

2010 Legal and Public Notices**6+6
CHAMBER OF THE BOARD
OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
MAY 26, 2015**

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

Roll Call: Present: Commissioners Blaalid, Ferdig, Hoffner, Johnson, Knoff, Sommer, and Woerner. Deputy City Attorney Hovden and City Manager Nelson were also present. Absent: Commissioner Gross. Quorum present.

Action 15-151
Moved by Commissioner Knoff, seconded by Commissioner Blaalid, to approve the Minutes of the regular meeting of May 11, 2015.
Roll Call: All members present voting Aye; voting Nay: None. Motion adopted.

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

Mayor Carda read proclamations declaring gratitude and appreciation in honor of the 90th Anniversary of the Catholic Daughters of the Americas Court Willard, declaring June 3-4, 2015, as Yankton Area Mental Wellness Conference Days, and June, 2015, as Bike to Work-Bike to Play Month.

Action 15-152
Moved by Commissioner Blaalid, seconded by Commissioner Knoff, that the following items on the consent agenda be approved.

1. Establish public hearing for renewal of Malt Beverage Licenses
Establish June 8, 2015, as the date for the public hearing on the applications for renewal of Malt Beverage Licenses for the 2015-16 licensing period.
2. Establishing public hearing for sale of alcoholic beverages
Establish June 8, 2015, as the date for the public hearing on the request for a Special Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for 1 day, July 18, 2015 from Yankton Area Arts, (Julie Amsberry, Executive Director) Meridian Bridge, rain date set for Avera cared Heart Pavilion Center, Avera Campus, changed to City Hall Auditorium, 416 Walnut, Yankton, South Dakota.
3. Dance License
Consideration of Memorandum 15-123 regarding Application from Dayhuff Enterprises, Inc., (Jeff Dayhuff, President) dba Dayhuff Enterprises for Special Events Dance License for August 1, 2015.
4. Establishing public hearing for sale of alcoholic beverages
Establish June 8, 2015, as the date for the public hearing on the request for a Special Events (on-sale) Liquor License for August 1, 2015 from Dayhuff Enterprises, Inc., (Jeff Dayhuff, President) dba Dayhuff Enterprises, The block of 3rd Street between Douglas & Capital Street, Yankton, South Dakota.
5. Possible Quorum Event
June 6-14, 2015 during World Youth Archery Championship, no official commission action.

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

Action 15-153
This was the time and place for the public hearing for Ordinance No. 976, AN ORDINANCE AMENDING CHAPTER 17, PLANNING AND ZONING GENERALLY, ARTICLE III, SUBDIVISIONS, SECTIONS 17-42 AND 17-59 OF THE CITY OF YANKTON, SOUTH DAKOTA'S CODE OF ORDINANCES, ADDING A PROCEDURAL REQUIREMENTS FOR THE INVOLVEMENT OF THE B-Y WATER DISTRICT IN AREAS OF THE CITY UNDER THEIR WATER SERVICE JURISDICTION. (Memorandum 15-111)

No one was present to speak for or against adoption of the ordinance. Moved by Commissioner Knoff, seconded by Commissioner Blaalid, to adopt Ordinance No. 976.
Roll Call: All members present voting Aye; voting Nay: None. Motion adopted.

Action 15-154
This was the time and place for the public hearing for Ordinance No. 977, AN ORDINANCE TO REZONE PROPERTY DESCRIBED HEREIN. (Memorandum 15-112)

No one was present to speak for or against adoption of the ordinance. Moved by Commissioner Knoff, seconded by Commissioner Sommer, seconded by Commissioner Knoff, to adopt Ordinance No. 977.
Roll Call: All members present voting Aye; voting Nay: None. Motion adopted.

Action 15-155
This was the time and place for the public hearing for Ordinance No. 978, AN ORDINANCE TO REZONE PROPERTY DESCRIBED HEREIN. (Memorandum 15-114)

No one was present to speak for or against adoption of the ordinance. Moved by Commissioner Knoff, seconded by Commissioner Sommer, seconded by Commissioner Knoff, to adopt Ordinance No. 978.
Roll Call: All members present voting Aye; voting Nay: None. Motion adopted.

Action 15-155

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This was the time and place for the public hearing to consider the creation of a City of Yankton/Yankton County Rail Authority. Mayor Carda called the meeting to order at 7:15 p.m. Toby Morris of Dougherty Company was present to give a short explanation and answer questions. Gary Moore was present to explain the County's participation in the Platte/NAPA Rail Authority. Moved by Commissioner Blaalid, seconded by Commissioner Johnson, to adopt Resolution 15-13. (Memorandum 15-113)

RESOLUTION 15-13
Authorization to Execute an Agreement to Become a Member of the Yankton County Regional Railroad Authority

BE IT RESOLVED, that the City of Yankton, South Dakota, hereby joins the YANKTON COUNTY REGIONAL RAILROAD AUTHORITY pursuant to a proposed agreement as provided for in SDCL Chapter 49-17A as amended.

BE IT FURTHER RESOLVED, that the Mayor and the City Finance Officer are hereby authorized and directed to execute the Agreement referred to above, and any and all other necessary documents to effectuate the Agreement and create the YANKTON COUNTY REGIONAL RAILROAD AUTHORITY.

BE IT FURTHER RESOLVED, that City Manager Amy Nelson and City Commissioner Chris Ferdig are hereby designated as representatives of the CITY OF YANKTON to the YANKTON COUNTY REGIONAL RAILROAD AUTHORITY.

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

Action 15-156

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Moved by Commissioner Knoff, seconded by Commissioner Johnson, to adopt Resolution 15-14, subject to confirmation by the City and County of the joint persons appointed to the Rail Authority.

RESOLUTION 15-14
A Resolution Authorizing an Agreement to Create the Yankton County Regional Railroad Authority and the Execution Thereof

WHEREAS, a public hearing was held May 26, 2015, after public notice thereof was published in the official newspaper of the City on May 15, 2015; and

WHEREAS, the public was given opportunity to give public comment on the creation of a rail authority encompassing the jurisdiction of the City; and

WHEREAS, the City finds and does hereby declare it necessary for the creation of a rail authority.

NOW THEREFORE, BE IT RE-

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SOLVED by the City Commission of the City of Yankton, South Dakota (the "City"), as follows:

1. Authorization of Agreement. The City does hereby authorize the execution of an agreement by and between the City of Yankton and Yankton County in substantially the form on file with the Finance Officer and open to public inspection.
2. Authorization of Officers. The Mayor and Finance Officer are authorized to take such action as they deem necessary to carry out the intent of this resolution, including but not limited to the execution of the agreement described herein.
3. Designation of persons representing City. The following individuals are appointed as the initial representatives of the City to act as commissioners under the agreement:

- a) Amy Nelson, City Manager
- b) Chris Ferdig, City Commissioner

Roll Call: All members present

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voting Aye; voting Nay: None. Motion adopted.

The Rail Authority public hearing was adjourned at 7:53 p.m.

Action 15-157
Commissioner Knoff introduced Memorandum 15-1182015 Special Assessment Roll for Snow Removal and Tree Trimming setting the date for the Public Hearing as June 22, 2015.

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ing as June 22, 2015.

Action 15-158
Commissioner Blaalid introduced and Mayor Carda read the title of Ordinance No. 978, AN ORDINANCE TO REZONE PROPERTY DESCRIBED HEREIN, and set June 8, 2015, as the date for the second reading and public hearing. (Memorandum 15-114)

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660-3332

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