy Wenande, Executive Director of Yankton Area Progressive Growth, was present to support the aquatics center project. No official action was taken.

Action 18-271

Moved by Commissioner Maibaum, seconded by Commissioner Moser, to approve \$765 cash for Porta-Pots and the in-kind services including \$450 for Street Cleanup and \$75.75 for roll-off disposal at the Transfer Station toward the 2018 Harvest Halloween Festival. (Memorandum 18-182)

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

Action 18-272

Moved by Commissioner Gross, seconded by Commissioner Benson, to adopt Resolution 18-58. (Memorandum 18-181)

RESOLUTION 18-58

Special Events Parking Request

WHEREAS, the City Commission adopted an Ordinance allowing for no parking designation for special events within the City of Yankton; and

WHEREAS, this Resolution would authorize the City of Yankton to tow vehicles that are parked in the defined are or areas and times specified for Special Events; and

WHEREAS, the Harvest Halloween committee has made a request to enact this no parking zone for Friday, October, 26, 2018 beginning at 7:00 AM through Monday, October, 29, 2018 at noon

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Yankton, South Dakota hereby approves the Special Event Parking Request on the block of Walnut from 3rd Street to 2nd Street on Friday, October 26, 2018 at 7:00 am through Monday, October 29, 2018, at noon.

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

Action 18-273

Moved by Commissioner Gross, seconded by Commissioner Ferdig, to adopt Resolution 18-64. (Memorandum 18-195)

RESOLUTION 18-64

A Resolution Establishing Base Salary Adjustments at 3.0%, and a 1 step increase on the pay plan for Union and Non-Union Represented Eligible City Employees of the City of Yankton, South Dakota

WHEREAS, adequate monies have been provided for in the adopted 2019 budget, for the remuneration of services rendered by City of Yankton employees; and

WHEREAS, the City Commission wishes to provide a base adjustment for all union and non-union represented eligible City employees of 3.0% and a 1 step increase on the pay plan;

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners that starting with hours worked on January 1, 2019, January 1, 2020, and January 1, 2021, the City Manager shall implement a base adjustment of 3.0 % for all union and non-union represented regular full-time and regular part-time employees that are at or below the maximum of their respective pay range, and a 1 step increase on the pay plan for all union and non-union represented regular full-time and regular part-time employees that are below the maximum of their respective pay range.

Roll Call: Commissioners voting “Aye” were Benson, Ferdig, Gross, Hoffner, Maibaum, Miner and Mayor Johnson; voting “Nay:” None; Abstain: Commissioner Moser.
Motion adopted.

Action 18-274

Moved by Commissioner Ferdig, seconded by Commissioner Miner, to approve camping in Riverside Park on Wednesday night, October 3, for the White Pirogue event. (Memorandum 18-199)

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

Motion adopted.

Action 18-275

This was the time and place to award the bid for the Highway 81 Sidewalk from 23rd Street to 29th Street. The following bids were received and opened on September 13th, 2018 at 3:00pm: Masonry Components, Inc., Yankton, SD for \$56,507.25; C&C Concrete Construction, Inc., Yankton, SD, for \$71,824.26; and D&G Concrete Construction, Inc., Sioux Falls, SD, for \$74,419.19. (Memorandum 18-198)

Moved by Commissioner Gross, seconded by Commissioner Ferdig, to award the bid to Masonry Components, Inc., in the amount of \$56,507.25.

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

Motion adopted.

Action 18-276

Moved by Commissioner Miner, seconded by Commissioner Maibaum, to adopt Resolution 18-66. (Memorandum 18-200) Todd Carr, Yankton High School Band Director, was present to explain the event and urge support.

RESOLUTION 18-66

Special Events Parking Request

WHEREAS, the City Commission adopted an Ordinance allowing for no parking designation for special events within the City of Yankton; and

WHEREAS, this Resolution would authorize the City of Yankton to tow vehicles that are parked in the defined are or areas and times specified for Special Events; and

WHEREAS, the Yankton High School has made a request to enact this no parking zone for their March to the Meridian event on October 13, 2018.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Yankton, South Dakota hereby approves the Special Event Parking Request on 2nd Street from Walnut to Douglas, Douglas from 2nd to 3rd Street, 3rd Street from Douglas to Pearl and Pearl Street from 3rd to Levee from 8:00 AM until 1:00 PM on Saturday, October 13, 2018.

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

Motion adopted.

Action 18-277

Moved by Commissioner Gross, seconded by Commissioner Hoffner, to approve the Health Insurance Committee's recommendation of the Contract for Group Health, Dental and Vision Insurance for the City employees. (Memorandum 18-201)

Roll Call: Commissioners voting "Aye" were Benson, Ferdig, Gross, Hoffner, Maibaum, and Miner; voting "Nay:" None; Abstain: Commissioner Moser and Mayor Johnson.

Motion adopted.

Action 18-278

Moved by Commissioner Gross, seconded by Commissioner Ferdig, to approve the Health Insurance Committee's recommendation for EAP, Flex Spending and Supplemental Insurance.
(Memorandum 18-202)

Roll Call: Commissioners voting "Aye" were Benson, Ferdig, Gross, Hoffner, Maibaum, and Miner; voting "Nay:" None; Abstain: Commissioner Moser and Mayor Johnson.
Motion adopted.

Action 18-279

Moved by Commissioner Moser, seconded by Commissioner Miner, to adjourn into Executive Session at 8:30 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, Ferdig, Gross, Hoffner, Maibaum, Miner and Moser. City Attorney Den Herder and City Manager Leon were also present. Absent: Commissioner Carda. Quorum present.

Action 18-280

Moved by Commissioner Miner, seconded by Commissioner Moser, to adjourn at 8:55 p.m.

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

Nathan V Johnson
Mayor

ATTEST:

Al Viereck
Finance Officer