

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS  
YANKTON, SOUTH DAKOTA  
MARCH 22, 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, VanDerhule, and Wenande. City Attorney Hosmer and City Manager Russell were also present. Absent: Commissioner Lowrie.  
Quorum present.

Action 10-60

Moved by Commissioner Akland, seconded by Commissioner Wenande, to approve the Minutes of the regular meeting of March 8, 2010.

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

Mayor Specht read and presented proclamations of gratitude to Steve Johnson and Dick Lane for their many years of service to the Yankton Volunteer Fire Department.

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

Action 10-61

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

1. Permission for Alcoholic Beverages  
Consideration of a request from Molly Shreves to carry in and serve alcoholic beverages at the Dakota Territorial Capitol Building for a bridal shower on April 3, 2010.
2. Establishing public hearing for sale of alcoholic beverages  
Establish April 12, 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 one day, April 17, 2010, from Yankton Catholic Community Development Office, (Brian Steward, Pres.), Mt. Marty College/Roncalli Center Dining Room.
3. Budget Workshop Meeting Dates  
Consideration of Memorandum 10-43 regarding setting Budget workshop meeting dates.
4. Permission for Alcoholic Beverages  
Consideration of a request from Michelle Speckels to carry in and serve alcoholic beverages at the Dakota Territorial Capitol Building for a wedding rehearsal dinner on July 1, 2011.
5. Solid Waste Management Program  
Resolution 10-07 Authorizing Submission of an Application for Solid Waste Management Program Grant Funds.

**RESOLUTION 10-07  
AUTHORIZING SUBMISSION OF AN APPLICATION**

**FOR  
SOLID WASTE MANAGEMENT PROGRAM  
GRANT FUNDS**

**WHEREAS**, The *City of Yankton* has identified the need to enhance its existing yard waste composting operations; and

**WHEREAS**, The *City of Yankton* proposes to apply to the Department of Environment and Natural Resources (DENR) for Solid Waste Management Program (SWMP) funding to assist in the costs associated with improving its yard waste composting efforts; and

**WHEREAS**, The *City of Yankton* is eligible for Solid Waste Management Program funding assistance for the proposed project; and

**WHEREAS**, with the submission of the SWMP application the *City of Yankton* assures and certifies that all DENR and SWMP requirements will be fulfilled; and

**THEREFORE, BE IT RESOLVED**, that the *City of Yankton* duly authorizes the submission of the SWMP application requesting financial assistance in support of the proposed composting operation improvements.

**THEREFORE, BE IT RESOLVED**, that *Doug Russell, City Manager* be authorized to execute the SWMP application for the *City of Yankton*.

Prior to a vote being taken, Commissioner VanDerhule moved, seconded by Commissioner Carda, to change the date and time of the CIP Budget Workshop meeting to Tuesday April 13, 2010, at 5:30 in the 2<sup>nd</sup> floor meeting room of City Hall.

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

**Roll Call** (on original motion): All members present voting "Aye;" voting "Nay:" None.  
Motion adopted.

Action 10-62

Rocky and Kristy Shultz, owners of the Airport Acres Mobile Home Court, 2800 Broadway Avenue, were present to request that the City grant a waiver to allow campers to park in their mobile home court on a temporary basis. (Memorandum 10-39) Moved by Commissioner Carda, seconded by Commissioner Gross, to approve the request. Following discussion, Commissioner Carda withdrew his motion and Commissioner Gross withdrew his second. It was then moved by Commissioner VanDerhule, seconded by Commissioner Carda, to approve a waiver for 2010 to allow campers to temporarily park in the Airport Acres Mobile Home Court—Alternate B as outlined in Memorandum 10-39—with the same restrictions that were approved in 2009.

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

Action 10-63

This was the time and place to award the bid for Concrete Removal and Replacement at Miscellaneous Locations. The following bids were received and opened on March 11, 2010: Doyle Stevens Construction, Inc., Crofton, Nebraska -\$101,163.20; D&G Concrete Construction, Inc., Sioux Falls, South Dakota - \$103,489.45; Masonry Components, Yankton, South Dakota - \$107,514.10; Smith & Smith Construction, Tea, South Dakota -\$110,139.50; Rexwinkel Concrete, Corsica, South Dakota - \$122,077.00; Carl V. Carlson Construction, Tea, South Dakota - \$145,148.92; KP Construction, Sergeant Bluff, Iowa - \$152,606.50. (Memorandum 10-40) Moved by Commissioner Ellingson, seconded by Commissioner Gross, to award the bid for Concrete Removal and Replacement at Miscellaneous Locations to the low bidder, Doyle Stevens Construction, Inc., Crofton, Nebraska, in the amount of \$101,163.20.

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

Motion adopted.

Action 10-64

Resolution 10-09 establishing rates associated with aviation self-fueling tanks at Chan Gurney Airport was considered. Jake Hoffner appeared and spoke in support of adoption of the Resolution. Chris Nelson appeared and spoke against adoption of the Resolution. Moved by Commissioner Ellingson, seconded by Commissioner Knoff, to adopt Resolution 10-09. (Memorandum 10-42)

**RESOLUTION 10-09**

**WHEREAS**, the Yankton City Commission acts on behalf of the citizens of Yankton to operate Chan Gurney Airport and;

**WHEREAS**, the City of Yankton has determined that it is necessary to establish rates associated with aviation self fueling tanks at Chan Gurney Airport;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of City Commissioners: That the following rates associated with all self fueling aviation fuels and self fueling facilities shall be adopted and made effective July 1, 2010 for Chan Gurney Municipal Airport;

Aviation fuel flowage fee.....	\$0.05 per gallon
Annual permit fee for self fueling tanks.....	\$250.00 per tank

Following discussion and prior to a vote being taken, Commissioner Wenande moved to table action on Resolution 10-09. The motion died for lack of a second. A vote was then taken on the original motion.

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

Motion adopted.

Action 10-65

Moved by Commissioner Carda, seconded by Commissioner Knoff, to adopt Resolution 10-08. (Memorandum 10-41)

**RESOLUTION 10-08**  
**A RESOLUTION APPROVING A CHAN GURNEY AIRPORT FUEL TANK/EQUIPMENT**  
**SPACE LEASE AGREEMENT**  
**WITH GENE EBNETER, DAVE KLINE AND MARK YONKE**

WHEREAS, The City of Yankton Board of City Commissioners has the authority to approve space for airport aviation fuel tank/equipment at Chan Gurney Airport; and,

WHEREAS, Gene Ebneter, Dave Kline and Mark Yonke desire to lease a 6' by 20' space at Chan Gurney Airport on which they intend to install a fuel tank adjacent to hanger # 25; and,

WHEREAS, it is in the best interest of the City of Yankton and Chan Gurney Airport for the Board of City Commissioners to approve the lease agreement with Gene Ebneter, Dave Kline and Mark Yonke.

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, SD, that the airport fuel lease agreement with Gene Ebneter, Dave Kline and Mark Yonke adjacent to building location number 25 is hereby approved at a rate of \$0.10 per square foot of building space.

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

Action 10-66

Moved by Commissioner Knoff, seconded by Commissioner Carda, to adjourn at 8:17 p.m.

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

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Dan Specht  
Mayor

ATTEST:

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Al Viereck  
Finance Officer