

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS  
YANKTON, SOUTH DAKOTA  
APRIL 12, 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, Gross, Knoff, Lowrie, VanDerhule, and Wenande. City Attorney Hosmer and City Manager Russell were also present. Absent: Commissioner Ellingson. Quorum present.

Action 10-67

Moved by Commissioner VanDerhule, seconded by Commissioner Carda, to approve the Minutes of the regular meeting of March 22, 2010.

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

Motion adopted.

Action 10-68

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

A & B BUSINESS EQUIPMENT INC-COPIER RENTAL-\$220.72; A-OX WELDING SUPPLY CO INC-CUTTING TOOL-\$1,593.39; ACE HARDWARE-SHOVEL-\$1,843.43; ACS GOVERNMENT INF SERVICE- MAINT PROGRAM SUPPORT-\$1,580.72; AIR SPORTS WATCH-MERCHANDISE-\$258.00; AIRWAVE COMMUNICATIONS-RADIOS/PAGERS-\$1,330.96; ALLSTATE IMAGING INC-INK CARTRIDGE-\$199.08; ALLTEL-CELL PHONE BILL-\$568.90; AMERICAN FAMILY LIFE CORP-FLEX SERVICE FEE-\$105.00; AMERICAN RED CROSS-WSI COURSES-\$491.00; AMERICAN WATER WORK ASSN-MEMBERSHIP DUES-\$295.00; ANDWIN SCIENTIFIC INDUSTRIAL-LAB SUPPLIES-\$2,401.66; ANW-CONCESSIONS-\$674.00; APPEARA-TOWEL SERVICE-\$192.69; ARBORISTS ASSN/SD-CONFERENCE REGISTRATION-\$89.00; BAKER & TAYLOR BOOKS-BOOKS-\$1,637.63; BATTERY EXCHANGE-BATTERIES-\$70.40; BEST WESTERN KELLY INN-YANKTON LODGING-\$130.00; BETTER ELECTRIC CO INC-INSTALL OUTLET-\$305.78; BIG M SECURITY & ALARM-INSTALL ALARM-\$274.38; BLAND/CHAR-REFUND-WATER AEROBICS-\$28.23; BOBS CANDY INC-AFTER SCHOOL PROGRAM-\$15.70; BOLLER PRINTING INC-PRINTING-\$538.00; BOMGAARS INC-PARTS-\$750.17; BOW CREEK METAL INC-STEEL PLATES-\$362.40; BRIDGESTONE GOLF INC-GOLF BALLS-\$96.00; BROADWAY CHRYSLER-REPAIR VEHICLE-\$878.89; BRUNKEN/JOYCE-SUMMER READING PRIZES-\$21.54; BUILDING OFFICIALS/SD REGISTRATION FEE-\$150.00; BUSINESS COMPUTER SERVICES-REPAIR PRINTER-\$117.00; BUTLER MACHINERY CO-CUTTING EDGES-\$8,605.86; CALLAWAY GOLF-GOLF CLUBS-\$7,612.13; CARLSON AVIATION-AIRPORT MGT CONTRACT-\$495.73; CBCINNOVIS INC-CREDIT CHECK-\$8.58; CEDAR COUNTY NEWS-CLASSIFIED AD-\$220.76; CHAMBER OF COMMERCE-EMPLOYEE RECOGNITION-\$10.00; CHESTERMAN COMPANY-SOFT DRINKS-\$237.07; CHRISTENSEN RADIATOR & REPAIR-SNOW PLOW BLADE-\$144.85; CITY OF SIOUX FALLS TESTS-\$28.12; CITY OF VERMILLION-JT POWER CASH TRANSFER-\$28,963.30; CITY OF YANKTON-PARKS-GARBAGE-\$30.24; CITY OF YANKTON-SOLID WASTE-COMPACTED GARBAGE-\$8,778.24; CITY UTILITIES-WATER-WW CHARGES-\$2,743.29; CLARITUS-POSTAGE SUPPLIES-\$184.92; CLEVELAND GOLF-GOLF CLUBS-\$9,602.51; COLE PAPERS INC-SUPPLIES-\$172.34; CONCRETE MATERIAL-COLD MIX-

\$950.94; CONKLING DIST-MALT BEVERAGES-\$334.95; COX AUTO INC-SEALMASTER-\$1,124.52; CREDIT COLLECTION SERVICE INC-UTIL COLLECT-FEB\$2010-\$329.26; CRESCENT ELECTRIC-LAMPS-\$973.14; CSI SOFTWARE-CREDIT CARD PROCESS FEE-\$65.00; CUT-RATE BATTERIES INC-BATTERIES-\$321.00; D-P TOOLS-FLY WHEEL HOLDER-\$104.92; DAKOTA BEVERAGE CO INC-MALT BEVERAGES-\$565.03; DAKOTA SUPPLY GROUP-WATER METER-\$649.00; DANKO EMERGENCY EQUIPMENT-EQUIPMENT-\$16,694.88; DAPHNE'S HEADCOVERS-MERCHANDISE-\$308.98; DEPARTMENT OF REVENUE-WATER TESTS-\$1,314.00; DEPT OF CORRECTIONS-DOC WORK PROGRAM-\$163.20; DEPT OF ENVIROMENTAL CERTIFICATION-RENEWAL-\$48.00; DEPT OF REVENUE-TESTING-\$292.00; DEX MEDIA EAST-PHONE BOOK-\$27.20; DOCKENDORF EQUIPMENT CO INC-REPAIR TANK MONITOR-\$236.00; DWYER INSTRUMENTS INC-FLOW SWITCHES-\$517.64; ECHO-STREET LIGHT-\$3,783.60; EHRESMANN ENGINEERING INC-PARTS-\$9.84; ELSTER AMCO-WATER INC-WATER METERS-\$14,316.00; EMBROIDERY WORKS-SAC STAFF SHIRTS-\$357.50; ETHANOL PRODUCTS LLC-CARBON DIOXIDE-\$1,042.83; ETONIC WORLDWIDE LLC-MERCHANDISE-\$1,159.85; FALKENBERG CONSTRUCTION-SNOW REMOVAL-SIDEWALK-\$26.50; FASTENAL COMPANY-NUTS-BOLTS-\$431.09; FEDEX-SHIPPING-\$21.77; FEJFAR PLUMBING INC-PUMP-\$1,948.26; FINANCE DEPT OF-PETTY CASH-\$76.48; FOOTJOY-MERCHANDISE-\$684.21; FRITO-LAY INC-SNACK FOODS-\$110.90; FULLERTON LUMBER BLDG-MATERIAL-\$393.47; GALE-BOOKS-\$167.25; GCSA OF SD-CONFERENCE REGISTRATION-\$80.00; GEAR FOR SPORTS-MERCHANDISE-\$192.45; GERSTNER OIL CO-OIL-\$337.90; GODFATHERS PIZZA-DOC WORK PROGRAM-\$23.49; GOOD-LAND PUMP INC-PUMP/REBUILD PUMP-\$11,979.31; GRAFIX SHOPPE-VEHICLE DECALS-\$632.24; GRAINGER-SUPPLIES-\$730.45; GRAMPS-FUEL-\$4,644.72; GRAYMONT CAPITAL INC-BULK PEBBLE LIME-\$4,399.81; GREAT PLAINS INTERNATIONAL-PARTS-\$297.48; GREAT PLAINS INTERNATIONAL-PARTS-\$106.14; HAAR CO INC-FILTERS-\$94.39; HACH COMPANY-REPAIRS-\$357.85; HANSEN LOCKSMITHING-REPAIR LOCKS/LOCKSETS-\$785.00; HANSON LOGOWEAR-SRT SHIRTS-\$239.06; HARDING GLASS-REPAIR WINDOW-\$236.95; HAROLD'S CAMERA STORES-CANON REMOTE SWITCH-\$29.95; HAWKINS INC-CHEMICALS-\$8,104.40; HD SUPPLY WATERWORKS LTD-METER PART-\$998.11; HDR ENGINEERING INC-ENGINEERING SERVICES-\$15,739.82; HEDAHL'S PARTS PLUS-FILTERS-\$924.87; HEIMAN FIRE EQUIPMENT INC-EQUIPMENT-\$6,452.95; HISTORIC DOWNTOWN YANKTON INC-1/2 SP APPROPRIATION-\$15,000.00; HORNUNG'S PRO GOLF SALE INC-MERCHANDISE-\$469.06; HOSMER LAW OFFICE PC-REIMBURSEMENT-\$96.76; HUNTLEY/ROGER-REGISTRATION FEE-\$35.00; HYVEE-SOFT DRINKS-\$105.54; INDUSTRIAL SUPPLY CO INC-PARTS-\$129.62; INLAND TRUCK PARTS CO- CAMSHAFT-\$586.77; INTERSTATE POWER SYSTEMS INC-HEATER-\$168.06; J&H CARE & CLEANING COMPANY-SAC JANITORIAL-MARCH-\$2,600.00; JACK & JILL-SUBSCRIPTION-\$19.98; JACK'S UNIFORMS-UNIFORMS-\$358.72; JAMES STEEL ERECTION-N FIRE STATION-\$3,937.00; JCL SOLUTIONS/JANITORS CLOSET-JANITORIAL SUPPLIES-\$827.61; JODEAN'S-RECEPTION SUPPLIES-\$85.50; JOHNSON ELECTRIC-REPAIRS-\$306.11; JOHNSON ENG CO INC-ENGINEERING SERVICES-\$26,460.00; K MART STORE #4813-SUPPLIES-\$195.80; KADRMAS LEE & JACKSON INC-ENGINEERING SERVICES-\$4,612.22; KAISER HEATING & COOLING INC-SERVICE CALL-\$117.88; KAISER REFRIGERATION INC-TRIMMER PARTS-\$385.24; KARL'S INC-TELEVISIONS-\$1,879.92; KIMBALL-MIDWEST-SUPPLIES/FITTINGS-\$731.40; KNOLOGY-PHONE BILL-\$2,078.42; KNOLOGY-INTERNET SERVICES-\$745.02; KOBOLD INSTRUMENTS INC-FLOW SWITCHES-\$169.48; KOLETZKY IMPLEMENT INC-TIE ROD-\$26.16; L&L MOTORS INC-PARTS-\$66.12;

LANGUAGE LINE-SERVICES DUES-\$275.00; LARRY'S CANVAS & SHOE REPAIR-REPAIR  
TENNIS NETS-\$155.00; LARRY'S PLUMBING SERVICE-VALVE-\$21.70; LEAGUE OF  
MINNESOTA CITIES-AD-\$375.00; LEWIS & CLARK FORD-VEHICLE REPAIRS-\$490.55;  
LEWIS & CLARK HOMEBUILDER ASSN-TRAINING-\$200.00; LONG WEEKEND  
SPORTSWEAR-MERCHANDISE-\$876.15; LONG'S PROPANE INC-PROPANE-\$508.75; LRC  
INC-EXCAVATE SITE-\$9,417.00; LYLE SIGNS INC-SIGNS-\$765.86; MARKS MACHINERY-  
PARTS-\$7,001.47; MARTINS FLAG CO INC-FLAG-\$80.08; MCGRATH NORTH MULLIN &  
KRATZ-PROFESSIONAL SERVICE-\$52.00; MCLEODS PRINTING-ELECTION SUPPLIES-  
\$98.83; MCMASTER-CARR SUPPLY CO-PLUMBING-\$105.19; MDSP PRODUCTION-AV  
PODIUM-\$463.58; MEDIAUSA ADVERTISING INC-ADVERTISING-\$200.00; MEIERHENRY  
SARGENT LLP-PROF SVC/BOND COUNSEL-\$22,000.00; MEN'S HEALTH-SUBSCRIPTION-  
\$19.97; MERIDIAN GRAIN-DE-ICING SALT-\$12,017.02; MIDAMERICAN ENERGY-FUEL-  
MARCH-\$14,419.36; MIDAMERICAN ENERGY-WATER/WW FUEL-\$10,625.86; MOTOR  
VEHICLE DEPT SD-LICENSE PLATES-\$105.00; NATIONAL GEOGRAPHIC-KIDS  
SUBSCRIPTION-\$19.95; NATIONAL GOLF GRAPHICS LLC-FLAGS-\$369.75; NB GOLF CARS  
INC-GOLF CAR LEASE-\$9,668.00; NEBRASKA AIRFILTER INC-FILTER-\$354.50; NIKE-GOLF  
MERCHANDISE-\$409.53; NORIT AMERICAS INC-CHEMICALS-\$4,640.00; NORTHEAST  
WISCONSIN-TECHNICAL CERTIFICATION FEES-\$585.00; NORTHERN TRUCK EQUIPMENT  
CORP-TRUCK REPAIRS-\$916.07; NORTHERN WATER WORKS SUPPLY-WATER METERS-  
\$15,110.06; NORTHWESTERN ENERGY-ELECTRIC-MARCH-\$44,595.54; NOVELTY  
MACHINE INC-PARTS-\$324.14; OLSON'S PEST TECHNICIANS INC-PEST CONTROL-\$209.70;  
ONE CALL SYSTEMS INC-LOCATE TICKETS-\$13.56; OVERHEAD DOOR CO-REPAIR  
DOOR-\$83.00; PBI CONSTRUCTION-CONCRETE CRUSHING-\$109,350.00; PIED PIPER  
FLOWERS-MEMORIAL-\$124.95; PING-GOLF CLUBS-\$4,362.88; PIONEER BANK & TRUST-  
RICOH COPIER LEASE-\$198.83; PRESS DAKOTA MSTAR SOLUTIONS-CLASSIFIED ADS-  
\$4,251.62; PRO AUTO TOWING-\$120.00; PRO-BUILD-LUMBER-\$216.06; PUKKA INC-  
MERCHANDISE-\$936.00; PUSH PEDAL PULL-WEIGHT EQUIPMENT PARTS-\$12,229.30;  
QUILL CORPORATION TAPE-TONER-\$804.87; QWEST COMMUNICATIONS-PHONE  
SERVICE-\$1,548.55; R&R PRODUCTS INC-PARTS-\$158.84; RACOM CORPORATION-  
VEHICLE LIGHTS-\$4,292.60; RANDOM HOUSE INC-AUDIOBOOKS-\$191.50; REDLINGER  
BROS PLUMBING CORP-REPLACE DRAIN SYSTEM-\$7,575.00; REGIONAL TECHNICAL  
EDUCATION-LEASE-JAN-MAR\$2010-\$4,400.01; REINHART FOODS INC-ENTREES-\$877.22;  
RIVER CITY SANDBLASTING-SANDBLASTING-\$50.00; RON'S AUTO GLASS REPAIR-  
WINDOW REPAIRS-\$1,180.00; RTC-QA SAMPLES-\$567.30; RURAL DEVELOPMENT-SR  
CITIZENS LOAN-\$3,075.00; SHERWIN WILLIAMS CO-PAINT-\$65.76; SHOT SELECTOR-  
TEES-\$209.47; SHUR-CO-TARPS-\$1,078.15; SIOUX EQUIPMENT COMPANY INC-AIRPORT  
FUEL INSPECTION-\$1,127.07; SIOUX FALLS-TWO WAY RADIO SVS CHARGER-\$54.94;  
SIRCHIE FINGER PRINT LABS-EQUIPMENT-\$259.16; SMITH/JACK-MARNE CREEK  
EASEMENT-\$200.00; SOUTH DAKOTA STATE ARCHIVES-MICROFILM-\$96.00;  
SPECHT/DAN-TRAVEL REIMBURSEMENT-\$867.45; SPECIALTY STORE SERVICES INC-  
DVD CASES-\$46.08; STANLEY SECURITY SOLUTIONS INC-LOCK-\$39.32; STERN OIL CO-  
INC-FUEL-\$12,836.92; STREET MAINTENANCE ASSN-CONFERENCE REGISTRATION-  
\$35.00; STURDEVANT'S AUTO PARTS INC-PARTS-\$106.59; TASTE OF HOME-  
SUBSCRIPTION-\$17.98; TAYLOR MADE-GOLF CLUBS-\$432.18; TERRY'S REPAIR-PARTS-  
\$150.00; TETRA TECH INC-AIR METER-\$675.00; THATCHER COMPANY-CHEMICALS-  
\$9,354.00; TITLEIST AND FOOT-JOY-CAPS/GOLF BALLS-\$4,381.74; TMA-TIRES-\$190.61;  
TODD INC-BROOMS-\$4,542.00; TOUR EDGE GOLF GROUP INC-GOLF CLUBS-\$2,235.69;

TRAFFIC CONTROL CORP-LED LIGHTS-\$429.00; TRAMP/DENISE-REIMBURSE SWIMSUITS-\$100.00; TRANSPORTATION DEPT/SD-YRT REIMBURSEMENT-\$130.64; TRANSPORTATION DEPT/SD-CONFERENCE REGISTRATION-\$35.00; TRI TECH SALES-PUMP MOTOR-\$544.76; TRUCK TRAILER SALES INC-VALVE-\$400.02; US POST OFFICE-UTIL UT POSTAGE-MAR-\$1,200.00; UNITED PARCEL SERVICE INC-DELIVERY SERVICE-\$299.82; UNITED STATES POSTAL SERVICE-POSTAGE METER-MARCH-\$1,105.00; UPSTART-SUMMER PROGRAM-\$284.40; USA BLUE BOOK-REPAIRS-\$562.60; VANDERHULE MOVING INC-OXYGEN/ACETYLENE-\$270.00; WALT'S HOMESTYLE FOODS INC-SNACK FOODS-\$75.00; WATER & ENV ENG RESEARCH CTR-TOC SAMPLES-\$76.00; WEBERG/LINDA-CLASS FEE-\$10.00; WESTERN OFFICE PRODUCTS-CABINET-BULLETIN BOARD-\$880.58; WHOLESALE SUPPLY INC-CANDY-\$545.85; WORLD BOOK SCHOOL & LIBRARY-ENCYCLOPEDIAS-\$799.00; WORTMANN/CAROL-TAXES-\$140.69; XEROX CORPORATION-COPIER LEASE-\$2,359.16; YANKTON AREA EMS ASSOCIATION-TRAINING-\$165.00; YANKTON AREA ICE ASSOCIATION-SKATING REVENUE-\$3,823.53; YANKTON AREA PROG GROWTH-ANNUAL MEETING TICKET-\$10.00; YANKTON AUTOMOTIVE MACHINE INC-SUPPLIES-\$103.50; YANKTON COUNTY TREASURER-TAXES-\$101.25; YANKTON FIRE & SAFETY CO-EXTINGUISHER INSPECTION-\$1,536.00; YANKTON INSURANCE AGENTS-POLICY RENEWAL-\$10,355.50; YANKTON JANITOR SUPPLY INC-SUPPLIES-\$2,013.61; YANKTON MEDICAL CLINIC-PRE-EMPLOYMENT PHYSICAL-\$1,164.50; YANKTON MOTOR COMPANY-PART-\$14.78; YANKTON NURSERIES LLC-AG SUPPLIES-\$8.35; YANKTON WINNELSON CO INC-PLUMBING SUPPLIES-\$450.19; ACE HARDWARE-BATTERIES-\$4.55; AMERICAN FAMILY LIFE CORP-CANCER & ICU PREMIUMS-\$5,477.26; AVERA HEALTH PLANS HEALTH INS-APRIL-\$76,042.22; BASS/STEWART-WORKSHOP-\$40.00; CREDIT COLLECTION SERVICE INC-EMPLOYEE DEDUCTIONS-\$241.40; DAKOTA 911 CONFERENCE-CONFERENCE REGISTRATION-\$240.00; DELTA DENTAL-DENTAL INS-APRIL-\$5,796.44; DEPT OF SOCIAL SERVICES-EMPLOYEE DEDUCTIONS-\$1,072.00; DEVILLE/DOROTHY-REFUND-\$4.74; FIRST NATL BANK SOUTH DAKOTA-EMPLOYEE DEDUCTIONS-\$1,439.00; ICMA RETIREMENT TRUST-#457 EMPLOYEE DEDUCTIONS-\$4,173.18; JCPENNEYS-UNIFORMS-\$300.00; LEWIS & CLARK FORD-VEHICLES-\$48,362.00; MADISON NATIONAL LIFE INS CO-LIFE INS - APRIL-\$620.19; MENARDS-SUPPLIES-\$538.15; MUNICIPAL LEAGUE SD-MEETING-\$30.00; NEBRASKA CHILD SUPPORT PAYMENT-EMPLOYEE DEDUCTIONS-\$303.00; OLSON/RHONDA-WORKSHOP-\$75.00; PITNEY BOWES-SUPPLIES-\$100.00; ROYAL SPORTS SHOP-FIRST AID SUPPLIES-\$28.00; SD PUBLIC ASSURANCE ALLIANCE-INSURANCE ADDITIONS-\$143.85; SDSRP-EMPLOYEE DEDUCTIONS-\$125.00; SEARS-TOOLS-\$412.47; SPRINT AQUATICS-SWIM GOGGLES-\$255.00; STAPLES-PROJECT FOLDERS-\$21.67; SUMMIT ACTIVITY CENTER-EMPLOYEE DEDUCTIONS-\$855.45; UNITED WAY-EMPLOYEE DEDUCTIONS-\$2.00; VISA-UNIFORMS-\$480.94; VISA-SHELVES-\$1,433.09; VISA-KJ PUBLICATIONS-\$975.98; VISA-DR NATIONAL FIELD ARCHERY-\$1,323.94; VISA-SUMMER READING PRIZES-\$78.80; VISA-DARREN MOSER MEMBERSHIP DUES-\$25.00; WAL-MART STORES INC-VACUUM-\$536.01; YANKTON COUNTY TREASURER-TAXES-\$15.38; ZAJIC/JAKE-WORKSHOP-\$175.00.

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

SALARIES- MARCH 2010:

ADMINISTRATION-\$23,892.10; FINANCE-\$25,605.33; COMMUNITY DEVELOPMENT-\$12,867.71; POLICE-\$117,013.44; FIRE-\$9,360.49; ENGINEERING-\$32,998.90; STREET-\$37,726.63; SNOW & ICE-\$2,373.42; TRAFFIC CONTROL-\$1,390.04; LIBRARY-\$23,768.43; PARKS/SAC-\$49,621.03; MARNE CREEK-\$2,867.06; WATER-\$32,016.03; WASTEWATER-\$29,155.22; CEMETERY-\$2,729.46; SOLID WASTE-\$15,720.50; LANDFILL-\$12,270.04; GOLF COURSE-\$12,681.01; CENTRAL GARAGE-\$6,472.71

PERSONNEL CHANGES & NEW HIRES:

New Hires: Dawn Bergeson-\$20.00 hr.-Rec. Div. WSI Instructor; Mario Briseno-\$7.25 hr.-Rec. Div.  
Wage Increase: Denise Brown-\$7.75 hr.-Rec. Div.; Lacey Garvey-\$8.00 hr.-Rec. Div.; Gwen Gevens-\$8.75 hr.-Rec. Div.; Danielle Gill-\$7.75 hr.-Rec. Div.; Dianne Hack-\$9.00 hr.-Rec. Div.; Kristina Kopejtka-\$8.25 hr.-Rec. Div.; Paul Pollock-\$8.50 hr.-Rec. Div.; Ronnie Prater-\$8.75 hr.-Rec. Div.; Janice Rouse-\$7.50 hr.-Rec. Div.; Powers Schurrer-\$7.75 hr.-Rec. Div.  
LONGEVITY INCREASE: Connie Miles-\$1364.81 bi-wk.-City Hall

Mayor Specht read a proclamation of appreciation for Gary and Katie Carlson, of Carlson Aviation at the Chan Gurney Airport, for Outstanding Service and Dedication to the City; a proclamation extending thanks to Members of Charlie Battery calling upon all citizens to honor them for their service to our country; a proclamation of gratitude to Yankton Basketball, Inc., for leadership in making the Roger Haas Memorial Basketball Tournament a success; a proclamation declaring the week of April 10, 2010, as *Keep Yankton Beautiful Week*; and proclamations declaring the week of April 11 through 17, 2010, as *National Library Week* and *National Telecommunicators Week*.

Commissioner Ellingson entered the meeting at this time.

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

Action 10-69

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 Lori Rothenberger to carry in and serve alcoholic beverages at the Dakota Territorial Capitol Building for a class reunion on September 18, 2010
2. Permission for Alcoholic Beverages  
Consideration of a request from Mary Healy to carry in and serve alcoholic beverages at the Dakota Territorial Capitol Building for a graduation party on May 14, 2011
3. Establishing public hearing for sale of alcoholic beverages  
Establish April 26, 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, May 11, 2010, from Chamber of Commerce, (Carmen Schramm, Director) d/b/a Chamber of Commerce, Lewis & Clark Specialty Hospital, 2601 Fox Run Parkway, Yankton, S.D.
4. Establish public hearing for transfer of ownership and location  
Establish April 26, 2010, as the date for the public hearing on the request for the transfer of ownership and location of a Retail (on-off sale) Malt Beverage License for July 1, 2009, to June 30, 2010, from Boomer's Inc, d/b/a Boomer's Lounge, (Gary Boom, President), 100 E 3<sup>rd</sup>

Street to 5 O'Clock Somewhere LLC d/b/a 5 O'Clock Somewhere Parrot Room (Gary Boom & John Murray, partners) 1522 ½ Broadway, Yankton, S.D.

5. Establish public hearing for new Malt Beverage & SD Farm Wine license

Establish April 26, 2010, as the date for the public hearing on the request for a New Package (off sale) Malt Beverage & SD Farm Wine License for July 1, 2009, to June 30, 2010, from Boomer's Inc, d/b/a Boomer's Lounge, (Gary W. Boom, President), 100 East 3<sup>rd</sup> Street, Yankton, S.D.

6. Notice to Call for Joint City of Yankton and Yankton School District 63-3 Election

Establish 12 p.m. Friday, April 16, 2010, as the time and date of a "Notice to Call" a Special City Commission meeting to canvass the election returns of the Joint City of Yankton & Yankton School District 63-3 Election to be held on Tuesday, April 13, 2010

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

Motion adopted.

Action 10-70

This was the time and place 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. No one was present to speak for or against approval of the license application. (Memorandum 10-44) Moved by Commissioner Ellingson, seconded by Commissioner Lowrie, 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 10-71

Moved by Commissioner Akland, seconded by Commissioner Knoff, to approve the request from the Operation Welcome Home Charlie Battery Committee in the amount of \$2,100.00 to pay for the welcome home breakfast that was held for members of Charlie Battery and their families.

(Memorandum 10-54)

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

Motion adopted.

Action 10-72

Moved by Commissioner Carda, seconded by Commissioner Ellingson, to adopt Resolution 10-10.

(Memorandum 10-45)

## RESOLUTION 10-10

**WHEREAS**, SDCL 6-13-1 requires a municipality owning personal property which is no longer necessary, useable or suitable for municipal purposes shall, by resolution, declare it surplus and may, by resolution, order the sale, destruction or other disposal of said personal property.

**NOW, THEREFORE, BE IT RESOLVED** that the following personal property be declared no longer necessary or suitable for municipal purposes and said property shall be disposed of in accordance with SDCL 6-13-1, et sequential:

SURPLUS PROPERTY TO BE SOLD OR DESTROYED

2004 H& H Trailer VIN: 4J6TC30374B053692

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

Action 10-73

This was the time and place to award the bid for a 2010 Rear Loading Refuse Body and 37,000 GVW 4x2 Class Truck for the Department of Public Services, Solid Waste Collection. (Memorandum 10-46)  
The following bids were received and opened on March 24, 2010:

16 Cubic Yard Rear Loading Refuse Body: Sanitation Products, Inc., Sioux Falls, South Dakota - \$62,660.00, less trade-in of \$7,000.00, total cost of \$55,660.00; Northern Truck Equipment Corp., Sioux Falls, South Dakota - \$57,124.00, less trade-in of \$8,500.00, total cost of \$48,624.00. The bid from Northern Truck Equipment Corp. did not meet specifications and was, therefore, not considered.  
37,000 GVW 4x2 Class Truck: Great Plains International of Sioux Falls, Inc., Sioux Falls, South Dakota - \$78,357.00; Truck-Trailer Sales & Service, Inc., Yankton, South Dakota - \$79,155.00.  
Moved by Commissioner Gross, seconded by Commissioner Carda, to award the bid for the 16 Cubic Yard Rear Loading Refuse Body to the lowest qualified bidder, Sanitation Products, Inc., Sioux Falls, South Dakota, in the amount of \$55,660.00 and to award the bid for the 37,000 GVS 4x2 Class Truck to the low bidder, Great Plains International of Sioux Falls, Inc., Sioux Falls, South Dakota in the amount of \$78,357.00.

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

Action 10-74

This was the time and place to award the bid for a 2011 Model 56,000 GVW 6x4 Class Truck for the Public Services Department. (Memorandum 10-47) The following bids were received and opened on March 24, 2010: Great Plains International of Sioux Falls, Inc., Sioux Falls, South Dakota - \$86,225.00; Truck-Trailer Sales & Service, Inc., Yankton, South Dakota – \$86,975.00. Moved by Commissioner Knoff, seconded by Commissioner VanDerhule, to award the bid to the low bidder, Great Plains International of Sioux Falls, Inc., Sioux Falls, South Dakota, in the amount of \$86,225.00.

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

Action 10-75

Moved by Commissioner Gross, seconded by Commissioner Knoff, to approve the Summit Street right-of-way dedication for the 8<sup>th</sup> Street (Highway 52) Project. (Memorandum 10-48)

**Roll Call:** Members present voting “Aye:” Commissioners Akland, Carda, Ellingson, Gross, Knoff, Lowrie, VanDerhule, and Mayor Specht; voting “Nay:” None; Abstaining: Commissioner Wenande.  
Motion adopted.

Action 10-76

Moved by Commissioner Knoff, seconded by Commissioner Carda, to authorize the City Manager to execute documents associated with the acquisition, by the South Dakota Department of Transportation on behalf of the City, of right-of-way for the Highway 52 (Eighth Street) project from Summit to West City Limits Road. (Memorandum 10-49)

**Roll Call:** Members present voting “Aye:” Commissioners Akland, Carda, Ellingson, Gross, Knoff, Lowrie, VanDerhule, and Mayor Specht; voting “Nay:” None; Abstaining: Commissioner Wenande. Motion adopted.

Action 10-77

Moved by Commissioner Gross, seconded by Commissioner Akland, to adopt Resolution 10-11. (Memorandum 10-50)

**RESOLUTION 10-11**  
Sacred Heart Parish  
Permissive Use of Right-of-Way  
(PERMIT TO OCUPY PUBLIC ROW)

WHEREAS, the Sacred Heart Parish located at 509 Capital Street has requested permission to occupy public right-of-way for the purpose of locating conduit for communication lines and an electrical service line as detailed in exhibit (A) and;

WHEREAS, upon completion of the proposed improvements in public right-of-way, Sacred Heart Parish agrees to become a member and maintain a membership with “South Dakota One Call” for the purpose of protecting and locating the “communication lines and electrical service line” described and further more Sacred Heart Parish agrees to assume all costs involved in becoming a member and remaining a member of “South Dakota One Call” and;

WHEREAS, Sacred Heart Parish agrees to remove, modify or relocate said “communication lines and electrical service line” within sixty days of written request from the Yankton Board of Commissioners and that Sacred Heart Parish assumes all expenses in the removal, modification or relocation of said “Communication lines and electrical service line” described, now and in the future as directed by the City and;

WHEREAS, upon completion of the proposed improvements in public right-of-way, the owner, their heirs, assignees or successors shall not modify said improvements in any manner without first having the written approval of the Yankton City Commission;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Yankton, South Dakota hereby approves the permissive use of right-of-way for bored-in underground private electrical and other wiring in conduits at the two described locations shown and in a manner described on the attached “Exhibit A.”

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

Action 10-78

The request to transfer three acres of East Industrial Park land to Yankton Area Progressive Growth (YAPG) in support of an economic development project was considered. Mike Dellinger, representing YAPG, and Charles Larsen, owner of Aune Trucking, Inc., were present to answer questions. Moved

by Commissioner Ellingson, seconded by Commissioner Gross, to approve the transfer of three acres of East Industrial Park land to Yankton Area Progressive Growth as outlined in Memorandum 10-55 and to authorize the City manager to execute all described transfer and reimbursement related documents.

**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 10-79

Moved by Commissioner Knoff, seconded by Commissioner Gross, to adopt Resolution 10-13.  
(Memorandum 10-52)

**RESOLUTION 10-13**

**WHEREAS**, the City has been negotiating on the collective bargaining agreement with its employee labor union, and

**WHEREAS**, the Labor Union has approved the proposed agreement on April 6, 2010,

**NOW, THEREFORE, BE IT RESOLVED** by the City Commission of Yankton, South Dakota, that the attached Collective Bargaining Agreement is hereby approved and the City Manager is authorized to implement the provisions of the agreement throughout the organization, as applicable, and amend the current personnel manual as appropriate.

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

Action 10-80

Moved by Commissioner Gross, seconded by Commissioner Knoff, to adopt Resolution 10-14.  
(Memorandum 10-53)

**RESOLUTION 10-14**

**WHEREAS**, the City has recently completed negotiations on the collective bargaining agreement with its employee labor union, and

**WHEREAS**, the removal of the retiree health insurance program identified in executive policy statement dated December 22, 1992, was part of the negotiation process.

**NOW, THEREFORE, BE IT RESOLVED** by the City Commission of Yankton, South Dakota, that:

1. The Health Insurance Policy for Retirees as identified in executive policy statement dated December 22, 1992, will remain in effect for employees retiring up to January 1, 2014. Following that date, no new retirees shall be admitted into the program.

2. Following January 1, 2014, participants on the program will continue to be allowed to participate according to the terms of the statement dated December 22, 1992.
3. As stated in the December 22, 1992 document, the City has the right to discontinue this policy at such time as the City's health insurance carrier does not allow insurance for retirees or non-employees or, by further City Commission action.

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

Action 10-81

Resolution 10-12 that would annex property described as Lot A of Lot 14, Lot B of Lot 14, and Lot 15 of Whiting's Subdivision; and, those portions of Lot 3 and Lot 13 of Tucker's Subdivision lying in the SW ¼ of the SE ¼, 8-93-55; and the adjacent 100 foot strip of former railroad property owned by the City of Yankton located in the SW ¼ of the SE ¼, 8-93-55; all being located in Yankton County, South Dakota—Ralph Marquardt (under contract to YAPG), owners, into the corporate limits of the City was considered. Mike Dellinger, representing YAPG, was present in support of adoption of the Resolution. Moved by Commissioner Carda, seconded by Commissioner Knoff, to adopt Resolution 10-12. (Memorandum 10-51)

**RESOLUTION 10-12**

**WHEREAS**, Ralph Marquardt has petitioned the City of Yankton, pursuant to SDCL 9-4-1, to annex certain real property into the corporate limits of the City of Yankton.

**NOW, THEREFORE, BE IT RESOLVED** by The Board of City Commissioners of the City of Yankton, South Dakota, that the following described real property is hereby annexed into the corporate limits of the City of Yankton, South Dakota:

DESCRIPTION OF TRACT TO BE ANNEXED

Lot A of Lot 14, Lot B of Lot 14 and Lot 15 of Whiting's Subdivision; and, those portions of Lot 3 and Lot 13 of Tucker's Subdivision lying in the SW ¼ of the SE ¼, 8-93-55; and the adjacent 100 foot strip of former railroad property owned by the City of Yankton located in the SW ¼ of the SE ¼, 8-93-55; all being located in Yankton County, South Dakota.

Said annexed property containing 44.6 acres total, more or less.

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

Action 10-82

The request to partner with the State of South Dakota and YAPG to develop an industrial site to serve as a manufacturing facility was considered. Mike Dellinger, Yankton Area Progressive Growth, and Brian Strahl, Ken Karolevitz, Jackie Smith, and Lee Orth, owners of Dakota Trailer Manufacturing, Inc., were present to speak in favor of the proposal. Moved by Commissioner Ellingson, seconded by

Commissioner Knoff, to approve spending \$120,105.00 from BBB funds, to develop an industrial site on Gehl Drive, in partnership with the State and YAPG, to serve as a manufacturing facility. (Memorandum 10-56) Prior to a vote being taken, Commissioner Ellingson moved, seconded by Commissioner Knoff, to amend the motion to include funding for up to one-half of the costs of infrastructure improvements.

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

Roll call was then taken on the original motion.

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

Action 10-83

Moved by Commissioner VanDerhule, seconded by Commissioner Akland, to adjourn at 8:01 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