

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
NOVEMBER 24, 2025**

In the absence of the mayor, the regular meeting of the Yankton City Commission was called to order by City Manager Leon at 6:00 p.m.

Roll Call: Present: Commissioners Benson, Bertsch, Brunick, Carda, Conkling, Hunhoff, Moser, and Spencer. City Attorney Den Herder, City Manager Leon, and Finance Officer Yardley were also present. Absent: Mayor Villanueva. Quorum present.

City Manager Leon requested nominations for the office of acting Mayor for the ensuing meeting.

Action 25-271

Moved by Commissioner Conkling, seconded by Commissioner Hunhoff, that nominations cease and a unanimous ballot be cast for Commissioner Benson for acting Mayor Pro Tem for the meeting of November 24, 2025. All present voted aye; motion carried, 8-0.

City Manager Leon turned the meeting over to Mayor Pro Tem Benson at this time.

Action 25-272

Moved by Commissioner Hunhoff, seconded by Commissioner Conkling, to approve Minutes of the regular meeting of November 10, 2025. All present voted aye; motion carried, 8-0.

Action 25-273

Moved by Commissioner Conkling, seconded by Commissioner Brunick, that the Schedule of Bills be approved and warrants be issued as listed below. All present voted aye; motion carried, 8-0.

Automatic Building Control (Inspection) \$1,885; Banner Associates (Pedestrian Bridge) \$23,171.50; Blackstrap (Road Salt) \$1,635.72; Caselle (Maintenance & Support) \$2,739; Cedar Knox Public Power (Electric) \$678.96; Centurylink (Phone) \$1,165.74; CHS (Bulk Def) \$408.50; Coast To Coast Calibrations (Service) \$204; Credit Collection Services (Garnishment) \$100; Onward Yankton (Facade Grant Reimb) \$15,000; Ferguson (Fees) \$23,542.75; Geotek Eng (Testing) \$1,972.50; Gerstner Oil (Fuel) \$16,409.34; GFL Environmental Services (Disposal) \$168.68; Hawkins (Chemicals) \$749.84; Dawn & Jeff Styles (Irrigation Repair Reimb) \$451.99; John Hausman (Irrigation Repair Reimb) \$1,500; J&H Cleaning (Janitorial Services) \$3,100; JEO Consulting Group (Bridge Column Repair) \$1,350; KLJ Engineering (Airport Design) \$2,682.66; Knife River (Aggregate) \$2,832.11; Language Line Services (Interpretation) \$160.54; Merkel Electric (Repairs) \$1,777.18; Midwest Alarm (Repairs) \$723.16; Millennium Recycling (Single Stream Fee) \$2,605.66; Motorola Solutions (Warranties) \$6,720; Office Advantage (Lease) \$1,306.80; P & D (Notices) \$867.55; Saber Shred (Tire Disposal) \$4,110; Sanitation Products (Parts) \$281.22; Saralyn D Photography (Photos) \$90; SD Dept Of Transportation (Bridge Inspection) \$21,547.65; SDWWA (Membership Dues) \$100; South Dakota 811 (Fees) \$296.10; SD DENR (Debt Service) \$53,468.02; Transource Truck (Parts) \$82.64; TRE Environmental (Testing) \$950; Truck Trailer (Repairs) \$1,788.15; Yankton County Auditor (Safety Ctr Share) \$15,740.81; Yankton Fire & Safety (Inspection) \$135; Yankton Thrive (Special Appropriation) \$115,000.

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

Commissioner Moser read a proclamation regarding Giving Tuesday and presented it to Tara Leonard.

There were no public appearances at that time.

Action 25-274

Moved by Commissioner Bertsch, seconded by Commissioner Hunhoff, to approve the consent items listed below. All present voted aye; motion carried, 8-0.

1. Establish December 8, 2025 as the date for the public hearing on the request for a transfer of owner of a Retail (on-off sale) Malt Beverage & SD Farm Wine license from King Buffet Mongolian Grill, Inc., owner Ting Wong to King Buffet Mongolian Grill, Inc., owner Ping Zheng.
2. Establish December 8, 2025 as the date for the public hearing on the request for a transfer of owner and location of a Package (off-sale) Liquor license from Yankton Drug Co., owner Daniel Fiebelkorn, 109 W. 3rd St to Diggers, Inc., owners Larry & Peggy Olson, 511 W. 4th St., Suite D, Yankton, SD.

Action 25-275

Moved by Commissioner Conkling, seconded by Commissioner Spencer, to approve the application for a Special On-Sale Malt Beverage license and a Special On-Sale Wine Retailers license for one day, December 27, 2025, from The Center, 900 Whiting Drive. (Memorandum 25-203) Commissioners Brunick, Carda, Conkling, Hunhoff, Moser, Spencer, and Mayor Pro Tem Benson voted aye; Commissioner Bertsch abstained; motion carried, 7-0.

Action 25-276

Moved by Commissioner Bertsch, seconded by Commissioner Carda, to approve the purchase of two (2) 2026 Ford Explorers plus equipment and installation in the amount of approximately \$126,460.10 matching state bid for the Yankton Police Department, Patrol Division, from Lewis and Clark Ford of Yankton, SD, and adopt Resolution #25-53 declaring two used vehicles as surplus property. (Memorandum 25-204) All present voted aye; motion carried, 8-0.

RESOLUTION #25-53

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

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

PROPERTY TO BE DECLARED SURPLUS

2022 Ford Explorer Vin# 1FM5K8ABXNGB74280
2021 Ford Explorer Vin # 1FM5K8AB4MGC00354

Action 25-277

Moved by Commissioner Conkling, seconded by Commissioner Bertsch, to approve Resolution #25-54 and authorize the City Manager to execute any documents necessary to obtain title to vehicles abandoned on City of Yankton owned property within the jurisdictional limits of the Town of Volin, declare those vehicles named in the resolution as surplus, and to dispose of them once the City has acquired title. (Memorandum 25-205) All present voted aye; motion carried, 8-0.

RESOLUTION #25-54

A RESOLUTION TO ESTABLISH CITY OF YANKTON AS TOWING AGENCY

WHEREAS the City of Yankton owns certain real property within the jurisdictional limits of the Town of Volin, South Dakota, which property contains the following titled vehicles that have been abandoned thereon, and which vehicles must be removed from the property to prepare the property for sale and prevent any risk of soil contamination:

2000 Black Chevy Impala, VIN# 2G1WH55K0Y9180987
1981 Orange Chevy CC109 Pickup, VIN# 1GCDC14H0BJ120585
1968 Blue and White Dodge D8D200 Pickup, VIN# 1287052127

WHEREAS despite substantial effort, City staff has failed to locate or to compel the lawful owners of such vehicles to remove these vehicles from the City's real property; and

WHEREAS the City of Yankton may, by resolution, designate the City itself as a "removal agency" as defined by SDCL 32-36-2(5) and designate an impound for the holding of such vehicles for purposes of complying with the impoundment procedures provided by statute to acquire abandoned title to such vehicles so they may be lawfully removed and disposed.

NOW, THEREFORE, BE IT RESOLVED by the Yankton Board of City Commissioners that in accordance with SDCL 32-36-2(5), the City of Yankton is hereby designated as a removal agency and designates its real property located within the jurisdictional limits of the Town of Volin as a designated impound with respect only to the vehicles described above and located upon such real property; it is further

RESOLVED that the City Manager shall direct appropriate staff to work with the South Dakota Department of Revenue, Division of Motor Vehicles to complete the statutory and administrative process to lawfully obtain an abandoned title certificate vesting legal title to such vehicles in the name of the City so the same may be lawfully removed and disposed; it is further

RESOLVED that the vehicles be declared no longer necessary, useful, or suitable for municipal purposes and said property shall be disposed of in accordance with SDCL 6-13-1

Action 25-278

Moved by Commissioner Moser, seconded by Commissioner Carda, to approve Resolution #25-55 (2026 Bridge Improvement Grant Program Resolution Authorizing Submission of Applications) for

the 2026 Application for Bridge Improvement Grant Funds for the replacement of Structure Number 68-121-204 on Cedar Street. (Memorandum 25-206) All present voted aye; motion carried, 8-0.

RESOLUTION #25-55
2026 BRIDGE IMPROVEMENT GRANT PROGRAM
RESOLUTION AUTHORIZING SUBMISSION OF APPLICATIONS

WHEREAS, City of Yankton wishes to submit an application(s) for consideration of award for the Bridge Improvement Grant Program:

STRUCTURE NUMBER(S) AND LOCATION(S):

Str. No. 68-121-204 on Cedar Street in Yankton, SD

and WHEREAS, NA certifies that the project(s) are listed in the county's Five-Year County Highway and Bridge Improvement Plan;

and WHEREAS, City of Yankton agrees to pay the 50% match on the Bridge Improvement Grant funds and 100% of ineligible expense;

and WHEREAS, City of Yankton hereby authorizes the Bridge Improvement Grant application(s) and any required funding commitments. **

NOW, THEREFORE, BE IT RESOLVED: That the South Dakota Department of Transportation be and hereby is requested to accept the attached Bridge Improvement Grant application(s).

Action 25-279

Moved by Commissioner Carda, seconded by Commissioner Moser, to approve tuition reimbursement for Employee #3520 in the amount of \$4,680.00. (Memorandum 25-207) Commissioners Bertsch, Brunick, Carda, Conkling, Moser, Spencer and Mayor Pro Tem Benson; voted aye; Hunhoff voted nay; motion carried, 7-1.

Action 25-280

Moved by Commissioner Spencer, seconded by Commissioner Carda, to approve Resolution #25-56. (Memorandum 25-208) Commissioners Bertsch, Brunick, Carda, Hunhoff, Moser, Spencer, and Mayor Pro Tem Benson voted aye; Commissioner Conkling abstained; motion carried, 7-0.

RESOLUTION #25-56

WHEREAS, the City of Yankton and Yankton County have entered into an Agreement for the Provision of Library Services for residents living outside corporate limits of the City; and,

WHEREAS, the current agreement is slated to expire December 31, 2025; and,

WHEREAS, Yankton County has contracted with the City of Yankton for library services since 1993; and,

WHEREAS, more than 877 Yankton County residents are cardholders at the Yankton Community Library; and,

WHEREAS, the current agreement between the City and County contains a provision for extending this service until December 31, 2026.

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota that the Agreement for the Provision of Library Services between the City and Yankton County be extended for the term January 1, 2026 through December 31, 2026.

Action 25-281

This was the time and place for the bid opening for Two Steel Transfer Station Walking Floor Trailers for the Department of Public Works, City of Yankton/Joint Powers. The following bid was received and opened on November 13th at 3:00 p.m.: Northern Truck & Equipment, Sioux Falls, SD for \$219,320.00. (Memorandum 25-209) Moved by Commissioner Hunhoff, seconded by Commissioner Brunick, to award Northern Truck & Equipment in the amount of \$219,320.00. All present voted aye; motion carried, 8-0.

Commissioner Moser introduced and Mayor Pro Tem Benson read the title of Ordinance No. 1102, AMENDING AND SUPPLEMENTING ORDINANCE NO. 1083, THE 2025 ANNUAL APPROPRIATIONS ORDINANCE, (Memorandum #25-210) and set the date of the second reading and public hearing as December 8, 2025.

Action 25-282

This was the time and place for the bid opening for the 23rd Street Structure No. 68-119-190 Replacement Project. The following bids were received and opened on November 13th at 2:00 p.m.: Alliance Construction, Sioux Falls, SD for \$718,886.74; First Rate Excavate, Sioux Falls, SD for \$949,413.00; H&W Contracting, LLC, Sioux Falls, SD for \$884,851.15; A&R Construction Co., Plainview, NE for \$881,872.38; BX Civil & Construction, Inc., Dell Rapids, SD for \$860,620.20 Feimer Construction, Inc., Yankton, SD for \$799,122.50; Red Rock Construction, Sioux Falls, SD for \$736,050.10; Kesterloot Excavation, Madison, SD for \$1,016,514.70; Slowey Construction, Inc., Yankton, SD for \$845,884.10. (Memorandum 25-211) Moved by Commissioner Brunick, seconded by Commissioner Spencer, to award Alliance Construction, Sioux Falls, SD in the amount of \$718,886.74. All present voted aye; motion carried, 8-0.

Action 25-283

Moved by Commissioner Conkling, seconded by Commissioner Carda, to authorize the write off of \$1,198.40 as uncollectible utility accounts per SDCL9-22-4. (Memorandum 25-212) All present voted aye; motion carried, 8-0.

Action 25-284

Moved by Commissioner Brunick, seconded by Commissioner Bertsch, to accept the completed 12th Street and Locust Street construction project, approve Change Order #1, and authorize the Finance Officer to issue a manual check to Masonry Components, Inc. in the amount of \$233,625.36. (Memorandum 25-213) All present voted aye; motion carried, 8-0.

Action 25-285

Moved by Commissioner Carda, seconded by Commissioner Bertsch, to adjourn into Executive Session at 6:53 p.m. to discuss contractual and personnel matters under SDCL 1-25-2. All present voted aye; motion carried, 8-0.

Regular meeting of the Board of City Commissioners of the City of Yankton was reconvened by Mayor Pro Tem Benson at 7:48 p.m.

Roll Call: Present: Commissioners Bertsch, Brunick, Carda, Conkling, Hunhoff, Moser, Spencer and Mayor Pro Tem Benson. Absent: Mayor Villanueva. City Attorney Den Herder, City Manager Leon, and Finance Officer Yardley were also present. Quorum present.

Action 25-286

Moved by Commissioner Hunhoff, seconded by Commissioner Bertsch, to adjourn at 7:49 p.m. All present voted aye; motion carried, 8-0.

Michael Villanueva, Mayor

ATTEST: _____
Lisa Yardley, Finance Officer