

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
JANUARY 25, 2010**

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

Roll Call: Present: Commissioners Akland, Carda, Ellingson, Gross, Knoff, Lowrie, VanDerhule, and Wenande. City Manager Russell was also present. Absent: City Attorney Hosmer.

Quorum present.

Action 10-10

Moved by Commissioner Wenande, seconded by Commissioner Gross, to approve the Minutes of the regular meeting of January 11, 2010.

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

Motion adopted.

Action 10-11

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

ACE HARDWARE-HARDWARE-\$27.53; ACS GOVERNMENT INF SERVICE-MAINTENANCE-\$2,664.01; APPEARA-TOWEL SERVICE-\$48.09; ASSOCIATED POOL BUILDERS-CHLORINE-\$2,916.87; AVERA HEALTHWORKS-DOT TESTING-\$54.00; AVERA SACRED HEART HOSPITAL-DOT TESTING-\$106.00; BAKER & TAYLOR BOOKS-BOOKS-\$2,758.95; BOMGAARS-TOOLS-\$232.82; BUTLER MACHINERY-CUTTING BLADES-\$6,702.40; CARLSON AVIATION-AIRPORT MGT-DEC 09-\$714.41; CEDAR COUNTY NEWS-CLASSIFIED ADS-\$132.86; CITY OF YANKTON-PARKS-LANDFILL CHARGES-\$62.28; CONCRETE MATERIAL-CONCRETE-\$210.00; CONSTRUCTION SIGNING CORP-BARRICADES-\$1,492.90; CREDIT COLLECTION SERVICE-UT COLL-DEC-\$272.93; D-P TOOLS-STARTER KIT-\$679.90; DAKOTA SAW REPAIR-REPAIR PARTS-\$271.27; DEM-PROGRAM SUPPLIES-\$49.12; DEPT OF CORRECTIONS-DOC WORK PROGRAM-\$722.16; ECHO-MOTOR REPAIRS-\$3,775.00; ENERGY LABORATORIES-TESTING-\$435.00; FASTENAL COMPANY-PART-\$675.11; FELD EQUIPMENT INC-TRAINING SOFTWARE-\$66.45; FULLERTON LUMBER-DRILL BIT-\$25.99; GEAR FOR SPORTS-MERCHANDISE-\$373.95; GERSTNER OIL-OIL-\$1,200.00; GLOBAL EQUIPMENT COMPANY-EQUIPMENT-\$281.74; GOLF SOLUTIONS LLC-ACCESSORIES-\$379.00; GRAYMONT CAPITAL-BULK PEBBLE LIME-\$4,065.40; HAAR INC-PARTS-\$16.93; HARTINGTON SHOPPER-CLASSIFIED ADS-\$180.00; HAWKINS-CHEMICALS-\$1,758.90; HEDAHL'S PARTS PLUS-FITTINGS-\$10.54; HYVEE-ENTREE-\$166.41; INDEPENDENCE WASTE-RENTALS-\$88.78; INFIL-DEGREMONT-PARTS-\$177.91; JCL SOLUTIONS/JANITORS CLOSET-SUPPLIES-\$318.23; KAISER REFRIGERATION-BLOWER & OIL-\$318.69; KOLETZKY IMPLEMENT-HYD HOSE-\$46.76; LARRY'S HOME CENTER-COMMERCIAL RANGE-\$2,079.95; LEWIS & CLARK FORD-REPAIR VEHICLE-\$40.81; LINWELD-CO2-\$66.38; MARKS MACHINERY-CHAIN-\$2.53; MCGRATH NORTH MULLIN & KRATZ-PROF SERVICES-\$3,831.90; MERIDIAN GRAIN-DEICE SALT-\$2,434.28; MIDAMERICAN ENERGY-FUEL-DEC-\$10,135.49; MIDWEST WHEEL COMPANIES-PARTS-\$186.30; NORTHERN BALANCE & SCALE-CALIBRATION-\$165.00; NORTHERN TOOL & EQUIPMENT-PRESSURE WASHER-\$931.76; NORTHWESTERN ENERGY-ELECT-DEC-\$47,234.16; O'REILLY AUTO PARTS-ANTIFREEZE-\$16.45;

OBSERVER-ADS-\$260.00; PEITZ GMC SERVICE-REPAIRS-\$838.59; PING-GOLF CLUBS-\$289.51; PRESS DAKOTA MSTAR SOLUTIONS-PUBLISHING-\$3,354.66; PRO-BUILD-BOARDS-\$119.74; QWEST COMMUNICATIONS-TELEPHONE SERVICE-\$1,547.73; RANDOM HOUSE-BOOKS-\$19.50; REGIONAL TECHNICAL EDUCATION-LEASE-DECEMBER-\$1,466.67; SHERWIN WILLIAMS-REPAIRS-\$712.19; SIEMENS WATER TECHNOLOGIES-PARTS-\$111.68; SKYHAWKE TECHNOLOGIES LLC-MERCHANDISE-\$579.72; SLOWEY CONSTRUCTION-HAULING FEES-\$2,831.25; STERN OIL-FUEL-\$19,516.80; STURDEVANT'S AUTO PARTS-PARTS-\$1.21; SUPERIOR LAMP-LIGHT BULBS-\$921.00; TITLEIST AND FOOT-JOY-GOLF CLUBS-\$74.25; TODD INC-SHOVEL-\$12.70; TRUCK TRAILER SALES-REPAIR MOTOR/SENSOR-\$347.36; WESTERN OFFICE PRODUCTS-SUPPLIES-\$76.30; XEROX CORPORATION-COPIER LEASE-\$2,458.08; YANKTON JANITOR SUPPLY-SAC SUPPLIES-\$144.48; YANKTON WINNELSON CO INC-PARTS-\$410.89.

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

Motion adopted.

City Attorney Hosmer entered the meeting at this time.

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

Lisa Scheve from the Convention and Visitor's Bureau (CVB) was present and announced that the CVB received the *Mickelson Award* from the State of South Dakota for their efforts in tourism industry customer service training.

Action 10-12

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

1. Establishing public hearing for sale of alcoholic beverages
Establish February 8, 2010, 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 three days, August 20-22, 2010, from Yankton Area Riverboat Days Inc., (Bonnie Pinkelman, treasurer) Riverside Park, Yankton, South Dakota.
2. Establishing public hearing for sale of alcoholic beverages
Establish February 8, 2010, 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 three days, August 20-22, 2010, from Yankton Area Riverboat Days Inc., (Bonnie Pinkelman, treasurer) City Hall Auditorium, Yankton, South Dakota.
3. Establish public hearing for sale of alcoholic beverages
Establish February 8, 2010, 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 1 day February 9, 2010 or as an alternate February 11, 2010, from Chamber of Commerce (Carmen Schramm, President) d/b/a Chamber of Commerce, First National Bank, 332 Broadway Ave, Yankton South Dakota.
4. Permission for Alcoholic Beverages
Consideration of a request from Linda Frick to carry in and serve alcoholic beverages at the Dakota Territorial Capitol Building for a family reunion on May 9, 2010.
5. Permission for Alcoholic Beverages

Consideration of a request from Paul Nielson to carry in and serve alcoholic beverages at the Dakota Territorial Capitol Building for a family reunion on June 19, 2010.

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

Motion adopted.

Action 10-13

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, January 29, 2010, from XYZ, Inc., Pavilion Center on ASHH Campus, Yankton, South Dakota. (Memorandum 10-07) No one was present to speak for or against approval of the license. Moved by Commissioner Gross, seconded by Commissioner Knoff, to approve the license application.

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

Motion adopted.

Action 10-14

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 5, 2010, from United Way & Volunteer Services, National Field Archery Association, 800 Archery Lane, Yankton, South Dakota. (Memorandum 10-08) No one was present to speak for or against approval of the license. Moved by Commissioner VanDerhule, seconded by Commissioner Lowrie, to approve the license application.

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

Motion adopted.

Action 10-15

This was the time and place for the public hearing on the application for a New Retail (on-off sale) Malt Beverage License for July 1, 2009, to June 30, 2010, from Walgreen Company, (Gregory Wasson, President) d/b/a Walgreens #09806, 2020 Broadway Avenue, Yankton, South Dakota. (Memorandum 10-09) No one was present to speak for or against approval of the license. Moved by Commissioner Akland, seconded by Commissioner Knoff, to approve the license application.

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

Motion adopted.

Action 10-16

This was the time and place for the public hearing on the application for a New Retail (on-off sale) Wine License for January 1, 2010, to December 31, 2010, from Walgreen Company, (Gregory Wasson, President) d/b/a Walgreens #09806, 2020 Broadway Avenue, Yankton, South Dakota. (Memorandum 10-10) Moved by Commissioner Lowrie, seconded by Commissioner VanDerhule, to approve the license application.

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

Motion adopted.

Action 10-17

This was the time and place for the second reading and public hearing for Ordinance No. 929, THE FIRST SUPPLEMENT TO THE 2010 ANNUAL APPROPRIATION ORDINANCE NO. 925, 2010 ANNUAL APPROPRIATION ORDINANCE. (Memorandum 10-04A) No one was present to speak for or against adoption of the Ordinance. Moved by Commissioner Gross, seconded by Commissioner Knoff, to adopt Ordinance No. 929.

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

Action 10-18

Memorandum 10-11 regarding setting a date for a public hearing to discuss adopting a Master Plan concept for the Memorial Park Pool was considered. Citizens Charles Murphy and Dan Rupiper appeared to express concerns about the plan. Both were invited to attend the public hearing on February 22. Moved by Commissioner Ellingson, seconded by Commissioner Knoff, to set February 22, 2010, as the date for a public hearing to consider a Master Plan concept for the Memorial Park Pool.

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

Action 10-19

A proposal to regulate downtown parking by adopting an ordinance allowing the towing of cars that are parked on streets during special event activities (i.e. Ribfest, Riverboat Days, etc.) was considered. (Memorandum 10-13) Moved by Commissioner Knoff, seconded by Commissioner Gross, to table the proposal at this time and to gather input from downtown businesses and organizations.

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

Action 10-20

Memorandum 10-14 authorizing payment of expenses for Commission travel was considered. Mike Dellinger was present to personally invite Commissioners and the City Manager to attend the National Field Archery Association Tournament and Convention in Las Vegas in February. Moved by Commissioner Ellingson, seconded by Commissioner Carda, to authorize payment of travel expenses for the Mayor to attend Municipal Day at the Legislature, February 2 and 3; for two Commissioners to attend Yankton Day at the Legislature, February 10; for the Mayor, one Commissioner, and the City Manager to attend the National Field Archery Association tournament in Las Vegas, Nevada, February 18 to 22; and for three Commissioners and the City Manager to travel to Washington, D.C., April 14 to 16.

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

Action 10-21

This was the time and place to award the bid for the Peninah Street Reconstruction—Karen Drive to 21st Street. The following bids were received and opened on January 14, 2010: Feimer Construction, Inc., Yankton, South Dakota -\$154,236.50; Masonry Components, Yankton, South Dakota - \$155,745.70; D&G Concrete Construction, Sioux Falls, South Dakota - \$162,324.53; T&R Contracting, Sioux Falls, South Dakota - \$171,116.68; Smith & Smith Construction, Tea, South Dakota - \$172,328.00; Dakota Contracting Corporation, Sioux Falls, South Dakota - \$180,885.75; Carl V. Carlson Construction, Tea, South Dakota - \$185,883.03; Carstensen Contracting, Inc., Pipestone,

Minnesota - \$201,298.85; Buskerud Construction, Inc., Dell Rapids, South Dakota - \$212,994.90; Bryan Wiseman Contracting, Inc., Sioux Falls, South Dakota - \$330,456.40. (Memorandum 10-12) Moved by Commissioner Ellingson, seconded by Commissioner Akland, to award the bid to the low bidder, Feimer Construction, Inc., Yankton, South Dakota, in the amount of \$154,236.50.

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

Motion adopted.

Action 10-21

Moved by Commissioner Gross, seconded by Commissioner Lowrie, to adjourn into Executive Session at 8:02 p.m., to discuss pending or proposed litigation 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 Specht.

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

Action 10-22

Moved by Commissioner VanDerhule, seconded by Commissioner Ellingson, to adjourn at 9:09 p.m.

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

Motion adopted.

Dan Specht
Mayor

ATTEST:

Al Viereck
Finance Officer

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