

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
AUGUST 23, 2010**

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

Roll Call: Present: Commissioners Akland, Carda, Ellingson, Gross, Lowrie, VanDerhule, Wenande, and Woerner. City Attorney Hosmer and City Manager Russell were also present. Absent: None. Quorum present.

Action 10-196

Moved by Commissioner Carda, seconded by Commissioner Wenande, to approve the Minutes of the regular meeting of August 9, 2010.

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

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

Chief of Police Brian Paulsen was present to recognize Officer Monty Rothenberger and citizens Nick Hines, Mark Schlaefli and Dan Slowey for their part in helping rescue a man from the Missouri River near Riverside Park in July.

Action 10-197

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

1. Permission for Alcoholic Beverages
Consideration of a request from Marla Davis to carry in and serve alcoholic beverages at the Dakota Territorial Capitol Building for a birthday party on September 5, 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 15, 2011.
3. Establish Public hearing for transfer of ownership
Establish September 13, 2010, as the date for the public hearing on the request for the transfer of ownership of a Retail (on-off sale) Malt Beverage License for July 1, 2010, to June 30, 2011, from Steve Slowey d/b/a Slowey Management Company, to Yankton Missouri River Kampground, LLC, 807 Bill Baggs Road, Yankton, South Dakota.

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

Action 10-198

This was the time and place for the public hearing on the application for transfer of ownership of a Retail (on-sale) Liquor License for January 1, 2010, to December 31, 2010, from G. Cwach & Sons, Inc. (George J. Cwach, President) d/b/a O'Malley's Bar to Dayhuff Enterprises, Inc. (Jeff Dayhuff, President) d/b/a O'Malley's Bar, 204 West 3rd Street, Yankton, South Dakota. (Memorandum 10-143) No one was present to speak for or against approval of the application. Moved by Commissioner Akland, seconded by Commissioner VanDerhule, to approve the license application.

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

Action 10-199

Moved by Commissioner Gross, seconded by Commissioner Carda, to adopt Resolution 10-32. (Memorandum 10-145)

RESOLUTION 10-32

WHEREAS, it appears from an examination of the plat of Lot 3A of Outlot 9, County Auditor's Plat of Outlots, City and County of Yankton, South Dakota, prepared by Travis J. Kropuenske of Johnson Engineering a registered land surveyor in the state of South Dakota, and

WHEREAS, such plat has been prepared according to law and is consistent with the City's overall Comprehensive Development Plan.

NOW, THEREFORE BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota, that the plat for the above described property is hereby approved.

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

Action 10-200

Commissioner Gross introduced and Mayor Knoff read the title of ORDINANCE 935, AN ORDINANCE TO APPROPRIATE MONIES FOR DEFRAYING THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF YANKTON, SOUTH DAKOTA, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2011, AND ENDING DECEMBER 31, 2011, AND PROVIDING FOR THE LEVY OF ANNUAL TAXES FOR ALL FUNDS CREATED BY ORDINANCE WITHIN SAID CITY, and set the date for the public hearing and second reading as September 13, 2010.

Action 10-201

Memorandum 10-146, proposing adoption of Resolution 10-33, authorizing a step pay plan adjustment for City employees was considered. Moved by Commissioner Ellingson, seconded by Commissioner Carda, to adopt Resolution 10-33. Citizen Rick Ahltoff appeared and requested that the Commission not approve the Resolution. Citizen Lola Harens also appeared and pointed out that the step increases are based on market survey and do not apply to every employee, only those with less than ten years of service. Following further discussion, moved by Commissioner Gross, seconded by Commissioner VanDerhule, to amend the resolution to leave off the proposed salary increase for the Mayor and City Commissioners.

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

Resolution 10-33

A Resolution Authorizing Step Pay Plan Adjustments for
City Employees of the City of Yankton, South Dakota

WHEREAS, adequate monies have been provided for in the adopted 2010 budget, for the remuneration of services rendered by City of Yankton by City employees; and

WHEREAS, the City Commission wishes to continue the Step Pay Plan implementation according to the personnel policy and the pay plans adopted in 2008;

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners that the City Manager implement the Step Pay Plan adjustments retroactive to June 5, 2010.

Roll call was then taken on the original motion to approve Resolution 10-33, as amended.

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

Action 10-202

This was the time and place to award the bid for the Annual Water Treatment Plant and Wastewater Treatment Plant Sludge Removal. The following bids were received and opened on August 11, 2010: Manning Custom Applicators, LLC, West Des Moines, Iowa - Wastewater Treatment Plant Liquid Sludge – \$0.0245/gal.; Oak Plains Farms, Fairview, South Dakota-Wastewater Treatment Plant Liquid Sludge – \$.035/gal., Water Treatment Plant Caked Lime – \$5.25/ton.; Willard Schmidt, Yankton, South Dakota-Wastewater Treatment Plant Liquid Sludge – \$.0285/gal., Water Treatment Plant Caked Lime – \$6.12/ton. (Memorandum 10-147) Moved by Commissioner Wenande, seconded by Commissioner Carda, to award the bid for wastewater liquid sludge removal to the low bidder, Manning Custom Applicators, Des Moines, Iowa, for \$.0245 per gallon and the bid for water caked lime sludge removal to the low bidder, Oak Plains Farms, Fairview, South Dakota, for \$5.25 per ton.

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

Action 10-203

Adoption of Resolution 10-34, Special Events Parking, was considered. Lorie Rust, representing Ribfest, was present and gave a brief review of the problem and answered questions. Moved by Commissioner Carda, seconded by Commissioner Akland, to adopt Resolution 10-34. (Memorandum 10-148)

RESOLUTION 10-34
Special Events Parking Request

WHEREAS, the City Commission adopted an Ordinance allowing for no parking designation for special events within the City of Yankton; and

WHEREAS, this Resolution would authorize the City of Yankton to tow vehicles that are parked in the defined area or areas and times specified for said Special Events; and

WHEREAS, Historic Downtown Yankton, Inc. has made a request to enact this no parking zone for their annual Ribfest event on September 18, 2010.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Yankton, South Dakota, hereby approves the Special Event Parking Request at the described location in the manner shown on the attachments to this resolution for September 18, 2010, from 3:00 A.M. to midnight.

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

Action 10-204

Moved by Commissioner Ellingson, seconded by Commissioner Woerner, to adjourn at 7:50 p.m.

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

David D. Knoff
Mayor

ATTEST:

Al Viereck
Finance Officer