

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS  
YANKTON, SOUTH DAKOTA  
February 25<sup>th</sup>, 2019**

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

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

Action 19-42

Moved by Commissioner Gross, seconded by Commissioner Carda, to approve the Minutes of the regular meeting of February 11<sup>th</sup>, 2019.

**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.

There were no public appearances at this time.

Action 19-43

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

**1. Transient Merchant License and Special Events Dance License**

Consideration of Memorandum 19-33 recommending approval of the applications from the Riverboat Days Committee for:

- A) Transient Merchant License for August 16 to 18, 2019;
- B) Special Events Dance License for August 16 to 18, 2019

**2. Establish public hearing for sale of alcoholic beverages**

Establish March 11, 2019, as the date for the public hearing on the request for a Special Events (on-sale) Liquor License for March 26, 2019 from Chamber of Commerce, (Carmen Schramm, Director) d/b/a Chamber of Commerce, Mount Marty College, 1105 W. 8<sup>th</sup> Street, Yankton, SD.

**3. Transient Merchant License and Special Events Dance License**

Consideration of Memorandum 19-34 recommending approval of the applications from Yankton Ribfest Committee for:

- A) Transient Merchant License for June 1, 2019;
- B) Special Events Dance License for June 1, 2019

**4. Possible Quorum Event**

March 12, 2019, for City Commission Candidate Forum, no official commission action

**5. Possible Quorum Event**

February 26, 2019, for State of the Community Event, no official commission action

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

Action 19-44

This was the time and place for the public hearing on the application for a Special Malt Beverage (on-sale) Retailers License for 1 day, March 18, 2019, from The Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, S.D. (Memorandum 19-27) No one was present to speak for or against the application. Moved by Commissioner Moser, seconded by Commissioner Gross, to approve the license.

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

Action 19-45

This 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, March 23, 2019 from Lewis & Clark Theatre Company (Jarred Anderson, President), 328 Walnut, Yankton, S.D. (Memorandum 19-29) No one was present to speak for or against the application. Moved by Commissioner Carda, seconded by Commissioner Gross, to approve the license.

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

Action 19-46

This was the time and place for the public hearing on the application for a Special Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for 3 days, August 16-18, 2019 from Yankton Area Riverboat Days, Inc. (Milissa Wuebben, Treasurer), Riverside Park, Yankton, S.D. (Memorandum 19-30) No one was present to speak for or against the application. Moved by Commissioner Moser, seconded by Commissioner Gross, to approve the license.

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

Action 19-47

This was the time and place for the public hearing on the application for a Special Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for 3 days, August 16-18, 2019 from Yankton Area Riverboat Days, Inc. (Milissa Wuebben, Treasurer), City Hall Auditorium, Yankton, S.D. (Memorandum 19-31) No one was present to speak for or against the application. Moved by Commissioner Carda, seconded by Commissioner Gross, to approve the license.

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

Action 19-48

This was the time and place for the public hearing on the application for a Special Events (on-sale) Liquor License for 1 day, June 1, 2019 from Rock ‘N’ Rumble (Mike Carda, President), d/b/a Yankton RibFest, Block of 3<sup>rd</sup> Street between Cedar and Walnut plus half of Walnut to the Alley and half a block North and South on Walnut and 3<sup>rd</sup> Street, Yankton, S.D. (Memorandum 19-32) No one was present to speak for or against the application. Moved by Commissioner Gross, seconded by Commissioner Carda, to approve the license.

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

Action 19-49

Moved by Commissioner Carda, seconded by Commissioner Moser, to approve Resolution 19-09.  
(Memorandum 19-26)

**RESOLUTION 19-09**

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 for 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:

PROPERTY TO BE SURPLUS

2002 Chevy Silverado ¾ Ton VIN 1GCGK29U22Z253636

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

Action 19-50

Moved by Commissioner Gross, seconded by Commissioner Carda, to approve Resolution 19-11.  
(Memorandum 19-39)

**RESOLUTION 19-11**

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 for 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:

PROPERTY TO BE SURPLUS

2008 International Haul Truck VIN 1HTWGAAT98J690036  
2003 International Flusher Truck VIN 1HTWHAAT03J074764

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

Action 19-51

Moved by Commissioner Carda, seconded by Commissioner Gross, to approve the purchase of a new 2019 S595 T4 Bobcat Skid-Steer Loader for \$41,886.62 from Marks Machinery Inc., of Yankton, South Dakota based on the Sourcewell Alliance bid contract. (Memorandum 19-38)

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

Action 19-52

Moved by Commissioner Maibaum, seconded by Commissioner Carda, to approve funding the Yankton Airshow for the requested \$20,000 out of the BBB with the request that the City of Yankton logo be included on all promotional and sponsorship materials. (Memorandum 19-35)

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

Action 19-53

This was the time and place to award the bid for a the 26<sup>th</sup> Street Replacement project from Douglas Avenue to Mulberry Street. The following bids were received and opened on February 19<sup>th</sup>, 2019 at 3:00pm: Masonry Components, Inc., Yankton, SD for \$317,405.00 and BX Civil, Dell Rapids, SD for \$342,000.00. (Memorandum 19-42)

Moved by Commissioner Gross, seconded by Commissioner Carda, to award the bid to Masonry Components, Inc., in the amount of \$317,405.00.

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

Commissioner Gross introduced and Mayor Johnson read the title of Ordinance No. 1019, AN ORDINANCE REZONING FROM I-1 INDUSTRIAL TO B-2 HIGHWAY BUSINESS, LOT 8, BLOCK 1, EXCEPT THE N. 100 FEET OF W.A. BURLEIGH’S ADDITION IN THE CITY OF YANKTON, SOUTH DAKOTA. ADDRESS, 408 W. 11TH STREET. TAMMY UGOFKY, OWNER, and set the date of the second reading and public hearing as March 11<sup>th</sup>, 2019.

Action 19-54

Moved by Commissioner Gross, seconded by Commissioner Carda, to adopt Resolution 19-10. (Memorandum 19-37)

**RESOLUTION 19-10**

WHEREAS, it appears from an examination of the plat of Block 1, Lancer Addition in the S 1/2 NW 1/4 SW 1/4 NE 1/4 in Section 13, T93N, R56W of the 5th P.M., City of Yankton, Yankton County, South Dakota prepared by Brett R. Kennedy, a registered land surveyor in the state of South Dakota, that all applicable requirements have been met, 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 of the above described property is hereby approved.

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

Action 19-55

Moved by Commissioner Carda, seconded by Commissioner Moser, to approve the contract with HDR Engineering Inc. for design services associated with Primary Effluent Line Replacement. (Memorandum 19-43)

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

Action 19-56

Moved by Commissioner Hoffner, seconded by Commissioner Carda, to approve the Agency Agreement between the South Dakota Department of Transportation and The City of Yankton for the processing of financial reimbursements for airport projects and designating the City Manager as the authorized representative with the authority to sign the agreement on behalf of the City. (Memorandum 19-40)

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

Action 19-57

Moved by Commissioner Carda, seconded by Commissioner Moser, to approve the Public Improvement Assessment Agreement for the future 20<sup>th</sup> Street infrastructure improvements adjacent to Lot 8, Block 1 and Lot 1, Block 2, Walter’s Addition. (Memorandum 19-41)

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

Action 19-58

Moved by Commissioner Gross, seconded by Commissioner Hoffner, to adopt Resolution 19-12. (Memorandum 19-45)

**RESOLUTION 19-12**

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 area or areas and times specified for Special Events; and

WHEREAS, the Yankton Ribfest Committee has made a request to enact this no parking zone for their event on June 1, 2019.

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 Cedar to the alley between Walnut and Douglas and also ½ block closures on Walnut Street from 2<sup>nd</sup> to 3<sup>rd</sup> and 3<sup>rd</sup> to 4<sup>th</sup> Streets, shown on the map attached, to be in effect from 6:00 AM on June 1, 2019 until 2:00 AM on June 2, 2019.

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

Action 19-59

Moved by Commissioner Carda, seconded by Commissioner Gross, to approve camping in Riverside Park on Friday night, May 24, for the South Dakota Kayak Association event. (Memorandum 19-44)

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

Action 19-60

February 25<sup>th</sup>, 2019

Page 6

Moved by Commissioner Moser, seconded by Commissioner Carda, to adjourn at 7:34 p.m.

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

Motion adopted.

---

Nathan V Johnson  
Mayor

ATTEST:

---

Al Viereck  
Finance Officer

Published March 1<sup>st</sup>, 2019