

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
APRIL 26, 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 Attorney Hosmer and City Manager Russell were also present. Absent: None. Quorum present.

Action 10-86

Moved by Commissioner Akland, seconded by Commissioner Gross, to approve the Minutes of the regular meeting of April 12, 2010, and Special Meeting of April 16, 2010.

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

Motion adopted.

Mayor Specht presented proclamations declaring May 9 to 15th as *National Police Week* to Acting Chief of Police Jerry Hisek; declaring April 30, 2010, as *Arbor Day*, to City Urban Forestry Specialist, Stan Hoffart; declaring the Month of May 2010 as *Motorcycle Safety & Awareness Month* to Ron Galvan; and declaring May 6, 2010, as *National Day of Prayer* to Associate Pastor Bob Mason from the Kingsway Christian Church.

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 gave a short powerpoint presentation outlining the proposed timeline, placement sites, and the status of Yankton RiverWalk, Inc.'s, project to install ten sculptures at various locations throughout the community.

Action 10-87

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 Jim Bowers to carry in and serve alcoholic beverages at the Dakota Territorial Capitol Building for a wedding rehearsal dinner on July 23, 2010
2. Permission for Alcoholic Beverages
Consideration of a request from Connie Minerup to carry in and serve alcoholic beverages at the Dakota Territorial Capitol Building for a family reunion on August 15, 2010

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

Motion adopted.

Action 10-88

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 11, 2010, from Chamber of Commerce, (Carmen Schramm, Director) d/b/a Chamber of Commerce, Lewis & Clark Specialty Hospital, 2601 Fox Run Parkway, Yankton, South Dakota. (Memorandum 10-64) No

one was present to speak for or against approval of the license. Moved by Commissioner Gross, seconded by Commissioner Carda, to approve the license application.

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

Motion adopted.

Action 10-89

This was the time and place for the public hearing on the application 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 3rd 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, South Dakota. (Memorandum 10-65) No one was present to speak for or against approval of the license application. Moved by Commissioner Gross, seconded by Commissioner Lowrie, to approve the license application.

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

Motion adopted.

Action 10-90

This was the time and place for public hearing on the application 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 3rd Street, Yankton, South Dakota. (Memorandum 10-66) No one was present to speak for or against approval of the license. Moved by Commissioner Gross, seconded by Commissioner Akland, to approve the license application.

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

Motion adopted.

Action 10-91

This was the time and place to award the bid for a 52,000 GVW Class 8 Truck 6x4 truck for the Public Services Department, Joint Powers Division. The following bids were received and opened on April 14, 2010: Great Plains International of Sioux Falls, Inc., Sioux Falls, South Dakota - \$89,939.00; Truck-Trailer Sales & Service, Inc., Yankton, South Dakota - \$90,990.00. (Memorandum 10-63) Moved by Commissioner Carda, 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 \$89,939.00.

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

Motion adopted.

Action 10-92

This was the time and place to award the bid for the Chan Gurney Airport Water Main Installation Project. The following bids were received and opened on April 15, 2010: Feimer Construction, Yankton, South Dakota - \$41,631.00; First Rate Excavate, Sioux Falls, South Dakota - \$41,752.70; Slowey Construction, Yankton, South Dakota - \$44,041.00; Smith & Smith Construction, Tea, South - \$44,080.50; Yungwirth Construction, Sioux Falls, South Dakota - \$56,104.52; and Haarsma Construction, Sioux Falls, South Dakota - \$69,510.00. (Memorandum 10-67) Moved by Commissioner Ellingson, seconded by Commissioner Knoff, to award the bid to the low bidder, Feimer Construction, Yankton, South Dakota, in the amount of \$41,631.00.

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

Motion adopted.

Action 10-93

This was the time and place to award the bid for the Cedar Street Reconstruction and Water Main Installation from 10th Street to 17th Street. The following bids were received and opened on April 15, 2010: Feimer Construction, Yankton, South Dakota - \$261,567.70; Northdale Construction Co., Inc., Albertville, Minnesota - \$281,136.47; First Rate Excavate, Sioux Falls, South Dakota - \$282,275.95; Slowey Construction, Yankton, South Dakota - \$306,528.20. (Memorandum 10-68) Moved by Commissioner Lowrie, seconded by Commissioner Akland, to award the bid to the low bidder, Feimer Construction, Yankton, South Dakota, in the amount of \$261,567.70.

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

Motion adopted.

Action 10-94

This was the time and place to award the bid for the Annual Supply of Bituminous Mix for the Department of Public Services, Street Division. The following bid was received and opened on April 14, 2010: Concrete Materials, Sioux Falls, South Dakota, (Mission Hill Plant) - \$58.90 per ton. (Memorandum 10-62) Moved by Commissioner Gross, seconded by Commissioner Knoff, to award the bid to the only bidder, Concrete Materials of Sioux Falls, Mission Hill South Dakota Plant, in the amount of \$58.90 per ton.

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

Motion adopted.

Action 10-95

This was the time and place to award the bids for the Annual Supply of Liquid Asphalt. One bid was received and opened on April 14, 2010: Jebro Inc., Sioux City, Iowa – AC PG 58-28 Grade Asphalt Cement - \$545.19/ton, MC 70 Grade Asphalt - \$2.6568/gal., RC 800 Grade Asphalt - \$2.8427/gal., Demurrage Cost - \$75.00/per hour over 3 hours. (Memorandum 10-61) Moved by Commissioner Gross, seconded by Commissioner Wenande, to award the bid to the only bidder, Jebro, Inc., Sioux City, Iowa.

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

Motion adopted.

Action 10-96

This was the time and place to award the bid for the Cold Milling Asphalt Projects, various locations within the city. The following bids were received and opened on April 14, 2010: Dustrol, Inc., Lincoln, Nebraska - \$61,929.14; Midstate Reclamation & Trucking - \$61,816.85. (Memorandum 10-60) Moved by Commissioner Gross, seconded by Commissioner Carda, to award the bid to the low bidder Midstate Reclamation & Trucking, Lakeville, Minnesota in the amount of \$61,816.85.

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

Motion adopted.

Action 10-97

This was the time and place to award the bid for the Cold Applied Plastic Pavement Marking Installation Project. The following bids were received and opened on April 14, 2010: Dakota Traffic Services, LLC, Tea, South Dakota - \$48,433.00; Construction Signing Corporation, Sioux Falls, South Dakota - \$52,505.20. Moved by Commissioner Ellingson, seconded by Commissioner Lowrie, to award the bid to the low bidder, Dakota Traffic Services, LLC, Tea, South Dakota, in the amount of

\$48,433.00.

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

Action 10-98

Moved by Commissioner VanDerhule, seconded by Commissioner Wenande, to authorize the Finance Officer to issue a manual check in the amount of \$40,095.00 to PBI Construction, Inc., Marcus, Iowa, as final payment for the Concrete Rubble Crushing Contract.

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

Action 10-99

Commissioner Gross introduced and Mayor Specht read the title of Ordinance No. 932, ADOPTION OF THE FLOODPLAIN MANAGEMENT ORDINANCE, and set the date for the second reading and public hearing as May 24, 2010. (Memorandum 10-57)

Action 10-100

Moved by Commissioner Carda, seconded by Commissioner Knoff, to adjourn into Executive Session at 7:40 p.m., to consult with legal council about contractual 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, Knoff, Lowrie, VanDerhule, and Wenande. City Attorney Hosmer and City Manager Russell were also present. Absent: None. Quorum present.

Action 10-101

Moved by Commissioner Gross, seconded by Commissioner Ellingson, to adjourn at 8:01 p.m.

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

Dan Specht
Mayor

ATTEST:

Al Viereck
Finance Officer