

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS  
YANKTON, SOUTH DAKOTA  
FEBRUARY 9, 2009**

In the absence of the Mayor, the regular meeting of the Board of City Commissioners of the City of Yankton was called to order by City Manager Russell.

**Roll Call:** Present: Commissioners Carda, Ellingson, Gross, Knoff, Lowrie, Murphy, VanDerhule, and Wenande. City Attorney Goetz was also present. Absent: Mayor Specht.

Quorum present.

City Manager Russell requested nominations for the Office of Acting Mayor for the ensuing meeting. Commissioner Knoff nominated Commissioner Gross for the position of Acting Mayor for the meeting, seconded by Commissioner VanDerhule.

Action 09-28

Moved by Commissioner Knoff, seconded by Commissioner VanDerhule, that nominations cease and a unanimous ballot be cast for Commissioner Gross for the position of Acting Mayor for the meeting of February 9, 2009.

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

Motion adopted.

Action 09-29

Moved by Commissioner Wenande, seconded by Commissioner Knoff, to approve the Minutes of the regular meeting of January 26, 2009.

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

Motion adopted.

Action 09-30

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

A & B BUSINESS EQUIPMENT INC-RICHO COPIER-\$215.38; ACE HARDWARE-ROAD MATERIALS-\$413.82; ACS GOVERNMENT INF SERVICE-MAINT PROGRAM SUPPORT-\$1,995.48; ACS SOLUTIONS SERVICES-ON-LINE TRAINING FEE-\$100.00; ACTIVE NETWORK SOFTWARE-QTR FEE-\$750.00; ALLTEL-CELL PHONE BILL-\$338.28; AMERICAN FAMILY LIFE CORP-FLEX SERV FEE-FEB-\$125.00; ANW-SOFT DRINKS-\$260.95; APPEARA-TOWEL SERVICE-\$118.38; ARBOR DAY FOUNDATION-MEMBERSHIP DUES-\$15.00; ASHWORTH INC-STAFF SHIRTS-\$30.49; AVERA HEALTHWORKS-DRUG/ALCOHOL TESTS-\$81.00; AVERA SACRED HEART HOSPITAL-DRUG/ALCOHOL TESTS-\$128.00; BAKER & TAYLOR BOOKS-BOOKS-\$164.07; BATTERY EXCHANGE-BATTERIES-\$19.20; BAUER BUILT INC-GARAGE PARTS-\$482.50; BEST ACCESS SYSTEMS-KEYS-\$41.50; BIG FRIEND LITTLE FRIEND-1/2 SP APPROPRIATION-\$2,250.00; BIG M SECURITY & ALARM-PARTS-\$251.08; BOBS CANDY INC-SUPPLIES-\$48.40; BOLLER PRINTING INC-PRINTING-\$255.00; BOMGAARS INC-TOOLBOX-\$892.07; BOW CREEK METAL INC-CO2-\$186.50; BOYER TRUCKS-SIOUX FALLS SUPPLIES-\$139.34; BROADWAY CHRYSLER-VEHICLE REPAIRS-\$323.75; BRODART COMPANY-LIBRARY SERVICE-\$1,869.84; CARLSON AVIATION-AIRPORT MGMT CONTRACT-\$527.12; CHAMBER OF COMMERCE-1/4 SP APPROPRIATION-\$96,632.50; CITY OF VERMILLION-JT POWER CASH TRANS-\$24,065.45; CITY OF YANKTON-CENTRAL GARAGE RUBBISH-\$18.00; CITY OF YANKTON-SOLID WASTE COMPACTED GARBAGE-\$7,713.00; CITY UTILITIES-WATER/WW CHARGES-\$2,681.05; CONTACT CENTER-SPECIAL APPROPRIATION-\$10,000.00; COX AUTO INC-PARTS-\$813.93; COX BEARING & SEAL-PARTS-\$248.48; CRESCENT ELECTRIC-LAMPS-\$732.60; CUT-RATE BATTERIES INC-BATTERIES-\$434.70; D-P TOOLS-SMALL TOOLS-\$32.95; DAKOTA SUPPLY GROUP-WATER METERS-\$828.84; DANKO EMERGENCY EQUIPMENT-PARTS-\$45.00; DEPT OF CORRECTIONS-DOC WORK PROGRAM-\$89.80; ECHO-ELECTRICAL FIXTURES-\$1,550.25; EHRESMANN ENGINEERING INC-ROAD MATERIALS-\$413.68; EISENBRAUN AND ASSOCIATES-MARNE CREEK-\$1,950.00; ELECTAIR-SERVICE FURNACE-\$34.00; ENERGY LABORATORIES INC-TESTING-\$435.00; ETHANOL PRODUCTS LLC-CARBON DIOXIDE-\$312.42; FASTENAL COMPANY-PARTS-\$311.02; FEDEX SHIPPING-\$138.57; FEJFAR PLUMBING INC-REPAIR BROKEN PIPE-\$146.66; FINANCE DEPT OF-PETTY CASH-\$23.47; FISHER/SALLY-REFUND-LESSONS-\$21.38; FLANNERY/KIRT-OFFICER STIPEND-FEB-\$25.00; FLEET SAFETY EQUIPMENT INC-LIGHTS-\$319.52; FORE! RESERVATIONS INC-SOFTWARE LEASE-\$1,500.00; FRICK/BRIAN-OFFICER STIPEND-FEB-\$50.00; FULLERTON LUMBER-LUMBER-\$78.56; GENERAL PARTS LLC-PARTS-\$26.73; GILBARCO

INC-SOFTWARE CONTRACT-\$175.00; GODFATHERS PIZZA-DOC WORK PROGRAM-\$75.93; GRAFIX SHOPPE-SQUAD CAR MARKINGS-\$632.30; GRAINGER-BUILDING MAINT SUPPLIES-\$604.37; GRAMPS-FUEL-\$4,580.86; GRANZOW INC-SOLENOID KITS-\$88.50; GRAYMONT CAPITAL INC-PEBBLE LIME-\$4,195.66; HAAR CO INC/FRED-BOLTS-\$4.84; HARD DRIVE-CENTRAL TONER-\$280.00; HAWKINS INC-FERRIC CHLORIDE-\$2,786.28; HD SUPPLY WATERWORKS LTD-METER PARTS-\$453.01; HEDAHL'S PARTS-PLUS PARTS-\$453.79; HERMANSON/STEVE-OFFICER STIPEND-FEB-\$50.00; HINTON INTERNATIONAL-EQUIPMENT-\$551.00; HYVEE-SUPPLIES-\$121.36; INFOPRINT SOLUTIONS CO-PRINTER-\$360.97; INTL INST OF MUN CLERKS-MEMBERSHIP DUES-\$275.00; J&H CARE & CLEANING COMPANY-JANITORIAL SERVICE-\$2,300.00; JACK'S UNIFORMS-UNIFORMS-\$501.07; JANITOR'S CLOSET-SUPPLIES-\$269.42; JIM TRAMP CONSTRUCTION-SIDEWALK OVERSIZING-\$625.00; JOHNSON CONTROLS INC-MAINTENANCE CONTRACT-\$3,203.00; JOHNSON ELECTRIC-REPAIR STREET LIGHTS-\$91.84; K MART STORE #4813-SUPPLIES-\$181.10; KAISER REFRIGERATION INC-SUPPLIES-\$22.39; KNOLOGY-PHONE BILL-\$2,745.16; KNOLOGY-INTERNET SERVICES-\$704.40; KOLETZKY IMPLEMENT INC-MOWER PARTS-\$722.91; KOZAK/SHARI-REFUND-MEMBERSHIP FEE-\$32.10; LANE/DICK-OFFICER STIPEND-FEB-\$25.00; LARRY'S CANVAS & SHOE REPAIR-REPAIRS-\$55.00; LARRY'S PLUMBING SERVICE-FAUCET PARTS-\$49.10; LERNER PUBLISHING GROUP-BOOKS-\$119.34; LEWIS & CLARK SPECIALTY-REFUND-BB LEAGUE FEE-\$100.00; LIBRARY ASSOCIATION SD-DUES-\$130.00; LIBRARY-CHANGE FUND REIMBURSEMENT-\$27.88; LIGHT AND SIREN-PARTS-\$358.00; LIVINGSTON MICROGRAPHICS LLC-UV LAMPS-\$4,965.30; LONG'S PROPANE INC-PROPANE-\$516.00; MARKS MACHINERY-PARTS-\$57.14; MIDAMERICAN ENERGY-FUEL-JAN-\$17,586.11; MIDAMERICAN ENERGY-FUEL-JAN-\$14,033.12; MIDSTATE ORG CRIME INFO CTR-2009 DUES-\$200.00; MIDWEST RADIATOR RECOND-PARTS-\$40.00; MIDWEST TAPE-DVD'S-\$17.84; MIDWEST WHEEL COMPANIES-VEHICLE PARTS-\$409.40; MISSOURI SEDIMENTATION ACTION-SPECIAL APPROPRIATION-\$2,500.00; MOSER/BRAD-CONFERENCE/TRAINING-\$121.46; MOTOR VEHICLE DEPT SD-LICENSE PLATES/TITLE-\$26.00; MOTOROLA-PORTABLE RADIOS-\$37,016.74; MYERS TIRE SUPPLY-PARTS-\$217.20; NORTHERN WATER WORKS-SUPPLY WATER METERS-\$7,564.62; NORTHWESTERN ENERGY-ELECT-JAN-\$54,346.36; OVERHEAD DOOR CO-REPAIR DOOR-\$363.50; PARAMOUNT FITNESS CORP-EQUIPMENT PARTS-\$52.22; PIED PIPER FLOWERS-MEMORIAL PLANT-\$75.00; PILGER SAND AND GRAVEL INC-SAND-\$569.44; PING GOLF-CLUBS-\$8,979.41; PIONEER BANK & TRUST-RICHO COPIER LEASE-\$198.83; PLAN & DEVELOPMENT DIST III-2009 MEMBERSHIP DUES-\$10,309.00; PRESS DAKOTA MSTAR SOLUTIONS-SAC ADS-\$614.12; PRINT SOURCE-PRINTING PERMITS-\$108.00; PRO-BUILD SHELVING-MATERIALS-\$63.02; PUMP'N'STUFF-CAR WASHES-\$78.00; QUILL CORPORATION-OFFICE SUPPLIES-\$451.36; QUIZNOS #9406-MEETING SUPPLIES-\$23.07; QWEST COMMUNICATIONS-PHONE BILL-\$1,546.41; RACOM CORPORATION-T1 ACCESS-\$2,269.07; REDLINGER BROS PLUMBING CORP-REPAIRS-\$10,995.00; REYNOLDS/KELLY-REFUND-MEMBERSHIP FEE-\$6.00; RIVERSIDE HYDRAULICS & LAB INC-PARTS-\$66.08; ROBINSON MOTORS-PARTS-\$808.19; ROYAL SPORTS-SHOP REC SUPPLIES-\$23.60; RURAL DEVELOPMENT-SR CITIZEN LOAN-\$3,075.00; SANITATION PRODUCTS INC-PARTS-\$3,186.67; SCHRAMM ARCHITECT LLC-SAC COMFORT STATION-\$8,250.00; SERTOMA CLUB-MEMBERSHIP DUES-\$45.00; SHEEHAN MACK SALES & EQ INC-PARTS-\$2,618.06; SHERWIN WILLIAMS CO-RECOIL FLOORING-\$3,172.44; SMALL BUSINESS DEVELOPMENT CNT-SPECIAL APPROPRIATION-\$4,500.00; SOUTH DAKOTA FIREFIGHTERS ASSN-MEMBERSHIP FEES-\$660.00; SPECHT/DAN-REIMBURSE TRAVEL EXPENSE-\$317.48; STANDARD & POOR'S-BOND RATING SERVICE-\$5,500.00; STERN OIL CO INC-FUEL-\$1,441.42; STURDEVANT'S AUTO PARTS INC-PARTS-\$280.80; SUBWAY-MEETING SUPPLIES-\$11.18; TETRA TECH INC-MATERIALS TESTING-\$1,517.00; TMA-GARAGE PARTS-\$247.80; TRANSPORTATION DEPT/SD-FIRE HYDRANT RELOCATION-\$800.00; TRUCK TRAILER SALES INC-PARTS-\$424.34; U.S. POST OFFICE-UTIL-UTILITY POSTAGE-\$1,100.00; UNITED PARCEL SERVICE INC-DELIVERY SERVICE-\$173.04; UNITED STATES POSTAL SERVICE-POSTAGE METER-JANUARY-\$674.00; USA BLUE BOOK-PARTS-\$1,279.19; USGA-2009 DUES-\$110.00; VANDERHULE MOVING INC-CYLINDER AGREEMENT/GASES-\$617.92; VOGT'S-UNIFORM REPAIRS-\$8.00; WALSH/JAY-OFFICER STIPEND-FEB-\$25.00; WELFL CONSTRUCTION CORP-PENINAH STATION-\$40,528.00; WESTERN OFFICE PRODUCTS-SUPPLIES-\$414.94; WILSON CO-LOCKBOX BOOKS-\$420.00; XEROX CORPORATION-COPIER LEASE-\$212.46; YANKTON AREA-ICE ASSOCIATION AD-\$50.00; YANKTON FAMILY VISITATION-CNT SPECIAL APPROPRIATION-\$2,250.00; YANKTON FIRE DEPARTMENT-DEC/JAN FIRE CALLS-\$2,600.00; YANKTON JANITOR SUPPLY INC-SUPPLIES-\$819.01; YANKTON MEDICAL CLINIC-PHYSICALS-\$2,056.00; YANKTON OFFICE EQUIPMENT-REPAIRS-\$49.50;

YANKTON POLICE DEPARTMENT-PETTY CASH-\$20.31; YANKTON SCHOOL DISTRICT 63-3-4TH QTR SAC/YHS BILL-\$26,955.42; YANKTON TRANSIT INC-1/2 SP APPROPRIATION-\$15,000.00; YANKTON WINNELSON CO INC-PARTS-\$42.08; YANKTON WOMEN'S SHELTER-SPECIAL APPROPRIATION-\$2,250.00; ZEP MANUFACTURING CO-DEGREASER-\$650.67; ZIEGLER/BILL-OFFICER STIPEND-FEB-\$25.00; ACE HARDWARE-SNOW SHOVEL-\$16.42; AMERICAN FAMILY LIFE CORP-CANCER & ICU PREMIUMS-\$5,462.58; AVERA HEALTH PLANS-HEALTH INS-FEBRUARY-\$72,629.12; B-Y WATER DISTRICT-LEGAL SETTLEMENT-\$80,000.00; BDU.COM-UNIFORMS-\$255.92; BECK MOTOR COMPANY-CHEV PICKUP-\$24,939.00; BROADWAY CHRYSLER-GRAND CARAVAN-\$21,400.00; CREDIT COLLECTION SERVICE INC-EMPLOYEE DEDUCTIONS-\$113.36; DAKOTA CONTRACTING CORPORATION-AIRPORT EXPANSION-\$11,924.09; DELTA DENTAL-DELTA DENTAL-\$5,481.62; DEPT OF SOCIAL SERVICES-EMPLOYEE DEDUCTIONS-\$1,672.76; EDUCATION ASSISTANCE CORP-EMPLOYEE DEDUCTIONS-\$270.44; EXCEL UNDERGROUND INC-CONSTRUCTION-\$102,333.83; FIRST NATIONAL BANK-DRINKING WATER-\$61,349.87; FIRST NATIONAL BANK-CLEAN WATER #3-\$106,494.59; FIRST NATIONAL BANK-SRF LOAN #2-\$96,659.29; FIRST NATIONAL BANK-SRF LOAN #1-\$52,744.23; FIRST NATL BANK SOUTH DAKOTA-EMPLOYEE DEDUCTION-\$1,621.34; HERCU-U-LIFT-LIFT TRUCK-\$24,247.00; HYVEE-BANDAIDS-\$11.94; ICMA RETIREMENT TRUST #457-EMPLOYEE DEDUCTION-\$3,840.58; JCPENNEYS-PANTS-\$42.35; K MART STORE #4813-SUPPLIES-\$104.60; KUEHLER/DAVE-CLASS-\$90.00; LARSON/SCOTT-SEMINAR-\$1,000.00; MADISON NATIONAL LIFE INS CO-LIFE INS-FEBRUARY-\$651.09; MINNESOTA CHILD SUPPORT-EMPLOYEE DEDUCTION-\$38.09; MUNICIPAL LEAGUE SD-MUNICIPAL GOVERNMENT DAY-\$30.00; NEBRASKA CHILD SUPPORT PAYMENT-EMPLOYEE DEDUCTIONS-\$303.00; PITNEY BOWES-INK CARTRIDGES-\$280.30; RETIREMENT SD-SD RETIREMENT-JAN-\$59,791.90; SDSRP-EMPLOYEE DEDUCTIONS-\$125.00; SEARS-DRILL-\$129.99; SIOUXLAND TRAILER SALE INC-VAN TYPE TRAILER-\$20,800.00; SUMMIT ACTIVITY CENTER-EMPLOYEE DEDUCTION-\$544.55; TAPE DEPOT-TENNIS MAT TAPE-\$172.20; TIGER DIRECT-COMPUTER SUPPLIES-\$229.69; TRK HOSTING LLC-WEB HOSTING-\$68.85; UNITED WAY-EMPLOYEE DEDUCTION-\$56.00; VISA-MEMBERSHIP-\$29.95; VISA-MISC SUPPLIES-\$116.41; VISA- MEMBERSHIP DUES-\$483.19; WAL-MART STORES INC-PRINTER INK-\$751.83; XEROX CORPORATION-PRINTER TONER-\$197.96; YANKTON AREA ICE ASSOCIATION-REVENUES/SKATE RENT-\$4,281.88.

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

Motion adopted.

SALARIES-JANUARY 2009:

ADMINISTRATION-\$28,626.52; FINANCE-\$26,097.50; POLICE-\$130,233.90; FIRE-\$10,294.23; ENGINEERING-\$40,708.07; STREET-\$44,151.09; SNOW & ICE-\$5,416.78; TRAFFIC CONTROL-\$1,759.12; LIBRARY-\$25,820.98; PARKS/SAC-\$48,028.71; MARNE CREEK-\$2,827.95; WATER-\$37,843.48; WASTEWATER-\$29,731.49; CEMETERY-\$2,715.60; SOLID WASTE-\$15,423.68; LANDFILL-\$13,337.40; GOLF COURSE-\$13,896.43; CENTRAL GARAGE-\$6,395.29

PERSONNEL CHANGES & NEW HIRES:

New Hires:

Tracey Grotenhuis-\$1438.30 bi-wk.- Rec. Superintendent; Daniel Sanders-\$10.00 hr.-Wastewater; Donnie Robinson-\$1224.66 bi-wk.-Wastewater

Wage Increase: none

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

Action 09-31

Moved by Commissioner VanDerhule, seconded by Commissioner Carda, that the following items on the consent agenda be approved.

1. Permission for Alcoholic Beverages  
Consideration of a request from Amy Haase to carry in and serve alcoholic beverages at the Dakota Territorial Capitol Building for a wedding rehearsal on October 2, 2009.
2. Establishing public hearing for sale of alcoholic beverages  
Establish February 23, 2009, as the date for the public hearing on the request for a Special Events Retail (on-sale) Malt Beverage and a Special Retail (on-sale) Wine Dealers License for one day, February 24, 2009, from Chamber of Commerce (Lynn Peterson, President) d/b/a Chamber of Commerce, National Field Archery Association, 800 Archery Lane, Yankton, South Dakota.
3. Permission for Alcoholic Beverages

Consideration of a request from Sandra Williams to carry in and serve alcoholic beverages at the Dakota Territorial Capitol Building for a shower on July 3, 2009.

4. Establish Public hearing for Malt Beverage License

Establish February 23, 2009, as the date for the public hearing on the application for a transfer of location of a Retail (on-off sale) Malt Beverage License for July 1, 2008, to June 30, 2009, from Daniel L. Rupiper d/b/a The Cactus, 116 West 3<sup>rd</sup> Street to 2020 Elm Street, Suite 7, Yankton, South Dakota.

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

Motion adopted.

Action 09-32

This was the time and place for the public hearing on the application for a Special Events RETAIL (on-sale) Malt Beverage and a Special RETAIL (on-sale) Wine dealers License for one day, May 2, 2009, from The Center (Tamera Matuska, Executive Director), 900 Whiting Drive, Yankton, South Dakota. (Memorandum 09-21) Moved by Commissioner Murphy, seconded by Commissioner VanDerhule, to approve the Special Events license application.

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

Motion adopted.

Action 09-33

This was the time and place for the public hearing on the application for a Special Events Retail (on-sale) Malt Beverage and a Special Retail (on-sale) Wine Dealers License for one day, February 17, 2009, from Chamber of Commerce (Lynn Peterson, President) d/b/a Chamber of Commerce, National Field Archery Association, 800 Archery Lane, Yankton, South Dakota. (Memorandum 09-22) Moved by Commissioner Murphy, seconded by Commissioner VanDerhule, to approve the Special Events license application.

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

Motion adopted.

Action 09-34

This was the time and place for the public hearing on Ordinance No. 921, AN ORDINANCE AMENDING ORDINANCE 913, THE 2009 ANNUAL APPROPRIATION ORDINANCE. Moved by Commissioner Ellingson, seconded by Commissioner Lowrie, to adopt Ordinance No. 921.

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

Motion adopted.

Action 09-35

Moved by Commissioner Carda, seconded by Commissioner Wenande, to approve the proposal to waive Summit Activities Center fees for displaced workers as outlined in Memorandum 09-25.

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

Motion adopted.

Action 09-36

Moved by Commissioner Knoff, seconded by Commissioner Lowrie, to adopt Resolution 09-02. (Memorandum 09-26)

**RESOLUTION 09-02**

**A Resolution Stating the Yankton Board of City Commission's Support for Opening the Top Lane of the Meridian Bridge in the Summer of 2009**

**WHEREAS**, the City of Yankton and the State of South Dakota have previously developed a plan to convert the Meridian Bridge to a pedestrian bridge; and

**WHEREAS**, the current scope of work for the entire conversion has escalated costs and temporarily delayed the conversion of the Bridge; and

**WHEREAS**, the State of South Dakota will be performing measurements in the Spring of 2009 to calculate relative life expectancies to determine the feasibility of opening the top lane of the bridge while funding for the full conversion continues to be sought, and

**WHEREAS**, for the benefit of the community, it is desirable that the use of the Bridge be restored in the most expedient time-frame, and

**WHEREAS**, preliminary preparations and documents can be prepared in anticipation of the measurement results that would expedite the conversion and opening of the top lane of the Meridian Bridge.

**NOW, THEREFORE, BE IT RESOLVED**, that the Yankton Board of City Commissioners do hereby support the recommendation of the Meridian Bridge Committee that the State of South Dakota make necessary preparations for the opening of top lane of the Meridian Bridge for its use during the Summer of 2009.

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

Action 09-37

This was the time and place to award the bid for construction of the Summit Activities Center Comfort Station for the softball and soccer field complex. The following bids were received and opened on January 27, 2009:

Able Construction, Inc., Sioux Falls, South Dakota – Base bid-\$226,703.00, deduct \$4,300.00 for Alternate #1; Herrboldt Construction, Yankton, South Dakota – Base bid-\$173,000.00, deduct \$6,310.00 for Alternate #1; Mueller Lumber Company, Mitchell, South Dakota – Base bid-\$207,420.00; Peska Construction, Sioux Falls, South Dakota – Base bid-\$169,450.00, deduct \$6,310.00 for Alternate #1; RP&H, Inc., Reliance, South Dakota – Base bid-\$217,000.00, deduct \$6,299.00 for Alternate #1; Slattery Construction, Vermillion, South Dakota – Base bid-\$215,632.00, deduct \$7,000.00 for Alternate #1; Wagner Building & Supply, Wagner, South Dakota – Base bid-\$196,278.00, deduct \$4,000.00 for Alternate #1; Welfl Construction Corporation, Yankton, South Dakota – Base bid-\$182,050.00, deduct \$4,393.00 for Alternate #1. Moved by Commissioner Knoff, seconded by Commissioner Ellingson, to reject all bids as they exceeded the budgeted amount of \$107,000.00 for the project. (Memorandum 09-24)

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

Action 09-38

Moved by Commissioner Knoff, seconded by Commissioner Murphy, to suspend “Rules” and add consideration of Memorandum 09-27, proposing adoption of Resolution 09-03, Department of Transportation Enhancement Program Application Authorization, to the Agenda.

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

Action 09-39

Moved by Commissioner Knoff, seconded by Commissioner Wenande, to adopt Resolution 09-03, as amended to support the South Dakota Department of Transportation Enhancement Grant Application with the funding source to be determined for City matching funds.

**RESOLUTION 09-03**  
**Department of Transportation Enhancement Program**  
**Application Authorization**

**WHEREAS**, the City of Yankton has identified the need to extend its excellent trail network to serve the recently developed Dog Park and Community Garden lying on the western edge of the City; and

**WHEREAS**, the City of Yankton proposes to apply for South Dakota Department of Transportation Enhancement Grant funding to assist in financing the proposed improvements; and

**WHEREAS**, the proposed project meets all applicable local zoning and planning regulations; and

**WHEREAS**, with the submission of the Transportation Enhancement Grant application the City of Yankton assures and certifies that all Department of Transportation and Enhancement Program requirements will be fulfilled including;

- A commitment for the required local match, and
- A commitment for the operation and maintenance of the project once completed including provisions in future budgets for said maintenance.

**THEREFORE, BE IT RESOLVED**, that the Yankton City Commission duly authorizes and supports the submission of the Transportation Enhancement Grant application for the project as proposed; and

**BE IT FURTHER RESOLVED**, that the City Manager be authorized to execute all application and administrative documents associated with said application.

**Roll Call:** Members present voting “Aye:” Commissioner Knoff, Lowrie, Wenande, and Acting Mayor Gross; voting “Nay:” Commissioners Carda, Ellingson, Murphy, and VanDerhule.  
Motion failed.

Action 09-40

Moved by Commissioner Murphy, seconded by Commissioner Knoff, to adjourn at 7:58 p.m.

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

---

C.N. Gross  
Acting Mayor

ATTEST:

---

Ann L. Clough  
Deputy Finance Officer

Published February 14, 2009