

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
JULY 28, 2008**

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

Roll Call: Present: Commissioners Carda, Ellingson, Gross, Lowrie, Murphy, VanDerhule, and Wenande. City Attorney Goetz and City Manager Russell were also present. Absent: Commissioner Knoff. Quorum present.

Action 08-199

Moved by Commissioner Gross, seconded by Commissioner Carda, to approve the Minutes of the regular meeting of July 14, 2008.

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

Motion adopted.

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

Mayor Specht recognized two boy scouts who were in attendance, Isaac Ahltoff and Jordan Schild.

Action 08-200

Moved by Commissioner Gross, seconded by Commissioner Ellingson, that the following items on the consent agenda be approved:

1. Set Special Budget Meeting Schedule

Establish dates and times for upcoming budget and other issue workshops as August 18 and 19, 2008, at 5:30 p.m. at the RTEC and tentatively for August 20, 2008, at 7:00 p.m. at the RTEC.

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

Motion adopted.

Action 08-201

Director of Parks and Recreation Todd Larson was present and explained the process, location, and floor plan for the Comfort Station proposed to be built at the SAC softball and soccer field complex. (Memorandum 08-138) Moved by Commissioner Gross, seconded by Commissioner Wenande, to approve moving forward with preparation of construction documents and the bid process for this project.

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

Motion adopted.

Action 08-202

Moved by Commissioner Carda, seconded by Commissioner Lowrie, to adopt an Environmental Covenant for Lots 6-13, Block 47, Lower Yankton, as part of the requirements to closeout the Brownsfield Cleanup Project, and to authorize the Mayor to sign the covenant in preparation for recording the document with the County Register of Deeds. (Memorandum 08-144)

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

Motion adopted.

Action 08-203

Moved by Commissioner Murphy, seconded by Commissioner Carda, to adopt Resolution 08-28. (Memorandum 08-143)

RESOLUTION 08-28

WHEREAS, it appears from an examination of the plat of Lot 1 and Lot 2 of Joan's Addition, in the SE ¼ of the SE ¼, Section 30, T94N, R55W, of the 5th P.M., Yankton County, SD, 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: Members present voting "Aye": Commissioners Carda, Ellingson, Gross, Lowrie, Murphy, VanDerhule, and Wenande; voting "Nay": None; Abstaining: Mayor Specht.
Motion adopted.

Action 08-204

Moved by Commissioner Murphy, seconded by Commissioner VanDerhule, to approve Change Order No. 1, from Wallace Caswell, Inc., Inwood, Iowa, for the Paste-Type Lime Slaking System Replacement Project, Water Plant No. 2, an increase of \$504.00 for a total project cost of \$115,804.00; to accept the project as complete; and to authorize the Finance Officer to issue a manual check in the amount of \$12,034.00 to Wallace Caswell, Inc., as final payment for the project. (Memorandum 08-136)

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

Action 08-205

Moved by Commissioner Lowrie, seconded by Commissioner Ellingson, to adopt Resolution 08-26 (Memorandum 08-137)

**RESOLUTION 08-26
A RESOLUTION AUTHORIZING THE PLACEMENT OF A STOP
SIGN AT THE INTERSECTION OF APPLEWOOD DRIVE
AND PENINAH STREET.**

WHEREAS, Applewood Drive is a new street that was recently accepted by the City, and;

WHEREAS, the intersection of Applewood Drive and Peninah Street is a tee intersection reflects the need for the installation of a stop sign for the eastbound traffic

WHEREAS, it is provided by the Code of Ordinances of the City of Yankton that the City has the authority to place and maintain all regulatory signs that meet the requirements of the Manual on Uniform Traffic Control Devices.

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, SD, that a stop condition be established at the intersection of Applewood Drive and Peninah Street, for eastbound traffic.

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

Action 08-206

Moved by Commissioner Gross, seconded by Commissioner Carda, to approve Change Order No. 1 from Feimer Construction, Yankton, South Dakota, for the Water and Storm Sewer Project on 3rd Street from Pine to Mulberry, an increase of \$1,269.50 for a total project cost of \$78,998.00; to accept the project as complete; and to authorize the Finance Officer to issue a manual check in the amount of \$9,887.45 to Feimer Construction as final payment for the project. (Memorandum 08-142)

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

Action 08-207

Moved by Commissioner Ellingson, seconded by Commissioner Gross, to approve a permanent easement for utility purposes on property described as the east 75 feet of Lots 4, 5, 6, and the east 7.5 feet of Lot 7 except the south 12 feet, Block 25, Todd's Subdivision, Yankton, South Dakota. (Memorandum 08-141)

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

Action 08-208

Commissioner Ellingson introduced and Mayor Specht read the title of Ordinance No. 911, AN ORDINANCE CREATING SECTION 3-15 OF CHAPTER 13 AND AMENDING CHAPTER 13, ARTICLE 1, SECTION 13-2 (d) (2) OF THE CODE OF ORDINANCES OF THE CITY OF YANKTON BY AMENDING VARIOUS SECTIONS THERIN and set the date of the second reading

and public hearing as August 11, 2008. (Memorandum 08-139)

Introduction and first reading of Ordinance No. 912 (Memorandum 08-140) was pulled from the agenda.

The possibility of limiting parking to one side of the street only on 21st Street adjacent to Memorial Park during large public events was discussed. (Memorandum 08-146) Commissioners directed staff to monitor the parking situation during upcoming public events.

City Manager Russell explained that a commissioner has requested that policies and procedures be established for Commission Meetings. He will present a document at a future meeting. (Memorandum 08-145)

Action 08-210

Moved by Commissioner Gross, seconded by Commissioner VanDerhule, to adjourn into Executive Session at 7:34 p.m. to discuss contractual matters. (Commissioner Knoff entered the meeting during Executive Session.)

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 Specht.

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

Action 08-211

Moved by Commissioner Gross, seconded by Commissioner VanDerhule, to adjourn at 8:53 p.m.

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

Dan Specht
Mayor

ATTEST:

Al Viereck
Finance Officer