

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS  
YANKTON, SOUTH DAKOTA  
FEBRUARY 25, 2008**

Regular meeting of the Board of City Commissioners of the City of Yankton was called to order by Mayor Gross.

**Roll Call:** Present: Commissioners Carda, Ellingson, Knoff, Lowrie, Murphy, Specht, VanDerhule, and Wenande. City Attorney Goetz and Acting City Manager Viereck were also present. Absent: None. Quorum present.

Action 08-47

Moved by Commissioner Wenande, seconded by Commissioner Ellingson, to approve the Minutes of the regular meeting of February 11, 2008.

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

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

Action 08-48

Moved by Commissioner VanDerhule, seconded by Commissioner Lowrie, that the following items on the consent agenda be approved:

1. Union  
Union vote
2. Permission for Alcoholic Beverages  
Consideration of a request from Crystal Hockstein to carry in and serve alcoholic beverages at the Dakota Territorial Capitol Building for a graduation on May 25, 2008
3. Permission for Alcoholic Beverages  
Consideration of a request from Mary Klimczyk to carry in and serve alcoholic beverages at the Dakota Territorial Capitol Building for a class reunion on September 20, 2008
4. Transient Merchant License Application  
Consideration of a request from Tap Enterprises, Inc., dba Cummins Tools, Fremont, Nebraska, to hold a tool sale on March 2-3, 2008, at the Yankton Bowl parking lot. (Memorandum 08-43)

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

Representatives from Banner and Associates, Inc., Brookings, South Dakota, presented "Estimates of Probable Costs" for two possible options for renovation of the Memorial Park Pool. Total cost for proposed Option A is \$4.5 million and Option B is \$2.5 million.

Action 08-49

Moved by Commissioner Knoff, seconded by Commissioner Ellingson, to adopt Resolution 08-09. (Memorandum 08-39)

**RESOLUTION 08-09**

**WHEREAS**, Resolution 08-04, a proposed twenty (20) year tax opt out authorizing an annual City property tax opt out of up to \$190,232.28 to fund debt service for proposed Memorial Park Swimming Pool improvements was passed at the January 28<sup>th</sup> City Commission meeting; and

**WHEREAS**, Resolution 08-04, also authorized this tax opt out to be included as a ballot item on the proposed April 8<sup>th</sup> Municipal Election; and

**WHEREAS**, the City Commission now wishes to rescind Resolution 08-04 and not have this opt out issue on the proposed April 8<sup>th</sup> Municipal Election ballot;

**NOW, THEREFORE, BE IT RESOLVED** by the City Commission of Yankton, South Dakota, that Resolution 08-09 be adopted rescinding Resolution 08-04 and removing this issue from the proposed April 8<sup>th</sup> Municipal Election.

**Roll Call:** Members present voting "Aye": Commissioners Carda, Ellingson, Knoff, Specht, VanDerhule, and Wenande; voting "Nay": Commissioners Lowrie, Murphy, and Mayor Gross.  
Motion adopted.

Commissioners agreed to schedule a meeting for Monday, March 3, 2008, at 5:15 p.m. for further discussion of renovation options for the Memorial Park Pool.

Action 08-50

A proposal for architectural services to build a Comfort Station at the Summit Activities Center softball and soccer field complex was considered. (Memorandum 08-36) Moved by Commissioner Murphy, seconded by Commissioner Knoff, to table action on this item until the March 10, 2008, Commission meeting.

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

Action 08-51

Mr. Myron Weinandt, co-owner of Hudson Apartments located at 417 Mulberry, was present to explain the planned renovation of the apartment complex and to answer questions. The owners are in the process of applying for assistance through South Dakota Housing and, in order to be eligible for this assistance, they need a letter of support from the local governing body. Moved by Commissioner Ellingson, seconded by Commissioner Knoff, to authorize the Mayor to sign a letter of support for the Hudson Apartment complex renovation project. (Memorandum 08-40)

**Roll Call:** Members present voting "Aye": Commissioners Carda, Ellingson, Knoff, Lowrie, Murphy, VanDerhule, Wenande, and Mayor Gross; voting "Nay": None; Abstaining: Commissioner Specht.  
Motion adopted.

Action 08-52

This was the time and place to award the bid for the five-year hay lease agreement at the Chan Gurney Airport (281.6 +/- acres of airport property). The following bids were received and opened on February 6, 2008: Gary Smith, Yankton, South Dakota-\$24.25/acre; Terry Zavadil, Fordyce, Nebraska-\$26.50/acre; Dan Hacecky, Mission Hill, South Dakota-\$31.31/acre; Rodney Aune, Volin, South Dakota-\$37.50/acre; Willard Schmidt, Yankton, South Dakota-\$45.00/acre. Moved by Commissioner Murphy, seconded by Commissioner Knoff, to award the lease to the high bidder, Willard Schmidt, Schmidt Farms, Yankton, South Dakota, in the amount of \$45.00 per acre for a total of \$12,672.00 per year for the five year lease. (Memorandum 08-33)

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

Action 08-53

Moved by Commissioner Murphy, seconded by Commissioner Knoff, to approve the purchase of a 2008 Ford F150 4x4 pickup for the Water Department from Robinson Motors, Yankton, South Dakota, in the amount of \$17,792.00 under the state bid price. (Memorandum 08-35)

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

Action 08-54

This was the time and place to award the bid for an Articulated Four-Wheel Drive Loader for the Street Department. (Memorandum 08-37) The following bids were received and opened on February 13, 2008: JD Evans, Inc., Sioux Falls, South Dakota-\$165,944.00 less trade in of \$34,275.00 for a total bid price of \$131,669.00; Sheehan Mack Sales & Equipment, Sioux Falls, South Dakota- \$161,261.00 less trade in of \$20,500.00 for a total bid price of \$140,761.00; Butler Machinery Company, Sioux Falls, South Dakota-\$169,553.00 less trade in of \$18,000.00 for a total bid price of \$151,553.00. The bid from JD Evans, Inc., Sioux Falls, South Dakota, did not meet City specifications, and was, therefore, not considered. Moved by Commissioner Ellingson, seconded by Commissioner Carda, to award the bid for the Articulated Four-Wheel Drive Loader to the lowest qualified bidder, Sheehan Mack Sales and Equipment, Sioux Falls, South Dakota, in the amount of \$161,261.00 less trade in of \$20,500.00 for a total price of \$140,761.00.

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

Action 08-55

This was the time and place to award the bid for a Toro Groundsmaster 3500-D Rotary Mower for Fox Run Golf Course. (Memorandum 08-32) The following bids were received and opened on February 18, 2008: MTI Distributing, Inc., Brooklyn Center, Minnesota-\$34,668.90 less trade-in of \$2,000.00 for a total bid price of \$32,668.90; Midwest Turf & Irrigation, Omaha, Nebraska-\$33,018.00 less trade in of \$2,700.00 for a total bid price of \$30,318.00. Moved by Commissioner Specht, seconded by

Commissioner Knoff, to award the bid for the Toro Groundsmaster 3500-D Rotary Mower for Fox Run Golf Course to the low bidder, Midwest Turf & Irrigation, Omaha, Nebraska, in the amount of \$30,318.00.

**Roll Call:** Members present voting "Aye": Commissioners Carda, Ellingson, Knoff, Lowrie, Specht, VanDerhule, Wenande, and Mayor Gross; voting "Nay": Commissioner Murphy.  
Motion adopted.

Action 08-56

This was the time and place to award the bid for a Toro Groundsmaster 4100-D Out-Front Mower for the Parks Department. (Memorandum 08-38) The following bids were received and opened on February 18, 2008: MTI Distributing, Inc., Brooklyn Center, Minnesota-\$47,904.15; Midwest Turf & Irrigation, Omaha, Nebraska-\$45,623.00. Moved by Commissioner VanDerhule, seconded by Commissioner Wenande, to award the bid for the Toro Groundsmaster 4100-D Out-Front Mower to the low bidder, Midwest Turf and Irrigation, Omaha, Nebraska, in the amount of \$45,623.00.

**Roll Call:** Members present voting "Aye": Commissioners Carda, Ellingson, Knoff, Lowrie, Specht, VanDerhule, Wenande, and Mayor Gross; voting "Nay": Commissioner Murphy.  
Motion adopted.

Action 08-57

Moved by Commissioner Murphy, seconded by Commissioner Wenande, to approve the requests for tax abatement of 2007 property taxes per South Dakota Codified Law that allows abatements for paraplegic veterans or the unmarried widow/widower of a paraplegic veteran from Nellie Nielsen, 508 East 21<sup>st</sup> in the amount of \$2,497.90 (City's share \$463.80); Annette Roubideaux, 1106 Redmond, in the amount of \$1,165.80 (City's share \$216.46); and Delmar Storgaard, 1900 Peninah, in the amount of \$2,846.82 (City's share \$528.59). (Memorandum 08-41)

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

A handout explaining the "Preserve America Program" was reviewed. It was the consensus of the Commission to consider this information further at a future Commission meeting.

Action 08-58

Moved by Commissioner Specht, seconded by Commissioner Knoff, to adjourn into Executive Session at 9:15 p.m. to discuss legal and contractual matters.

**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 Gross.

**Roll Call:** Present: Commissioners Carda, Ellingson, Knoff, Lowrie, Murphy, Specht, VanDerhule, and Wenande. City Attorney Goetz and Acting City Manager Viereck were also present. Absent: None.

Quorum present.

Action 08-59

Moved by Commissioner Ellingson, seconded by Commissioner Murphy, to adjourn at 10:55 p.m.

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

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C.N. Gross  
Mayor

ATTEST:

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Ann L. Clough  
Deputy Finance Officer

Published March 7, 2008