

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS  
YANKTON, SOUTH DAKOTA  
SPECIAL MEETING - MARCH 2, 2009**

In absence of the Mayor, the special meeting of the Board of City Commissioners of the City of Yankton was called to order by Finance Officer Viereck.

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

Quorum present.

Finance Officer Viereck called for nominations for acting mayor for the ensuing meeting. Commissioner Murphy nominated Commissioner Gross for the position of Acting Mayor, seconded by Commissioner Lowrie.

Action 09-61

Moved by Commissioner Murphy that nominations cease and a unanimous ballot be cast for Commissioner Gross for Acting Mayor, seconded by Commissioner Lowrie.

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

Motion adopted.

Action 09-62

Moved by Commissioner Carda, seconded by Commissioner Murphy, to reopen for discussion consideration of adoption of Resolution 09-07 granting a Conditional Use Permit for an elementary school addition (Lincoln School) in an agricultural district on "Lincoln School Parcels"/Parcel in the NE ¼, NE ¼, 13-93-56, that was tabled at the February 23, 2009, meeting.

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

Motion adopted.

Yankton citizens Leyton Ferwerda and Sean McGovern were in attendance to voice their concerns over ownership of a strip of land previously believed to be owned by the City. Title search records show ownership of this property was transferred to the school district in 1951.

Action 09-63

Moved by Commissioner VanDerhule, seconded by Commissioner Wenande, to adopt Resolution 09-07. (Memorandum 09-47)

**RESOLUTION 09-07  
Conditional Use**

WHEREAS, the Yankton Public School District is the owner of a Parcel in the NE 1/4, NE 1/4, 13-93-56, City and County of Yankton, South Dakota; and,

WHEREAS, the above described property is zoned A-1 Agricultural which allows conditional uses under the City of Yankton's Zoning Ordinance No. 711 as amended; and,

WHEREAS, this conditional use request is necessary for an expansion of the existing school facility on the site and such proposed expanded use has been reviewed and recommended for approval by a vote of the City Planning Commission.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Yankton, South Dakota hereby approves a conditional use permit for the expansion of Lincoln School as defined in the associated plans on file in the Community Development Department and accordance with all applicable ordinances and regulations on the above described property.

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

Motion adopted.

Action 09-64

Moved by Commissioner Ellingson, seconded by Commissioner VanDerhule, to adjourn into Executive Session at 6:21 p.m., to discuss personnel matters (City Attorney search).

**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 Acting Mayor Gross.

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

Action 09-65

Moved by Commissioner Carda, seconded by Commissioner Ellingson, to adjourn at 9:37 p.m.

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

Motion adopted.

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C.N. Gross  
Acting Mayor

ATTEST:

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Al Viereck  
Finance Officer