

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS  
YANKTON, SOUTH DAKOTA  
November 13, 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 Leon were also present. Absent: None. Quorum present.

Action 18-307

Moved by Commissioner Gross, seconded by Commissioner Miner, to approve the Minutes of the regular meeting of October 22<sup>nd</sup>, 2018.

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

Motion adopted.

Action 18-308

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

Ace Hardware-Cleaning Supplies-\$46.55; Action Electric-Traffic Loops-\$1,829.92; Alton/Josh-Employee Xmas Party-\$1,250.00; Anderson/Meghan-Refund-\$275.00; Auto Value Parts-Filters-\$312.84; Avera Sacred Heart Hospital-Hep B Shots-\$79.62; Axon Enterprise-Tasers-\$2,608.00; Bartlett & West-Gravity Sewer Design-\$21,305.32; Bierschbach Equip-Asphalt Hose-\$518.00; Blackstrap-Road Salt-\$15,308.53; Boetger/Caitlin-Boots-\$101.16; Boller Printing-Printing-\$349.00; Bomgaars-Fittings-\$5.67; Books By Terrall-Books-\$87.93; Brenntag Great Lakes-Sodium Hypochlorite-\$477.00; Butler Machinery-Blade Repairs-\$7,867.44; Larry Campbell-Book-\$17.71; Carroll Distributing-Locate Flags-\$157.30; Cedar Knox Public Power-Elect-\$984.82; Centurylink-Phone-\$1,283.65; Chamber Of Commerce-Retirement-\$100.00; Chesterman Company-Pop-\$306.01; City Of Sioux Falls-Lab Tests-\$14.50; City Of Vermillion-Jt Power Cash Trans-\$71,634.94; City Of Yankton-Rubbish-\$134.68; City Of Yankton-Landfill Charges-\$258.66; City Of Yankton-Compacted Garbage-\$12,982.70; City Utilities-Water&Ww Charges-\$17,223.52; Clarks Rental-Rental-\$64.22; Cole Papers-Janitorial Supplies-\$213.95; Concrete Material-Hot Mix-\$11,115.45; Conduent Enterprises-Maint Program-\$2,138.00; John A Conkling Dist-Beer-\$661.50; Core & Main-Parts-\$5,119.81; Cornhusker Intl Truck-Truck Batteries-\$339.80; Country Pride Cooperative-Fuel-\$31,184.11; Creative Forms & Concepts-W2 Forms&1099 Forms-\$167.07; Credit Collection Service-Ut Collection-\$247.50; Crofton High School-Reimbursement-\$150.00; D & G Concrete-WCLR 9th To 31<sup>st</sup>-\$518,733.96; Dakota Beverage-Beer-\$390.65; Danko Emergency Equipment-Light Upgrade-\$48.95; Den Herder Law Office-Contracted Services-\$5,437.50; Dept Of Corrections-Doc Work Program-\$2,063.26; Dept Of Env & Nat Resources-Loan Payment-\$9,705.57; Dept Of Environment-Solid Waste Loan-\$33,978.88; Design Solutions & Integration-Radio Panel-\$23,262.00; Ehresmann Engineering-Tubing-\$25.67; Falkenberg Construction-Property Maintenance-\$550.00; Feimer Construction-Walnut 2nd To 4th-\$258,215.93; Fejfar Plumbing-Curb Stop-\$1,275.01; Ferguson Water Works Supply-Water Meter-\$4,473.00; First Dakota Natl Bank Corp-Fire Station Debt Serv-\$164,257.50; First National Bank-Sales Tax Rev Bonds-\$157,925.00; First National Bank-Ww Refunding Bonds-\$496,931.25; Flannery/Kirt-Officer Stipend-\$25.00; Flexible Pipe Tool-Repairs-\$473.35; Frick/Adam-Officer Stipend-\$25.00; Frick/Brian-Officer Stipend-\$50.00; Frontier Mills-Grass Seed-\$169.66; Geotek Eng & Testing Serv-Testing-\$154.00; Gerstner Oil-Aviation Fuel-

\$20,408.43; Govt Finance Officer Assn-Membership Renewal-\$190.00; GPSI-GPS Cart Fee-\$5,837.51; Graymont Capital-Lime-\$9,398.48; Greatlife Golf-Management Fee-\$10,780.37; Fred Haar Co-Sensor Repair-\$615.41; Hanson Briggs-Ut Rate Notices-\$441.78; Hartington Tree-Plant Tree-\$400.00; Hawkins-Azone-\$4,972.18; HDR Engineering-Water Plant Construction-\$101,960.39; J & H Care & Cleaning-Janitorial Services-\$3,400.00; Jacks Uniforms-Vests-\$3,761.40; Jansen Upholstery-Repair Seats-\$75.00; Jebro Inc-Liquid Asphalt-\$175.00; Jim Tramp Construction-Sidewalk Oversizing-\$1,859.00; John Henry Foster-Air Dryer-\$4,577.00; Johnson/Nathan-NLC Meeting-\$940.17; John T Jones Construction-Water Plant-\$1,268,274.75; Kdlt-Advertisement-\$590.00; Kleins Tree Service-Tree Removal-\$1,500.00; Klines Jewelry-Retirement-\$96.49; Kuchta/Elmer-Refund-\$944.01; Larrys Heating & Cooling-HVAC Ignition-\$1,336.17; Lewis & Clark Bhs-1/2 Sp Appropriation-\$10,000.00; Lewis & Clark Theatre-1/2 Sp Appropriation-\$1,250.00; Loecker/Romain-Refund-\$316.25; Luken Memorials-Memorial Marker-\$300.00; Maguire Iron-Painting West Tower-\$59,300.00; Mailfinance-Postage-\$576.00; Marshall-Parts-\$2,739.14; Mayer Signs-Trail Signs-\$70.00; McGrath North Mullin-Professional Services-\$690.00; Menards-Parts-\$37.95; Merkel Electric-Repairs-\$13,591.34; Meyer Inc-Wood Chips-\$4,992.00; MGM Targets-Target System-\$934.38; Michaels Fence-Repair Of Gate-\$510.00; Midamerican Energy-Fuel-\$3,223.69; Midamerican Energy-Fuel-\$1,139.38; Midwest Striping-Road Striping-\$8,598.24; Millenium Recycling-Single Stream Fee-\$4,398.30; Moser/Brad-Officer Stipend-\$25.00; SD Motor Vehicle Dept-Title & License-\$68.60; Mount Marty College-Playbill-\$125.00; SD Municipal League-Conference-\$65.00; Northwestern Energy-Elect-\$57,263.86; Observer-Tree Trimming Ad-\$140.00; Olsons Pest Technicians-Pest Protection-\$140.00; Overhead Door-Door Repairs-\$217.50; Physio Control-Maintenance-\$752.40; Pilger Sand And Gravel-Golf Sand-\$1,404.67; Planning & Development Dist-Service Fees-\$4,557.24; Postmaster-Box Fee-\$90.00; Press Dakota-Legal Publication-\$777.98; Pro Track And Tennis-Mem Park Tennis Courts-\$63,185.00; Racom Corporation-Maintenance-\$7,961.63; Reinhart Foods-Entree-\$2,261.11; Ricoh USA-Printer Lease-\$419.01; Sanitation Products-Slipin Sander-\$17,939.93; SDML Workers Compensation-Work Comp Renewal-\$224,645.00; Sellmark Corporation-Thermal Optics-\$3,492.58; Sherwin Williams-Traffic Paint-\$524.40; SJ Louis Construction-Sewer Construction-\$433,052.81; Slowey Construction-Construction-\$335,020.25; Smith Insurance Inc/Mt & Rc-Notary Fee-\$177.50; South Dakota One Call-Message Fees-\$249.90; Stalker Radar-Radar Units-\$7,785.00; Stern Oil Co-Oil-\$1,841.96; Sweeney Controls-Blower Programming-\$345.00; Michael Todd Inc-Road Signs-\$242.72; Top Notch Window-Pro Services-\$50.00; Transource-Hose Assembly-\$973.54; Truck Trailer Sales-Dot Inspection-\$84.00; Turtle Tracks-Ballistic Vests-\$1,400.00; Two Way Solutions-Labor-\$2,378.53; U.S. Post Office-Utility Postage-\$2,500.00; Ulmer/Bruce-Reimb-Safety Glasses-\$60.00; Ultramax Ammunition-Ammo-\$4,226.00; United Parcel Service-Postage-\$135.00; United States Postal Service-Postage Meter-\$982.00; United Way-Sp Appropriation-\$9,275.00; Us Bank Equipment-Copier Lease-\$304.13; Vellek/Rich-Reimb-Safety Glasses-\$60.00; Wage Works-Flex Service Fee-\$135.00; Woehl/Toby-Refund-\$525.00; Woods Fuller Shultz & Smith-Professional Services-\$720.00; Yankton Area Arts Assn-Sp Appropriations-\$2,500.00; Yankton Area Convention-Sp Appropriations-\$97,582.50; Yankton County Auditor-Safety Center Shared-\$9,785.07; Yankton Medical Clinic-Employment Physical-\$1,015.00; Yankton Police-Petty Cash-\$44.00; Yankton School District-Sac Shared Expenses-\$36,149.61; Yankton Vol Fire Department-Calls And Drills-\$460.00; Ziegler/William-Officer Stipend-\$50.00; Aox Welding Supply-Welding Shielding Gas-\$59.75; Accucut-Program Supplies-\$85.00; Acushnet Billtrust-Golf Equipment-\$2,433.05; Adobe-Computer Program-\$53.24; Adobe-Computer Program-\$31.94; Amazon-Membership-\$13.83; Amazon-Hard Drives-\$1,068.74; Amazon-Beverage Cup Dispenser-\$146.88; Amazon-Office Supplies-\$143.76; Amazon-Books-\$24.42; Amazon-Office Supplies-\$15.96; Amazon-Books-\$70.61; American-NRPA Conference-\$25.00; Amazon-Printer Ribbons-\$43.98; Amazon-Wifi Power Supply-\$13.46; Amazon-

Seed Library Supplies-\$292.37; Amazon-Generator Part-\$128.95; Amazon-Battery For Drill-\$34.99; Amazon-Dvds-\$198.71; Appera-Towels-\$320.37;Arbys-Training Expense-\$7.45; At&T-Cell Phone-\$376.96; At&T-Data-\$446.73; Auto Value-Filters-\$68.29; Autozone-Antifreeze, Wiper Blades-\$101.60; Avera Heart Hospital-Aed For City Hall-\$1,119.00; Avera Sacred-Professional Services-\$29.59; Baker Taylor-Books-\$3,914.42; Barcadia Bar Grill-Travel Expense-\$33.09; Battery Exchange-Equipment Repair-\$65.00; World Herald-Newspaper Subscription-\$311.48; Bizco Technologies-New Cup Holder-\$55.00; Boller Printing-Promotions-\$330.73; Bomgaars-Cemetery Supplies-\$1,419.25; Brenntag Great Lakes-Fluoride-\$60.00; Burger King-Training Expense-\$12.82; Cabana Grille-Travel Expense-\$35.10; Canvas-Advertising-\$6.00; Carus Corporation-Phosphate-\$4,396.65; Cenex-Training Expense-\$43.24; Center Point-Books-\$137.82; Clarks Rentals-Equipment Repairs-\$609.00; Coffee Cup-Fuel-\$66.68; Comfort Suites-SDPRA Conference Hotel-\$694.16; Concrete Materials-Park Supplies-\$420.00; Conoco-Travel Expense-\$45.41; Cowboy-Travel Expense-\$38.42; Cox Auto Supply-Equipment Repair-\$711.82; Crescent Electric-Building Lighting-\$1,452.60; Crossroads Hotel-Conference-\$373.96; Culvers-Training Expense-\$8.27; Dakota Supply-Overload Thermal Relay-\$39.04; Davis Equipment-Equipment Repairs-\$158.06; Dawn Sign Press-Translation Pocket Guide-\$30.65; Dayhuff Enterprises-Supplies-\$421.44; Dog Sport Gear-K9 Equipment-\$62.94; Dollar Tree-Special Events-\$113.04; Dons Sinclair-Fuel-\$48.75; Drifters Bar-Training Expense-\$14.36; Dunhams-Uniforms-\$42.59; Echo Electric-Park Supplies-\$551.00; Ehresmann Engineering-Steel-\$56.18; Embroidery & Screen-Uniforms-\$159.48; Environmental Express-Glucose Glutamic Acid-\$82.71; Envision Ware-Envisionware Software-\$538.85; Facebook-Advertisement-\$7.80; Facebook-Marketing-\$10.00; Fairfield Inn-Travel Expense-\$268.00; Fastenal-Pool Repairs-\$814.19; Fred Haar-Equipment Repair-\$505.23; Fryn Pan-Friends Of The Library-\$11.81; Gerstner Oil-Shop Supplies-\$42.99; Globalindustrial-Floor Scrubber-\$3,060.27; Grainger-Fan Motor-\$308.64; Hach Company-Sensor Cap-\$342.84; Hard Drive Central-Printer Lease-\$50.42; Hard Rock-Travel Expense-\$61.75; Harolds Photo-Dvds-\$34.98; Hartington Tree-Trees-\$589.16; Hobby Lobby-Adult Craft Night-\$131.82; Holiday Inn-Conference-\$992.94; Holiday Inn-NRPA Conference-\$739.44; Holiday Stnstore-Training Expense-\$32.25; Hy Vee-Seed Library-\$49.27; HyVee-Memorial-\$357.93; Imager Software-Office365-\$9,416.40; Indiana Concess-NRPA Conference-\$13.35; Dakota Custom-Deep Tine Green Aeration-\$2,429.93; Intuit-Drug Testing Material-\$383.39; J.J Benjis-Uniform Shirt-\$30.00; J.P. Cooke-Dog Tags-\$136.00; Jacks Uniforms-Postage-\$3.50; James Valley Nursery-Ag Supplies-\$553.70; Jimmy Johns-Meeting Expense-\$119.91; Metrofax-Subscription-\$7.95; Kaiser Refrigeration-Equipment Repair-\$298.90; Koletzky Implement-Hose And Ends-\$31.75; Kopetskys Ace-Stand-Up Heaters-\$1,651.34; Language Line-Translation Service-\$163.49; Lewis And Clark-Dash Program Keys-\$177.03; Locators And Supplies-Locating Supplies-\$146.43; Longs Propane-Propane-\$108.00; Lucys Retired-Travel Expense-\$25.93; Marks Machinery-Equipment Repair-\$263.87; Mcafee-Software-\$95.84; Mead Lumber-Pool Repairs-\$450.77; Menards-Repair Supplies-\$1,355.80; Midamerica Books-Books-\$493.05; Midwest Laboratories-Monthly Wastewater Tests-\$250.84; Miracle Recreation-Morgen Park Swing Set-\$2,347.07; National Audubon-Magazine Subscription-\$20.00; NBS Calibrations-Thermometer Calibration-\$116.00; Nicks Hamburger Shop-SDPRA Conference Lunch-\$12.74; Northtown Automotive-Fuse Block And Battery-\$638.72; Ohare Bar & Grill-Travel Expense-\$36.77; Olsons Pest Technician-Pest Control-\$346.00; One Office Solution-Copier Paper-\$6,952.25; Oreilly Auto-Battery-\$477.98; Overdrive Dist-Ebooks On Overdrive-\$2,044.60; Overhead Door-Sertoma Concess Repairs-\$100.00; Paypal-Toner-\$129.99; Paypal-Subscription-\$35.00; Paypal-Pager Batteries-\$144.00; Paypal-Flash Drives-\$38.99; Leasedequipment-Postage Equipment Lease-\$122.00; Pepsibeverageco-Pop-\$829.46; Pitney Bowes-Postage Supplies-\$164.97; Pizza Hut-Travel Expense-\$13.52; Postage Refill-Postage-\$200.00; Push Pedal Pull-Equipment Repairs-\$300.00; Quill Corporation-Calculator Paper Rolls-\$73.91; Riverside

Hydraulics-Hose And Ends-\$116.92; Rons Auto Glass-Building Repairs-\$331.63; Ruby Tuesday-Conference Exp-\$30.63; Sanitation Products-Rh Dirt Shoe-\$608.56; Sanitation Products-Towbar Bushing-\$40.68; Sears-Stacking Kit-\$29.99; Serpentix-Conveyor Guide Blocks-\$1,226.10; Sheraton Falling Water-Travel Expense-\$59.73; Sheraton Hotels-Travel Expense-\$500.80; Sherwin Williams-Park Supplies-\$119.73; Shurco Outletservice-Power Washer Hose-\$561.00; Sigma Aldrich-Qc Nutrients-\$52.09; Sioux Falls Two Way-Police Car Video Monitor-\$514.47; Sioux Gateway-NRPA Conference-\$68.00; Sirchie Finger Print-Evidence-\$85.78; Smartsign-Signs-\$618.73; South Dakota Historica-Books-\$55.99; Avenue Coffee-Special Events-\$30.00; Indy-NRPA Conference-\$40.25; Superior Tech-Chemicals-\$436.00; Usborne Books-Books-\$173.83; Stalker Radar-Radar Repair-\$60.00; Stan Houston Equip-Repair Parts-\$103.09; State Hygienic Lab-Laboratory Testing-\$5,875.00; Staybridge Suites-Travel Expense-\$3.25; Sturdevants-Shop Supplies-\$103.51; Tabor Lumber-Weed Chemicals-\$1,766.70; Taco Bell-Training Expense-\$5.89; Tavern On South-NRPA Conference Expense-\$29.80; Tessman Company-Chemicals-\$343.00; The Fox Stop-Travel Expense-\$103.38; The Lodge Steakhouse-Conference Expense-\$40.95; The Ups Store-Sample Shipping-\$147.25; TMA Yankton-Tires-\$4,885.67; Tri Tech Software-Fund Reimbursed-\$500.00; Truck Trailer Sales-Filter Kit-\$152.25; Turfwerks Omaha-Equipment Supplies-\$759.54; Unicontrol-Fan Controller-\$81.36; USA Blue Book-Repair Parts-\$425.54; USPS-Certified Mail-\$48.95; Vessco-Gas Trap Orings-\$154.68; Viddler-Video Hosting-\$40.34; VWR International-Lab Supplies-\$1,232.16; Vzwrlls-Internet Access-\$516.12; Walmart-Dvds-\$544.23; Walmart-Program Supplies-\$159.99; Watchguard Video-Bodycam-\$515.00; Wendys-Travel Expense-\$8.02; Westech Engineering-Primary Clarifier Scrape-\$205.67; Wm Supercenter-Office Supplies-\$545.36; Wm Supercenter-Program Supplies-\$9.38; Xtreme Car Wash-K9 Wash-\$11.00; Yankton Area Chamber-State Of The Community-\$45.00; Yankton Medical Clinic-Firefighter Physicals-\$1,565.00; Yankton Winnelson-Park Supplies-\$1,847.16; Yourmember-Job Posting-\$249.00; Zimco Supply Co-Equipment Repairs-\$97.90; Dominos Pizza-Ice Rink Party-\$25.76; R.J. Machine-Tags For Gas Detectors-\$43.50

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

Administration \$39,496.11; Finance \$32,565.14; Community Development \$23,331.54; Police/Dispatch \$166,249.75; Fire \$12,089.70; Engineering/Sr Citizens \$41,246.50; Streets \$44,229.63; Snow & Ice \$48.09; Traffic Control \$3,591.55; Library \$26,882.92; Parks/SAC \$64,253.69; Marne Creek \$13,802.67; Water \$38,367.27; Wastewater \$37,309.57; Cemetery \$3,798.18; Solid Waste \$19,885.49; Landfill \$17,835.13; Golf Course \$17,555.72; Central Garage \$7,361.70.

#### Employee Changes:

New Hires: Oliver Dickman, \$11.00 hr, Library; Lucca Shimanuki, \$9.65 hr, Recreation Department; David Walsh, \$1,324.97 bi-wk, Jt. Powers. Wage Change: Kelli Steffen, \$10.15 hr, Recreation Division. Status Change: Jeremiah Braxton, \$1,260.23 bi-wk, from Temp. Streets to Fulltime Jt. Powers; Cody Steiner \$1,276.12 bi-wk, from Streets to Jt. Powers

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

Dennis Schumacher, a Nebraska citizen, was inquiring about possible changes to the peddlers/solicitors permit process.

Action 18-309

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

1. **Possible Quorum Event**  
December 7, 2018, for City of Yankton Christmas party, no official commission action
2. **Establishing Public Hearing - Gas Franchise**  
Introduction, first reading and establish November 26, 2018 as the second reading of Ordinance No. 1012 regarding Gas Franchise Agreement
3. **Possible Work Session**  
Setting date of November 26, 2018, at 6:00 pm in Room 114 of the Career Manufacturing Technical Education Academy for the next work session of the Yankton City Commission
4. **Establish public hearing for renewal of Alcoholic Beverage Licenses**  
Establish November 26, 2018, as the date for a public hearing and consideration of the applications for renewal of Alcoholic Beverage Licenses for the 2019 (January 1, 2019, to December 31, 2019) licensing period
5. **Fireworks Request by Holiday Lights Committee**  
Consideration of Memorandum 18-234 regarding request to shoot small fireworks show

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

City Manager Leon presented the survey results from the 2018 City Survey. No official action was taken at this time.

Action 18-310

Moved by Commissioner Gross, seconded by Commissioner Benson, to approve Resolution 18-73. (Memorandum 18-212)

**RESOLUTION 18-73**

WHEREAS, the United States of America and the State of South Dakota have authorized the making of grants from the Land and Water Conservation Fund (LWCF) to public bodies to aid in financing the acquisition and/or construction of specific public outdoor recreation projects;

NOW, THEREFORE BE IT RESOLVED;

1. That Amy Leon is hereby authorized to execute and file an application on behalf of the City of Yankton with the National Park Service, U.S. Department of the Interior, through the State of South Dakota, Department of Game, Fish, and Parks, Division of Parks and Recreation, for an LWCF grant to aid in financing the Westside Park Playground Project for the City of Yankton, South Dakota and its Environs.

2. That Al Viereck, Finance Officer of the City of Yankton is hereby authorized and directed to furnish such information as the above mentioned federal and/or state agencies may reasonably request in connection with the application which is hereby authorized to be filed.
3. That the City of Yankton shall provide a minimum of 50% of the total cost of the project; and will assume all responsibility in the operation and maintenance of the project upon completion of construction, for the reasonable life expectancy of the facility.
4. That the City of Yankton shall dedicate for park and recreation purposes in perpetuity, the real property identified in the authorized application.

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

Action 18-311

This was the time and place to award the bid for a 2019 Chevy Tahoe.

Beck Motors of Pierre, South Dakota has the State bid contract for the proposed vehicle which allows the City to purchase the new vehicle from Beck Motors at the State bid price. The vehicle to be purchased is a 2019 Chevy Tahoe Pursuit Rated in the total amount of \$49,104 including equipment and installation. The 2018 capital vehicle replacement budget is currently \$82,000.

(Memorandum 18-228)

Moved by Commissioner Gross, seconded by Commissioner Carda, to purchase the 2019 Chevy Tahoe from Beck Motors of Pierre, South Dakota from the State bid contract.

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

Action 18-312

Moved by Commissioner Carda, seconded by Commissioner Gross, to adopt Resolution 18-78 and to approve the purchase of two 2020 Ford Interceptor SUVs plus installation in the amount of \$84,000 for the Yankton Police Department, Patrol Division, from Lamb Motor Company of Onida, South Dakota from the State bid contract. (Memorandum 18-230)

**RESOLUTION 18-78**

**WHEREAS**, SDCL 6-13-1 requires a municipality owning personal property which is no longer necessary, useable or suitable for municipal purposes shall, by resolution, declare it surplus and may, by resolution, order the sale, destruction or other disposal of said personal property.

**NOW, THEREFORE, BE IT RESOLVED** that the following personal property be declared no longer necessary or suitable for municipal purposes and said property shall be disposed of in accordance with SDCL 6-13-1, et sequential:

SURPLUS PROPERTY TO BE SOLD OR DESTROYED

2016 Ford Explorer SUV VIN#1FM5K8ARXGGA28963

2016 Ford Explorer SUV VIN# 1FM5K8AR8GGA28962

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

Motion adopted.

Action 18-313

Moved by Commissioner Moser, seconded by Commissioner Miner, to adopt Resolution 18-77.  
(Memorandum 18-226)

**RESOLUTION 18-77**

WHEREAS, the City of Yankton and Yankton County have entered into an agreement for the provision of library services for residents living outside the corporate limits of the city; and,

WHEREAS, the current agreement is slated to expire December 31, 2018; and,

WHEREAS, Yankton County has contracted with the City for library services since 1993; and,

NOW, THEREFORE BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota, that the Agreement for the Provision of Library Services between the City and Yankton County be extended for the term January 1, 2019, through December 31, 2019.

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

Action 18-314

Moved by Commissioner Carda, seconded by Commissioner Ferdig, to adopt Resolution 18-80.  
(Memorandum 18-232)

**RESOLUTION 18-80**

WHEREAS, it appears from an examination of the plat of Tract 1 and Tract 2 of Lot B of Smith Farming Enterprises, Inc. Subdivision, lying in the NE 1/4 of the NE 1/4 of Section 31, T94N, R55W of the 5th P.M., Yankton County, South Dakota prepared by Thomas Lynn Week, 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 18-315

Moved by Commissioner Miner, seconded by Commissioner Ferdig, to adopt the Resolution 18-81.  
(Memorandum 18-233)

**RESOLUTION 18-81**

WHEREAS, it appears from an examination of the plat of Lot 70, Crestview Homes Subdivision in the NE 1/4 of Section 21, T93N, R56W of the 5th P.M., Yankton County, 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 18-316

Moved by Commissioner Gross, seconded by Commissioner Benson, to accept the sewer, storm and street improvements for Phase 2A of the Westbrook Estates Residential Subdivision. (Memorandum 18-236)

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

Action 18-317

Moved by Commissioner Carda, seconded by Commissioner Moser, to adopt Resolution 18-72. (Memorandum 18-214)

**RESOLUTION 18-72**

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 Holiday Festival of Lights committee has made a request to enact this no parking zone for Thursday, November 29, 2018 beginning at 3:00 PM through 9:00 PM.

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 3<sup>rd</sup> Street from Capitol to Cedar from 3:00 PM through 9:00 PM, on Thursday, November 29, 2018.

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

Action 18-318

This was the time and place to award the Surplus Property Bids. The following bids were opened on November 1<sup>st</sup>, 2018 at 3:00 p.m. (Memorandum 18-231)

**1996 Ford F350 1-Ton Dump Truck, VIN #9080:**

<u>Bidder Name</u>	<u>Bid Price</u>
<b>Marlon Huber, Yankton, SD</b>	<b>\$4,779.75</b>
Joe Fillaus, Avon, SD	\$2,760.75
Truck Trailer Sales & Service, Yankton, SD	\$2,575.00
Dan Christensen, Mission Hill, SD	\$3,026.00
Bryan Livingston, Yankton, SD	\$1,651.00



Donnie Robinson, Yankton, SD	\$2,251.00
Daryl Krejci, Yankton, SD	\$ 905.50
Michael Lee, Yankton, SD	\$1,025.50
Feimer Construction, Yankton, SD	\$1,535.00
Willard Schmidt, Yankton, SD	\$1,000.00
Duane Schurman, Yankton, SD	\$ 450.00
Larry Olson, Yankton, SD	\$1,377.00

**1999 Chevrolet 8500 Garbage Truck, Model CF7B042, VIN #7327:**

<u>Bidder Name</u>	<u>Bid Price</u>
<b>Feimer Construction, Yankton, SD</b>	<b>\$1,512.00</b>

**2002 Chevrolet K15 Pickup, VIN #0612:**

<u>Bidder Name</u>	<u>Bid Price</u>
<b>Skorkpiks, Inc. Tyndall, SD</b>	<b>\$950.00</b>
Greg Gusso, Yankton, SD	\$602.00
Ivan & Arletta Zoss, Yankton, SD	\$210.00
Feimer Construction, Yankton, SD	\$785.00
Duane Schurman, Yankton, SD	\$900.00
Larry Olson, Yankton, SD	\$677.00

**2004 Ford Crown Victoria, VIN #9842:**

<u>Bidder Name</u>	<u>Bid Price</u>
<b>Bob Ryken, Yankton, SD</b>	<b>\$750.00</b>
Skorpiks, Inc., Tyndall, SD	\$500.00
Donnie Robinson, Yankton, SD	\$500.00
Ivan & Arletta Zoss, Yankton, SD	\$427.00
Feimer Construction, Yankton, SD	\$125.00

**2008 Chevrolet Silverado Pickup, VIN #5861:**

<u>Bidder Name</u>	<u>Bid Price</u>
<b>Dallas Kendrick, Kadoka, SD</b>	<b>\$4,500.00</b>
Donnie Robinson, Yankton, SD	\$1,502.00
Ivan & Arletta Zoss, Yankton, SD	\$2,017.00
Feimer Construction, Yankton, SD	\$ 455.00
Willard Schmidt, Yankton, SD	\$1,525.00
Brian Carda, Yankton, SD	\$1,001.00
Bob Ryken, Yankton, SD	\$2,850.00
Larry Olson, Yankton, SD	\$1,177.00
Robert Conway, Yankton, SD	\$1,551.00

**2008 Ford F150 4x4 Pickup Truck, VIN #7454:**

<u>Bidder Name</u>	<u>Bid Price</u>
<b>Larry Olson, Yankton, SD</b>	<b>\$777.00</b>
Feimer Construction, Yankton, SD	\$465.00

**2005 Wilkens/STECO Walking Floor Trailer 8’x48’, VIN #8124:**

<u>Bidder Name</u>	<u>Bid Price</u>
<b>Skorpiks, Inc. Tyndall, SD</b>	<b>\$2,000.00</b>
Feimer Construction, Yankton, SD	\$350.00

**2001 John Deere Gator 6x4 ATV– VIN #2968:**

<u>Bidder Name</u>	<u>Bid Price</u>
<b>Ivan &amp; Arletta Zoss, Yankton, SD</b>	<b>\$437.00</b>
Truck Trailer Sales & Service, Yankton, SD	\$208.00
Kevin Wieseler, Hartington, NE	\$236.00
Dan Christensen, Mission Hill, SD	\$205.00
Willard Schmidt, Yankton, SD	\$100.00
Robert Conway, Yankton, SD	\$151.00

**12 Street Sweeping Brooms:**

<u>Bidder Name</u>	<u>Bid Price</u>
<b>Joe Fillaus, Avon, SD</b>	<b>\$33.60 per broom all (\$403.20)</b>
Bruce Ulmer, Yankton, SD	\$27.00 per broom – all (\$324.00)
Truck Trailer Sales & Service, Yankton, SD	\$19.00 per broom – all (\$228.00)
Willard Schmidt,	\$ 8.33 per broom – all (\$100.00)

**Propane Generator-Onan .5LK-1R/8389-120/240 volts:**

<u>Bidder Name</u>	<u>Bid Price</u>
<b>Willard Schmidt, Yankton, SD</b>	<b>\$100.00</b>
Feimer Construction, Yankton, SD	\$ 25.00
Robert Conway, Yankton, SD	\$51.00

**Snow Blower-Hub City Model with skid steer attachment:**

<u>Bidder Name</u>	<u>Bid Price</u>
<b>Donnie Robinson, Yankton, SD</b>	<b>\$402.00</b>

**Assorted Used Tires & Quantities:**

<u>Bidder Name</u>	<u>Bid Price</u>
<b>Ivan &amp; Arletta Zoss, Yankton, SD</b>	<b>\$117.00 (car &amp; pickup tires)</b>
Kevin Kulhavy, Yankton, SD	\$80.00 for all tires
Willard Schmidt, Yankton, SD	\$35.00 for all tires
Skorpiks, Inc. Tyndall, SD	\$7.50 each for 3 Goodyear Eagle RSA P225/60R16; \$50 for remaining tires

NO BIDS WERE RECEIVED ON THE FOLLOWING ITEMS:

Sliding Truck Bed Liner; Table with Metal legs & Formica Top; Desk Hutch; Yellow Metal Cabinet with sliding doors; 2 Framed Picture Prints; 6 Cooper Ballasts; Lithonia lights 120V; Headlight Alignment-Symtech LCA2EZ.

Moved by Commissioner Gross, seconded by Commissioner Moser, to award the bids to the highest bidders; 1996 Ford F350 1-Ton Dump Truck to Marlon Huber of Yankton, SD for \$4,779.75; 1999 Chevrolet 8500 Garbage Truck, Model CF7B042 to Feimer Construction of Yankton, SD for \$1,512.00; 2002 Chevrolet K15 Pickup to Skorpiks, Inc., Tyndall, SD for \$950.00; 2004 Ford Crown Victoria to Bob Ryken of Yankton, SD for \$750.00; 2008 Chevrolet Silverado Pickup to Dallas Kendrick of Kadoka, SD for \$4,500.00; 2008 Ford F150 4x4 Pickup Truck to Larry Olson of Yankton, SD for \$777.00; 2005 Wilkens/STECO Walking Floor Trailer to Skorpiks, Inc. of Tyndall, SD for \$2,000.00; 2001 John Deere Gator 6x4 ATV to Ivan & Arletta Zoss of Yankton, SD for \$437.00; 12 Street Sweeping Brooms to Joe Fillaus of Avon, SD for \$403.20; Propane Generator-Onan .5LK-1R/8389 to Willard Schmidt of Yankton, SD for \$100.00; Hub City Snow Blower to Donnie Robinson of Yankton, SD for \$402.00; Assorted Used Tires to Ivan & Arletta Zoss of Yankton, SD for \$117.00.

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

#### Action 18-319

Moved by Commissioner Carda, seconded by Commissioner Benson, to adopt Resolution 18-79 and to accept the bid from Allegiant Emergency Services, Inc. from their bid to the Aberdeen Rural Fire Protection District as allowed by current South Dakota law in the amount of \$239,208.25.  
(Memorandum 18-225)

#### **RESOLUTION 18-79**

**WHEREAS**, SDCL 6-13-1 requires a municipality owning personal property which is no longer necessary, useable or suitable for municipal purposes shall, by resolution, declare it surplus and may, by resolution, order the sale, destruction or other disposal of said personal property.

**NOW, THEREFORE, BE IT RESOLVED** that the following personal property be declared no longer necessary or suitable for municipal purposes and said property shall be disposed of in accordance with SDCL 6-13-1, et sequential:

#### SURPLUS PROPERTY TO BE SOLD OR DESTROYED

MSA Custom 4500 SCBA; MSA Custom 4500 SCBA; SCBA Cylinders (24); MSA Stealth L-30 (21); SCBA MSA Firehawk (23); SCBA MSA M7 (6); SCBA for Engine 3 (3)

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

#### Action 18-320

Moved by Commissioner Gross, seconded by Commissioner Miner, to approve the Limited Access Easement Agreement on Marne Creek Tract 21. (Memorandum 18-235)

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

#### Action 18-321

Moved by Commissioner Maibaum, seconded by Commissioner Gross, to adjourn into Executive

Session at 7:48 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 Leon were also present. Absent: None. Quorum present.

Action 18-322

Moved by Commissioner Moser, seconded by Commissioner Carda, to adjourn at 8:42 p.m.

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

Motion adopted.

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Nathan V Johnson  
Mayor

ATTEST:

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Al Viereck  
Finance Officer