

2010 Legal and Public Notices

Motion adopted.

Action 15-195
Moved by Commissioner Knoff, seconded by Commissioner Hoffner, to approve the request from Welf Construction, Yankton, South Dakota, for a time extension of 56 days for substantial completion of Phase I of the Meridian Bridge Plaza Project, thereby waiving penalty fees, with a new projected completion date of June 26, 2015. (Memorandum 15-145)
Roll Call: Members present voting Aye: Commissioners Bllaalid, Ferdig, Gross, Hoffner, Johnson, Knoff, and Mayor Carda; voting Nay: Commissioner Sommer; Abstaining: Commissioner Woerner. Motion adopted.

Action 15-196
Moved by Commissioner Gross, seconded by Commissioner Knoff, to adopt Resolution 15-27. (Memorandum 15-150)

RESOLUTION 15-27

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 disposal 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:

SURPLUS PROPERTY TO BE SOLD, TRADED, OR DESTROYED: 1995 Chevrolet Lumina 4 - door passenger carVIN #2G1WL52M459209824; 2000 Caterpillar Motor grader, Model 140H - Serial No. 02K4718; 2001 Chevrolet pickup - Model 1500, 4 x 4VIN #1GCEK14U31Z264452; 1994 GMC Suburban, Model 1500SLVIN #1GKFKJCK-8BRT745660; 2008 Ford Crown Victoria police K - 9 carVIN #2FAHP71V48X148298; 2011 Ford Crown Victoria police carVIN #2FABP7BV3BX159613; 2 Setina prisoner divides for Crown Victoria police car; 2 Havis center consoles for Crown Victoria police car (destroy); 1993 Concrete saw, Target, Model Pr0651126Serial No. B372061; 1999 Snapper lawn tractor, 14.5 hp, 38 cut, Serial No. LT145H38-DRU; 4 Tires and wheels 9.00 X 20 - straight tread with split rims; 8 wheels with 15 rim, white, 8 lug; Tire Cage - steel tube split rim cage; Mower deck - Tiger TM - 60, Serial No. T3427; Fleet Roll Tarp for 1 - ton dump box; Turfco

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Sod Cutterwalk behind with Honda 8 hp engine; Roper Tillerwalk behind; 1996 Cushman PTO sprayer with monitor, Model Brohill 150 gallon, Serial No. A92030041; 1996 Cushman fertilizer spreader, Model Vicon (PTO driven); 4 Anco wiper blades 16 (destroy); 1 Anco wiper blade 20 (destroy); 6 Automotive belts (destroy); 1 Gates V - belt K060594 (destroy); 4 motor seal part #408 (destroy); 11 United fuel mate 930 parts (destroy); 5 Penray transmission sealer and conditioner (destroy); Infocus projector, Model LP500Serial No. AALN24990238 (destroy); 5 chairsoak frame with light tan vinyl seat and back; 2 wooden locking display cases; 3 fire extinguisher metal cases 32 L x 12 H approximately (scrap metal); Lincoln Arc Welder, Ideal Arc Model DC400Serial No. AC 631029, 3PH, 60Hz, 38 amp; 1955 Lincoln Arc Welder, 200 ampSerial No. A279959; 1991 Snapper commercial push mower, Model Hi Vac, 5hp self - propelled, Serial No. 16368645; Labconco Dishwasher, Serial No. 30503033 (destroy); Maytag Washer, front load (destroy); ISCO Sampler, Model 1680, Serial No. A - 71113 (destroy); ISCO Sampler, Model 1580, Serial No. B - 3568 - 071 (destroy); Motorola Mag One BPR40 radio, Model AAH84KDS8AAIAN, Serial No. 0278HX3974 (destroy).

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

Action 15-197
Moved by Commissioner Knoff, seconded by Commissioner Bllaalid, to approve the proposed Summit Activities Center Rental Rate Increases as outlined in Memorandum 15-151an approximately 3 percent increase over 2016 rate to be effective July 1, 2017.
Roll Call: All members present voting Aye; voting Nay: None. Motion adopted.

Action 15-198
This was the time and place to award the bid for the Park Street Pavement Project from 3rd to 4th Street. The following bids were received and opened on June 15, 2015: Masonry Components, Yankton, South Dakota - \$71,802.30; Thorstad Construction, Dell Rapids, South Dakota - \$116,609.30. (Memorandum 15-153)
Moved by Commissioner Knoff, seconded by Commissioner Bllaalid, to award the bid to the low bidder, Masonry Components, Yankton, South Dakota, in the amount of \$71,802.30.
Roll Call: All members present voting Aye; voting Nay: None. Motion adopted.

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Action 15-199
This was the time and place to award the bid for the 5th Street Reconstruction Project from Mulberry to Burleigh. The following bids were received and opened on June 15, 2015: D & G Concrete Construction, Sioux Falls, South Dakota - \$247,225.20; Masonry Components, Yankton, South Dakota - \$253,087.15; Thorstad Construction, Dell Rapids, South Dakota - \$334,784.85. (Memorandum 15-152)
Moved by Commissioner Knoff, seconded by Commissioner Sommer, to award the bid to the low bidder, D & G Concrete Construction, Sioux Falls, South Dakota, in the amount of \$247,225.20.
Roll Call: All members present voting Aye; voting Nay: None. Motion adopted.

Action 15-200
Moved by Commissioner Knoff, seconded by Commissioner Bllaalid, to approve Change Order No. 2, from T & R Contracting, Inc., Sioux Falls, South Dakota, an increase of \$130,884.75 for a new contract total of \$1,995,347.70, for the Douglas Avenue and Wilson Road Paving Project. (Memorandum 15-155)
Roll Call: Members present voting Aye: Commissioners Bllaalid, Ferdig, Gross, Hoffner, Johnson, Knoff, Sommer, and Mayor Carda; voting Nay: None; Abstaining: Commissioner Woerner. Motion adopted.

Action 15-201
Commissioner Gross moved to nominate Jeff May as the Joint City/County Member to the Yankton Regional Railroad Authority, seconded by Commissioner Sommer. (Memorandum 15-157)
Roll Call: Members present voting Aye: Commissioners Bllaalid, Ferdig, Gross, Hoffner, Johnson, Knoff, Sommer, and Woerner; voting Nay: None, Abstaining: Mayor Carda. Motion adopted.

Action 15-202
Moved by Commissioner Bllaalid, seconded by Commissioner Sommer, to approve the proposal to hire Patrick Ibarra of the Mejorada Group, Glendale, Arizona, to conduct a two-day strategic planning process for the City of Yankton, January 7 and 8, 2016, to be paid out of the 2016 City Managers Professional Services budget. (Memorandum 15-156)
Roll Call: All members present voting Aye; voting Nay: None. Motion adopted.

Action 15-203
Moved by Commissioner Knoff, seconded by Commissioner Bllaalid, to adopt Resolution 15-25. (Memorandum 15-147)

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**RESOLUTION 15-25
RESOLUTION PROVIDING FOR THE CREATION OF TAX INCREMENTAL DISTRICT NUMBER SIX, CITY OF YANKTON, APPROVAL OF TAX INCREMENTAL DISTRICT SIX PROJECT PLAN**

WHEREAS, the Planning Commission has recommended the creation of a Tax Incremental District Six and adoption of a project plan for said district, and

WHEREAS, the City of Yankton has the power, pursuant to SDCL § 11-9-2, to create the Tax Incremental District Number Six, City of Yankton and define its boundaries, and

WHEREAS, the City of Yankton pursuant to SDCL § 11-9-17 has the power to adopt a project plan for the district, and

THEREFORE, IT IS HEREBY RESOLVED:

1. Authority and Declaration of Necessity. The City declares the necessity for the creation of the Tax Incremental District Number Six in the City of Yankton pursuant to SDCL 11-9. Further, the City finds that the improvement of the area is likely to enhance significantly the value of substantially all of the other real property in the District and is necessary for economic development within the city.
2. Findings of Eligibility. The City Commission makes the following findings with regard to blight:
 - a. More than 25% of the property in the District is a blighted area;
 - b. Improvements to the District are likely to add thousands of dollars assessed valuation to the district and will significantly and substantially enhance the value of all property in the district;
 - c. There is a reasonable likelihood that there will be multiple structures built in the District.
 - d. The aggregate assessed value of the District plus the tax incremental base of all other existing districts in the City does not exceed ten percent of the total assessed valuation in the City.
 - e. The District is open bare land void of site improvements which impairs the sound growth of the City.
 - f. The District lacks adequate water connections which substantially impairs the sound growth of the District.
 - g. There exist inadequate street layouts which retards the provision of residential development.
 - h. The District lacks sewerage

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connections or treatment which substantially arrests the sound growth of the District.
i. The District constitutes a blighted area as defined in SDCL 11-9.

3. Findings of Maximum Percentage of Tax Incremental Districts. The aggregate assessed value of the taxable property in the District, plus all other tax incremental districts, does not exceed ten percent of the total assessed valuation of the City.

4. Creation of District. There is hereby created, pursuant to SDCL 11-9, the Tax Incremental District Number Six, City of Yankton (the District). The District is hereby created on the day this resolution becomes effective which shall be twenty days after publication.

5. Designation of District Boundaries. The District shall have boundaries which shall include the following described real property:

The East 700 Feet of The East 1/2 of the South East 1/4 except the South 560 Feet and the Lot R.O.W., all in Section 2, Township 93 North Range 56 West of the 5th Principal Meridian, Yankton County, South Dakota (The "District").

6. Creation of Tax Incremental Fund. There is hereby created, pursuant to SDCL § 11-9-31, a City of Yankton Tax Incremental District Number Six Fund, a segregated asset account. All tax increments collected pursuant to Tax Incremental District Number Six shall be deposited into the Tax Incremental District Number Six Fund. All funds in the Tax Incremental District Number Six Fund shall be used solely for those purposes expressly stated and reasonably inferred in SDCL 11-9.

7. Adoption of Project Plan. The City does hereby approve the project plan as presented and finds that the plan is feasible and in conformity with the master plan of the City of Yankton.

Roll Call: Members present voting Aye: Commissioners Bllaalid, Ferdig, Gross, Hoffner, Johnson, Knoff, Sommer, and Mayor Carda; voting Nay: None; Abstaining: Commissioner Woerner. Motion adopted.

Action 15-204
Moved by Commissioner Knoff, seconded by Commissioner Sommer, to adopt Resolution 15-24. (Memorandum 15-148)

RESOLUTION 15-24

WHEREAS, it appears from an examination of the plat of Lots 19

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of Block 1; Lots 17 of Block 2; Lots 116 of Block 3; Lots 111 of Block 4; Lots 14 of Block 5; Lot 1 of Block 6 and Lot 1 of Block 7, Westbrook Estates located in the East 700 feet of the East Half of the Southeast Quarter except the South 560 feet and Less R.O.W. thereof, Section 2, Township 93 North, Range 56 West of the 5th P.M., City of Yankton, South Dakota prepared by Brian J. Benson, 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, and

WHEREAS, such action includes approval of a Developers Agreement that stipulates the transfer of a 6.06 acre tract of land from the Developer to the City, and

WHEREAS, approval of said transfer requires a super majority vote of the City Commission and authorizes the City Manager to execute documents associated with the transfer.

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 and the associated Developers Agreement is hereby approved.

Roll Call: Members present voting Aye: Commissioners Bllaalid, Ferdig, Gross, Hoffner, Johnson, Knoff, Sommer, and Mayor Carda; voting Nay: None; Abstaining: Commissioner Woerner. Motion adopted.

Action 15-205
Moved by Commissioner Bllaalid, seconded by Commissioner Knoff, to adjourn at 7:57 p.m.
Roll Call: All members present voting Aye; voting Nay: None. Motion adopted.

David Carda
Mayor

ATTEST:

Al Viereck
Finance Officer
Published once at the total approximate cost of \$243.29.

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1/2 Off Domestic Bottles

Tuesday: \$5 Boots

Wednesday: 1/2 Off Taps

Thursday: \$.50 Traditional Wings (no limit ~ dine-in only)

Friday & Saturday:
Beseda Dinner (Czech Meal)

Sunday: \$10 Buckets

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Children 6-10 \$4.00 - Under 5 free
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**Sunday, July 5th
8AM-12:30PM**

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5-7pm - Domestic Beers **\$1.50**
5-7pm - Hamburger/Pizza Burger & Fries **\$5.00**

Friday
Apple Glazed Pork Chop
Serving 5:30-8:00

Saturday Entertainment
No Band
Regular Menu 5:30-8:00

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Sunday at 6:30p.m.
Happy Hour M-F 4:30-6:00**

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Farmer's Market located south end of parking lot, along 21st Street.

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- Thirsty Thursday Drink Specials
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