

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
APRIL 27, 2009**

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

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

Action 09-115

Moved by Commissioner Gross, seconded by Commissioner Knoff, to approve the Minutes of the regular meeting of April 13, 2009, and special meeting of April 17, 2009.

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

Motion adopted.

Mayor Specht read proclamations declaring May 15, 2009, as *Peace Officers' Memorial Day* and May 1 through June 14, 2009, as *National Military Appreciation Month*.

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

It was the consensus of the Commission to move Discussion Regarding Outside Agency Funding from New Business Item Number 7, to Old Business Item Number 4.

Action 09-116

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

1. Permission for Alcoholic Beverages
Consideration of a request from Cindy Myers to carry in and serve alcoholic beverages at the Dakota Territorial Capitol Building for a baby shower on July 25, 2009.
2. Transient Merchant License
Consideration of Memorandum 09-71 recommending approval of the Transient Merchant License for Tap Enterprises d/b/a Cummins Tools.
3. Establish public hearing for transfer of location
Establish May 11, 2009, as the date for the public hearing on the request for the transfer of location of a Retail (on-sale) Liquor License for January 1, 2009, to December 31, 2009, from Jay Deb Enterprises, Inc. (Jay Deitloff, owner) d/b/a Waterfront, 201 Capital Street building only to 201 Capital Street Lot lines, Yankton, South Dakota.
4. Establish public hearing for transfer of location
Establish May 11, 2009, as the date for the public hearing on the request for the transfer of location of a Retail (on-off sale) Malt Beverage License for July 1, 2008, to June 30, 2009, from Jay Deb Enterprises, Inc. (Jay Deitloff, owner) d/b/a Waterfront, 201 Capital Street building only to 201 Capital Street Lot lines, Yankton, South Dakota.
5. Permission for Alcoholic Beverages
Consideration of a request from Jane Pugh to carry in and serve alcoholic beverages at the Dakota Territorial Capitol Building for a family reunion on July 10, 2009.

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

Motion adopted.

Action 09-117

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 12, 2009, from Chamber of Commerce (Lynn Peterson, President) d/b/a Chamber of Commerce, Home Federal Bank, 2408 Broadway Avenue, Yankton, South Dakota. (Memorandum 09-68) No one was present to speak for or against approval of the license. Moved by Commissioner Knoff, seconded by Commissioner Wenande, to approve the license application.

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

Motion adopted.

Action 09-118

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 1 day, June 7, 2009, from Yankton Convention & Visitors Bureau (Lisa Scheve, Director) d/b/a Yankton Convention & Visitors Bureau, Memorial Park, 2012 Douglas, Yankton, South Dakota. (Memorandum 09-69) No one was present to speak for or against approval of the license. Moved by Commissioner Wenande, seconded by Commissioner Knoff, to approve the license application.

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

Action 09-119

This was the time and place for the public hearing on the application for the transfer of location of a Retail (on-sale) Liquor License for January 1, 2009, to December 31, 2009, from First National Bank South Dakota, d/b/a First National Bank South Dakota, 901 Broadway to 1208 Broadway, Yankton, South Dakota. (Memorandum 09-70) No one was present to speak for or against approval of the license. Moved by Commissioner Gross, seconded by Commissioner Wenande, to approve the license application.

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

Discussion regarding Outside Agency Funding requests ensued. Citizens responding to concerns included Jim Means, Barb Christenson, Tom Stanage, Tammy Matuska, and Mary Willcockson. No action was taken at this time.

Lisa Scheve, Director of the Convention and Visitor’s Bureau (CVB), gave a power point presentation on the CVB’s 2009 First Quarter activities.

Mike Dellinger, Economic Development Director (EDC), was present to give an update on EDC’s first quarter activities and to discuss the Public, Educational, and Government (PEG) Channel guidelines and to identify possible ways to expand uses for the channel.

Action 09-120

Moved by Commissioner Gross, seconded by Commissioner Knoff, to adopt Resolution 09-21. (Memorandum 09-72)

RESOLUTION 09-21

WHEREAS, it appears from an examination of the plat of Lot 6, Block 1, East 50 Industrial Park, in Government Lot 3, Section 16, T93N, R55W, of the 5th P.M., Yankton County, South Dakota prepared by Thomas Lynn Week, 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 and associated Developer’s Agreement for the above described property is hereby approved.

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

Action 09-121

This was the time and place to award the bid for the Mulberry Street Water Main Replacement and Street Reconstruction project–8th Street to 15th Street. The following bids were received and opened on April 17, 2009: LRC, Inc., Spicer, Minnesota-\$332,579.55; Lidel Construction, Chester, South Dakota-\$361,308.07; Feimer Construction, Yankton, South Dakota-\$366,245.80; First Rate Excavate, Sioux Falls, South Dakota-\$378,705.84; Slowey Construction, Yankton, South Dakota-\$385,551.50; Prunty Construction Co., Brookings, South Dakota- \$393,286.94. (Memorandum 09-73) Moved by Commissioner Gross, seconded by Commissioner Knoff, to award the bid to the low bidder, LRC, Inc., Spicer, Minnesota, in the amount of \$332,579.55, contingent upon concurrence of the South Dakota Department of Environmental & Natural Resources.

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

Action 09-122

This was the time and place to award the annual Sludge Removal Contract for the Wastewater and Water Treatment Plants. The following bids were received and opened on April 15, 2009: Gacke Enterprises, Canton, South Dakota—Wastewater Treatment Plant Liquid Sludge-\$0.04/gal., Water Treatment Plant Caked Lime Sludge-\$6.25/ton; Clark Farms, Ltd., New Hampton, Iowa—Wastewater Treatment Plant Liquid Sludge-\$0.03/gal., Water Treatment Plant Caked Lime Sludge-\$15.00/ton; Willard Schmidt, Yankton, South Dakota—Wastewater Treatment Plant Liquid Sludge-\$0.02718/gal.; Water Treatment Plant Caked Lime Sludge-\$5.15/ton. (Memorandum 09-74) Moved by Commissioner Gross, seconded by Commissioner Knoff, to award the contract to the low bidder, Willard Schmidt, Yankton, South Dakota, in the amount of \$.02718 per gallon for Wastewater Treatment Plant Liquid Sludge and \$5.15 per ton for Water Treatment Plant Caked Lime Sludge.

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

Motion adopted.

Action 09-123

Moved by Commissioner Ellingson, seconded by Commissioner VanDerhule, to authorize the Mayor to sign a letter of support for the Keep Yankton Beautiful Discovery Bridge Corridor Revitalization Project proposed for property located at 100 Broadway Avenue. (Memorandum 09-75)

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

Motion adopted.

Action 09-124

Moved by Commissioner Gross, seconded by Commissioner Knoff, to adjourn at 8:24 p.m.

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

Motion adopted.

Dan Specht
Mayor

ATTEST:

Al Viereck
Finance Officer