

2010 Legal and Public Notices

Yankton's Zoning Ordinance No. 711 as amended, and

WHEREAS, this conditional use request is necessary for the owner to construct and operate a self-storage facility in the manner depicted on the attached site plan and has been reviewed and recommended for approval by a vote of the City Planning Commission with a three-year time limit for completion of the project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Yankton, South Dakota hereby approves a Conditional Use Permit for the construction and operation of a self-storage facility in accordance with all applicable ordinances and regulations on the above described property within three years.

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

Action 15-294

This was the time and place to award the bid for the Annual Supply of Bulk De-Icing Salt for 2015-2016. The following bids were received and opened on August 27, 2015: Blackstrap Inc., Neligh, Nebraska-\$54.00 per ton; Nebraska Salt and Grain Co., Gothenburg, Nebraska-\$54.25 per ton; Meridian Grain, Freeman, South Dakota-\$54.64 per ton; Johnson Feed, Inc., Canton, South Dakota-\$57.00 per ton. Moved by Commissioner Knoff, seconded by Commissioner Woerner, to award the bid to the low bidder, Blackstrap Inc. of Neligh, Nebraska, in the amount of \$54.00 per ton. (Memorandum 15-221)
Roll Call: All members present voting Aye; voting Nay: None. Motion adopted.

Action 15-295

Commissioner Gross introduced and Mayor Carda set October 12, 2015, as the date for a public hearing on Resolution 15-37, A RESOLUTION DECLARING THE NECESSITY OF CONSTRUCTING IMPROVEMENTS FOR DOUGLAS AVENUE FROM ANNA STREET TO 31ST STREET. (Memorandum 15-194)

Action 15-296

Resolution 15-55 and Memorandum 15-230 regarding Douglas Avenue Assessment Agreements were considered. Citizen Paul Lowrie appeared to question the agreements. Moved by Commissioner Sommer, seconded by Commissioner Knoff, to adopt Resolution 15-55. (Memorandum 15-230)

RESOLUTION 15-55

It is hereby resolved that the City of Yankton shall enter into the written Easement and Assessment Agreements with the following named property owners authorizing the formation of an assessment district and the assessment of a portion of the Douglas Avenue improvement costs to the owners of property abutting Douglas from Anna Street to 31st Street:

Gail Kennedy
Patricia Heine
Roman Catholic Church of the Sacred Heart of Yankton, Dakota
Wintz & Ray Funeral Home and Cremation Service, Inc.
Horseshoe Bend, LLC

Mayor David Carda is hereby directed to execute said instruments on behalf of the City of Yankton.

Roll Call: Members present voting Aye: Commissioners Ferdig, Hoffner, Knoff, Sommer, and Mayor Carda; voting Nay: Commissioners Gross and Johnson; Abstaining: Commissioners Miner and Woerner. Motion adopted.

Action 15-297

Commissioner Hoffner introduced and Mayor Carda set September 28, 2015, as the date for a public hearing for Resolution 15-53, RESOLUTION APPROVING A SPECIAL ASSESSMENT ROLL FOR FAÇADE, PARKING, AND EMERGENCY ACCESS EASEMENT IMPROVEMENTS OF THE CITY OF YANKTON. (Memorandum 15-225)

Action 15-298

Moved by Commissioner Ferdig, seconded by Commissioner Johnson, to approve the Draw-Down Agreement between the City of Yankton and Yankton-Omaha Partnership, (GP-Dial-Yankton, LLC) for the disbursement of Special Assessment proceeds for improvements at the Yankton Mall, subject to all other assessment related approvals. (Memorandum 15-226)
Roll Call: Members present voting Aye: Commissioners Ferdig, Gross, Hoffner, Johnson, Knoff, Miner, Woerner, and Mayor Carda; voting Nay: None; Abstaining: Commissioner Sommer. Motion adopted.

Action 15-299

Moved by Commissioner Knoff, seconded by Commissioner Sommer, that Water Treatment Plant No. 2 project be accepted as complete and the City Finance Officer be authorized to issue a manual check in the amount of \$16,175.55, as final payment for the project, to Welfl Construction Corporation, Yankton, South Dakota. (Memorandum 15-229)
Roll Call: All members present voting Aye; voting Nay: None. Motion adopted.

Action 15-300

This was the time and place to approve the bid for the Highway 50 Utilities Project. The following bids for the Highway 50 Project

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were received by the State of South Dakota on September 9, 2015: D&G Concrete Construction, Sioux Falls, South Dakota-\$5,836,288.55; Dakota Contracting Corporation, Sioux Falls, South Dakota-\$6,073,622.99; Knife River Midwest LLC, Sioux City, Iowa-\$6,253,649.10. The City utility portion of the project includes replacement of water main and sewer main crossings along Highway 50 from Burleigh to Broadway Street, with the City Utility portion of this phase of the project being \$369,101.27. (Memorandum 15-228) Moved by Commissioner Knoff, seconded by Commissioner Gross, to approve the bid from D&G Concrete Construction, Sioux Falls, South Dakota, in the amount of \$5,836,288.55 subject to concurrence and award of the bid by the South Dakota Transportation Commission.
Roll Call: All members present voting Aye; voting Nay: None. Motion adopted.

Commissioners discussed the idea of regularly scheduled work sessions. City Manager Nelson and City Attorney Den Herder will research other first class cities and ordinances and bring back information and possible proposals to a future meeting. (Memorandum 15-227)

Action 15-301

Moved by Commissioner Woerner, seconded by Commissioner Sommer, to adjourn at 8:17 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 \$324.18.

9+25

NOTICE OF TESTING AUTOMATIC TABULATING EQUIPMENT

Notice is hereby given that the automatic tabulating equipment will be tested to ascertain that it will correctly count the votes for all offices and measures that are to be cast at the Opt/Out Election held on the 29th day of September, 2015, by the voters using the electronic voting devices.

The test will be conducted on the 25th day of September, 2015, at 3:00 o'clock PM at the following location: Yankton County Auditors Office.

Patty Hojem
Yankton County Auditor
Published once at the approximate cost of \$7.15.

9+25&10+2+9

Culhane Communications, Inc. proposes the construction of a new three-tower AM antenna array. The center of the proposed array is at NAD83 location of the proposed tower is at NAD83 geographic coordinates of 43-04-01.9 North Latitude and 097-17-26.6 West Longitude. This location is near the intersection of 298th Street and 445th Avenue in the NW 1/4 of Section 12, T95N, R55W near Irene, Yankton County, South Dakota. All three proposed towers are of identical overall height of 361 feet above ground level. The Federal Aviation Administration has recommended that FAA Style A be utilized for the marking of these structures.

Interested persons may review the applications for antenna structure registration by going to www.fcc.gov/asr/applications and entering the file numbers of A0979767, A0979771, and A0979772. Interested persons may raise environmental concerns about the proposed structure by filing a Request for Environmental Review with the Federal Communications Commission. The Federal Communications Commission strongly encourages interested parties to file Requests for Environmental Review online, and instructions for making such filings may be found at www.fcc.gov/asr/environmentalrequest. The mailing address for interested parties that would prefer to file a Request for Environmental Review by paper copy is FCC Requests for Environmental Review, Attn: Ramon Williams, 445 12th Street SW, Washington, DC 20554.

Published three times at the total approximate cost of \$39.09.

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Pope Makes First Address To Congress

BY NICOLE WINFIELD

Associated Press

WASHINGTON — Wading into bitter disputes, Pope Francis urged a divided Congress and America on Thursday to welcome immigrants, abolish the death penalty, share the nation's immense wealth and fight global warming. Lawmakers gave rousing ovations to the leader of the world's Catholics despite obvious disagreements over some of his pleas.

After he addressed Congress, the first pontiff ever to do so, he underscored his message by traveling directly to a downtown Washington church where he mingled with needy and homeless people, blessed their nighttime meal and walked among them as they were eating.

Soon after, he was off to New York, second stop on his three-city first visit to the U.S. He addresses the U.N. on Friday and winds up his visit this weekend in Philadelphia.

At the Capitol, the remarkable sight of the pope speaking in the House chamber seemed to delight lawmakers of all persuasions, though he offered an agenda more to Democrats' liking. Besides his focus on climate change and immigration, he denounced arms sales and seemed to allude approvingly to the Iran nuclear deal and recent Obama administration actions to open relations with Cuba, done with his urging.

Republicans, too, heard something to like in his references to the sanctity of life and family relations, reminders that even the more open Catholic Church Francis presides over still condemns abortion and gay marriage.

For all the spectacle, it seemed unlikely the pope's visit would break congressional inertia on the issues dear to him, with no action in sight from the GOP majority on global warming or immigration.

But Francis, in his historic speech, seemed determined to remind the United States of its foundations as a country made up of foreigners, addressing the chamber and the American people beyond in personal terms as a son of immigrants to "this great continent."

"We must resolve now to live as nobly and as justly as possible as we educate new generations not to turn their back on our 'neighbors' and everything around us," he said. "We must not be taken aback by their numbers but rather view them as persons, seeing their faces and listening to their stories, trying to respond as best we can to their situation."

After the address, Francis appeared high on a Capitol balcony and briefly addressed a cheering crowd of thousands below on the lawn and the Mall beyond who had watched his speech on giant TV screens. "Buenos dias," he called out in the language of his native Argentina and millions of U.S. immigrants, legal and not.

The crowd thundered its response.

Francis asked the crowd to pray for him, as he always does. But speaking in Spanish, he added a line to acknowledge that not everyone there was a believer. "If among you there are some who don't believe or who cannot pray, I ask that you send good wishes my way," he said, to tumultuous applause.

"God bless America!" he concluded, as he had in the House chamber.

USD

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FTEs. In all 108,145 total credit hours are being taken at USD this fall.

However, Abbott said he was proud of the fact that the retention numbers went up this year to 76.3 percent.

"We have 66 percent of our students that are residents of the state and 34 percent that are from out of state or out of country," Abbott said. "61 percent of the student body

is female, while 39 percent is male, which is very similar to what other schools around the country are seeing."

As for the student satisfaction surveys, Abbott said he was pleasantly surprised by the Noel Levitz survey results.

"The 2015 survey show significant improvements since 2013," he said. "We increased on 10 of 12 subscales. We increased on 42 of 73 survey items and there was no decline in any of the 73 survey items," he said. "What this says to me is our faculty and staff are doing what they need to do to help our students succeed."

river issues like endangered species and zebra mussels."

The Friends of the Missouri National Recreational River has received 501(c)3 status as a tax-exempt non-profit organization, which should help with fundraising for such events, Lepisto said. All donations are now tax deductible.

"With our 501(c)3 status, we can start applying for grants from foundations," he said. "There was no way of doing that in the past because we didn't have tax-exempt status."

The Rendezvous currently contains 33 possible exhibitors on its list. The organizers received quick and welcome news Thursday afternoon.

"I spoke with Robert Aanonens with the Royal Gauntlet - Raptor Show and he is putting us on his calendar (for next year's rendezvous)," said Mary Robb with the City of Yankton.

In the same way, the school festival - which has drawn more than 500 students from southeast South Dakota and northeast Nebraska - is looking to add new presenters. They speak about and demonstrate historical, cultural and environmental aspects of the Missouri River. The organizers are looking to add more presentations on the recreational and fun aspects of the river.

The Friends of the MNRR can provide valuable funding for all of the river events, Lepisto said.

"We can go for grants and donations to hold these activities and interpretive events," he said. "But it's not really happening unless you have the dollars to pay for it."

Zeutenhorst sees excitement in the newly revamped and expanded line-up of events.

"The more, the merrier," she said.

Follow @RDockendorf on Twitter.

Bus Collides On Busy Bridge, 4 Killed

SEATTLE (AP) — A "duck boat" tour vehicle and a charter bus carrying foreign students to a college orientation event collided on a busy Seattle bridge Thursday, killing four people and sending dozens to hospitals.

The collision happened on the Aurora Bridge, which carries one of the city's main north-south highways over a lake. At least eight people were in critical condition, and many others suffered lesser injuries.

There was no immediate word about the cause of the crash, which involved a military-style tour bus that can also be operated on water. Initial reports described the accident as a head-on collision.

"We didn't see anything. Just the sound. The smell of gas," said Rujia Xie, a 16-year-old from China, who was on the bus carrying about 45 North Seattle College students and staff. The group was headed to Safeco Field as part of new-student orientation programs.

She said glass fell on their faces, and some people jumped from the bus.

McConnell Offers Bipartisan Bill

WASHINGTON (AP) — The Senate's top Republican moved swiftly to avoid a government shutdown in six days, pushing legislation that would keep agencies operating without a contentious fight over money for Planned Parenthood.

The action of Majority Leader Mitch McConnell, R-Ky., followed a decisive Senate vote blocking a bill that would have stripped Planned Parenthood of its taxpayer funding while keeping the government running through Dec. 11.

The vote was 47-52, falling short of a majority and well shy of the 60 votes required to overcome a filibuster led by Democrats. Eight Republicans, several of whom support abortion rights, voted with 42 Democrats and two independents to kill the measure.

McConnell immediately offered a bipartisan stopgap spending bill free of the Planned Parenthood dispute that's expected to easily clear the Senate next week by a wide bipartisan margin. He has for almost a year promised that Republicans controlling Congress won't repeat the government shutdown of two years ago.

In the House, GOP leaders called a meeting of their fractious rank and file for Friday morning to discuss whether to accept the Senate's move or reject it at the risk that continuing the fight over Planned Parenthood would lead to a government shutdown.

In Crowds Of The Hajj, Deaths Build Fast

NEW YORK (AP) — When too many people are squeezed into too small a space, the situation can turn dangerous very quickly, experts say. And that, they say, may be key to understanding the deaths of more than 700 pilgrims on the outskirts of Mecca.

"It's largely a physical phenomenon, not a psychological one," says Dirk Helbing, a professor of computational social science at ETH Zurich, who has studied crowds and disasters.

"When the density is too high, movements of a body 'transfers forces to other bodies. These forces can add up and create uncontrollable movements in the crowd,'" he said Thursday.

"As a result ... people might fall on the ground and might be trampled by others" or die of suffocation as others fall on top of them, he said.

And it can happen fast. Even a small incident like two people starting a fight or trying to walk against the crowd can quickly snarl a free-flowing crowd in large-scale congestion, he said. As more and more people pour in, the density builds up, setting the stage for lethal turbulence.

President Creates Special Prosecutor

MEXICO CITY (AP) — President Enrique Pena Nieto told the families of 43 students who disappeared a year ago in southern Mexico during a meeting Thursday that he would create a new special prosecutor for all of the country's thousands of missing people.

Eduardo Sanchez, the president's spokesman, told reporters after the closed-door meeting that the families had presented eight demands and that Pena Nieto had instructed his Cabinet to analyze each and get back to them.

More than 25,000 people have disappeared in Mexico between 2007 and July 31, 2015, according to the government. The students' disappearance on Sept. 26, 2014, brought the issue back into the spotlight.

Among the families' demands are a new internationally supervised investigation of the disappearances and an investigation of into those responsible for the initial inquiry, which the families believe was intended to mislead them.

Sanchez said after the meeting that there was not a clear timeframe for when the demands would be answered, but that it would be done promptly.

Efforts To Build Ties Yield Mixed Results

WASHINGTON (AP) — President Barack Obama has invested more time building personal ties with Chinese President Xi Jinping than with most other world leaders. But as Xi arrives in Washington late Thursday for a grand state visit, it's clear that Obama's overtures have produced decidedly mixed results.

During intimate walks and hours of private discussion around the world, Obama and Xi forged a historic breakthrough to combat climate change and collaborated on efforts to curb Iran's nuclear program. But there's been little progress on a pair of vexing security issues that will be at the forefront of their latest round of discussions: China's cyberspying in the U.S. and its disputed territorial claims in the Asian Pacific.

"The assumptions that many people had, that cooperation on transnational threats like climate change would ameliorate problems in geopolitical arenas were wrong," said Michael Green, White House Asian Affairs director under President George W. Bush and current senior vice president at the Center for Strategic and International Studies.

Before plunging into the pageantry of the state visit, Obama and Xi met for dinner Thursday night at Blair House, the guest residence steps from the White House. They were joined by Vice President Joe Biden, who has also played a central role in building the administration's relationship with the Chinese leader. Secretary of State John Kerry and National Security Adviser Susan Rice were also on hand for the informal dinner, where both world leaders ditched their ties.

Biden greeted Xi when his plane touched down at a military base near Washington.

Woman Gives Birth To Baby On Cruise

SALT LAKE CITY (AP) — A Utah woman who unexpectedly gave birth on a cruise ship months before her due date says she wrapped towels around the 1 1/2-pound boy and, with the help of medical staff, managed to keep him alive until the ship reached port.

Emily Morgan, of Ogden, said Thursday that doctors didn't expect her son Haiden to live, but thanks to strong lungs, a makeshift incubator and an early arrival in Puerto Rico, the baby made it. He's now receiving care at a neonatal intensive care unit in Miami.

Morgan, 28, said the baby was due in December but contractions began Aug. 31 during a seven-day cruise around the eastern Caribbean. Her doctor approved the cruise to celebrate her daughter's third birthday, Morgan said.

The pregnancy had been uneventful, so she was shocked when the contractions began just past the halfway mark in her pregnancy. She thought they might be false labor.

But she and her husband called medical staff when they saw blood. A doctor aboard the Royal Caribbean ship told her she couldn't give birth because they were still 14 hours from the nearest port in Puerto Rico. But holding back wasn't an option, Morgan said.