



**CITY OF YANKTON**

**2016\_03\_28**

**COMMISSION MEETING**

# **YANKTON BOARD OF CITY COMMISSIONERS**

Regular City Commission Meeting beginning at 7:00 P.M.

**Monday, March 28, 2016**

City of Yankton Community Meeting Room

Located at the Technical Education Center • 1200 W. 21<sup>st</sup> Street • Room 114

Rebroadcast Schedule: Tuesday @ 7:30pm, Thursday @ 6:30 pm, on channels 3 & 45

## **I. ROUTINE BUSINESS**

### **1. Roll Call**

### **2. Approve Minutes of regular meeting of March 14, 2016**

**Attachment I-2**

### **3. Proclamation – RSVP KYB**

**Attachment I-3**

### **4. City Manager's Report**

**Attachment I-4**

### **5. Public Appearances**

## **II. CONSENT ITEMS**

### **1. Possible Quorum Event**

May 9, 2016, after City Commission Meeting at Ben's, no official commission action

### **2. Transient Merchant License**

Consideration of Memorandum #16-90 recommending approval of the application from the Big Read Bed Truck for a transient merchant license for March 31, 2016-April 3, 2016.

**Attachment II-2**

### **3. Establish public hearing for a Transfer of Ownership**

Establish April 11, 2016, as the date for the public hearing for a transfer of ownership of a Retail (on-off sale) Malt Beverage License for July 1, 2015, to June 30, 2016, from Torid, LLC d/b/a 5'OClock Somewhere – Parrots Cove (Richard Dolejsi, Member), to YASS Inc. d/b/a 5'OClock Somewhere – Parrots Cove (Vikash Patel, President), 2007 Broadway, Suite M-A, Yankton, S.D.

**Attachment II-3**

### **4. Establish public hearing for a Transfer of Ownership**

Establish April 11, 2016, as the date for the public hearing for a transfer of ownership of a Retail (on-off sale) Malt Beverage License for July 1, 2015, to June 30, 2016, from Torid, LLC d/b/a 5'OClock Somewhere (Richard Dolejsi, Member), to YASS Inc. d/b/a 5'OClock Somewhere (Vikash Patel, President), 2007 Broadway, Suite M, Yankton, S.D.

**Attachment II-4**

### **III. OLD BUSINESS**

**1. Public hearing for a transfer of ownership – Package Off-Sale**

Consideration of Memorandum #16-84 regarding the public hearing on the transfer of ownership of a Package (off-sale) Malt Beverage License for July 1, 2015, to June 30, 2016, from Freedom Valu Center, Inc. (Joseph V. Topper, Jr., CEO) d/b/a Freedom Valu Center to JAY AMBE-8, LLC (Kamleshkumar Patel, Owner) d/b/a Freedom Valu Center, 301 Broadway Avenue, Yankton, SD 57078

**Attachment III-1**

**2. Public hearing for a transfer of ownership – Malt Beverage**

Consideration of Memorandum #16-85 regarding the public hearing on the request for the transfer of ownership of a Retail (on-off sale) Malt Beverage License for July 1, 2015, to June 30, 2016, from Freedom Valu Center, Inc. (Joseph V. Topper, Jr., CEO) d/b/a Goldmine to JAY AMBE-8, LLC (Kamleshkumar Patel, Owner) d/b/a Freedom Valu Center, 301 Broadway Avenue, Yankton, SD 57078

**Attachment III-2**

**3. Public hearing for a transfer of ownership – Malt Beverage**

Consideration of Memorandum #16-86 regarding the public hearing on the transfer of ownership of a Retail (on-off sale) Malt Beverage License for July 1, 2015, to June 30, 2016, from Charlies Pizza House, Inc. (Steve Slowey, President) d/b/a Charlie's Pizza House to Chuck Stop, LLC (Robert Rezac, President), d/b/a Charlie's Pizza, 804 Summit Street, Yankton, S.D

**Attachment III-3**

**4. Public hearing for a transfer of ownership – Wine**

Consideration of Memorandum #16-87 regarding the public hearing on the transfer of ownership of a Retail (on-off sale) Wine License for January 1, 2016, to December 31, 2016, from Charlies Pizza House, Inc. (Steve Slowey, President) d/b/a Charlie's Pizza House to Chuck Stop, LLC (Robert Rezac, President), d/b/a Charlie's Pizza, 804 Summit Street, Yankton, S.D.

**Attachment III-4**

### **IV. NEW BUSINESS**

**1. Bid Award – Liquid Asphalt**

Consideration of Memorandum #16-79 regarding Annual Supply of Liquid Asphalt for Street Division

**Attachment IV-1**

**2. Bid Award – Annual Supply of Bituminous Mix**

Consideration of Memorandum #16-80 regarding Annual Supply of Bituminous Mix

**Attachment IV-2**

**3. Bid Award – Lift Station**

Consideration of Memorandum #16-89 regarding bid award for Lift Station

**Attachment IV-3**

**4. Planning Commission – Plat**

Consideration of Memorandum #16-82 regarding Resolution #16-19, a plat of Lot 5, Blakey's Addition, in the NW 1/4 of the NW 1/4, Section 16, T93N, R55W of the 5th. P.M., Yankton County, SD. Location, Address, 707 Eagle Drive. Terry Saylor, owner

**Attachment IV-4**

**5. Planning Commission – Plat**

Consideration of Memorandum #16-83 regarding Resolution #16-20, a plat of Debra Boulevard and Dedicated Public Right-of-Ways in the S1/2 of the E1/2 of the W1/2 of the NW1/4, Section 15, T93N, R56W of the 5th. P.M., Yankton County, South Dakota. Address, south side of the 3500 and 3600 Block of W. 8<sup>th</sup> Street. Phil Spady, owner

**Attachment IV-5**

**6. Property Purchase Necessary for Highway 50 Reconstruction Project**

Consideration of Memorandum #16-81 regarding recommending approval of the purchase of property necessary for the Highway 50 reconstruction project from John Justra

**Attachment IV-6**

**7. Habitat House**

Consideration of Memorandum #16-88 regarding placing a modular home at 703 John Street, Lot 17, Block 3, Matuska's Subdivision

**Attachment IV-7**

**V. ADJOURN THE MEETING OF MARCH 28, 2016**

The City of Yankton Community Meeting Room is accessible to everyone. If you have any additional accommodation requirements, please call 668-5221.

Should you have any reason to believe an open meetings law has been violated please contact the Open Meetings Commission at the South Dakota Office of the Attorney General at: 1302 E. Hwy 14, Suite 1, Pierre, SD 57501-8501 or by phone at 605-773-3215.

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS  
YANKTON, SOUTH DAKOTA  
MARCH 14, 2016**

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

**Roll Call:** Present: Commissioners Ferdig, Gross, Hoffner, Johnson, Knoff, Miner, Sommer, and Woerner. City Attorney Den Herder and City Manager Nelson were also present. Absent: None. Quorum present.

Action 16-69

Moved by Commissioner Gross, seconded by Commissioner Johnson, to approve the Minutes of the work session of February 22, 2016, and the regular meeting of February 22, 2016

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

Motion adopted.

Action 16-70

Moved by Commissioner Knoff, seconded by Commissioner Sommer, that the Schedule of Bills be approved and warrants be issued.

A T & T Cell Phone Bill-\$386.17; ACS Government Inf Service-Maint Program Support-\$1,937.87; Active Network-Quarterly Transactions-\$723.48; Alvarado/Beck-Refund-Rec Program-\$21.20; AMG Occupational Medicine-CDL/DOT Drug Tests-\$94.50; Applied Concepts Inc-Trailer/Traffic Sensor-\$8,246.60; Arborists Assn/SD-Conference Registration-\$199.00; Associated Supply Co-Pool Valve-\$173.12; Automated Drive Systems LLC-Blowers/Control Panel-\$17,478.50; Automatic Building Controls-Fire Alarm Inspection-\$1,574.00; Avera Education & Staffing-CPR Cards-\$130.00; Avera Sacred Heart Hospital-CDL/DOT Drug Tests-\$100.00; Bailey/Colleen-Seminar Supplies-\$27.30; Balloons By Abby-Balloon Creations-\$20.00; Banner Associates Inc-SW Scale Design/Bidding-\$4,500.00; Bartlett & West Inc-Lift Station-\$4,052.00; Benjamin/Jeff And Jaci-Uniform-\$30.00; Blackstrap Inc-Road Salt-\$37,397.16; Bluetarp Financial Inc-Pressure Washer-\$3,599.99; Bomgaars Inc-Shovel-\$8.99; Bow Creek Metal Inc-SS Blackspash-Meridian B-\$12,966.00; Boys & Girls Club-CDBG Grant #4-\$46,993.64; Brosz Engineering Inc-Pine St Bridge Replace-\$12,707.50; Building Officials/SD-Seminar-\$150.00; Cedar Knox Public Power Dist-Water Electric-\$2,618.41; Centurylink-Phone-Feb-\$1,652.23; Chamber of Commerce-Annual Banquet-\$438.00; Chempure Products Corporation-Chain-\$152.55; Chesterman Company-Soft Drinks-\$80.51; City of Vermillion-Jt Power Cash Trans-\$32,508.07; City of Yankton-Central Garage Rubbish-\$12.00; City of Yankton-Parks Landfill Charges-\$49.05; City of Yankton-Solid Waste Compacted Garbage-\$9,703.32; City Utilities-Water/WW Charges-\$3,433.24; Concrete Material-Road Materials-\$1,662.40; Conkling Dist- Malt Beverages-\$199.70; Cornhusker Intl Truck Inc-Filters-\$605.41; Credit Collection Service Inc-Util Collection Jan 2016-\$163.01; CSI Software LLC-Fees-\$878.90; D & T Ventures LLC-Web Support-\$2,575.00; Dakota Beverage Co Inc-Malt Beverages-\$86.25; Danko Emergency Equipment-Name Tag-\$58.97; Dept Of Corrections-DOC Work Program-\$204.00; Dept Of Env & Nat Resources-Permit-\$5,850.00; Dept Of Environment-Operator Certifications-\$120.00; Dex Media East-Phone Books-\$31.00; Ehresmann Engineering Inc-Steel-\$343.54; Electronic Engineering-Radio Repairs-\$190.00; Ethanol Products LLC-Carbon Dioxide-\$1,576.78; Fastenal Company-Bolts-\$48.60; Fedex-Postage-\$11.77; Feimer Construction-Water Main-\$155,604.78; Fejfar Plumbing Inc-Roof Drain Repairs-\$7,038.69; First National Bank-Clear Water #3-\$106,494.59; First National Bank-Drinking

Water SRF-\$61,349.87; First National Bank-Drinking Water #2-\$15,301.27; First National Bank-Drinking Water #3-\$74,282.98; Flannery/Kirt-Officer Stipend-Feb-\$50.00; Flexible Pipe Tool Company-Parts-\$845.00; Freedom Valu Center-Car Washes-\$122.50; Frick/Adam-Officer Stipend-Feb-\$50.00; Frick/Brian-Officer Stipend-Feb-\$100.00; Geotek Eng & Testing Serv Inc- Collector Well-\$3,664.35; Gerstner Oil Co-Diesel Fuel-\$10,703.85; GOSCMA-GOSCMA Registration-\$275.00; Graymont Capital Inc-Lime-\$21,966.05; Hanson Briggs Advertising Inc-Notecards-\$377.25; Harding Glass-Building Repairs-\$3,367.35; Hawkins Inc-Chemicals-\$13,202.56; HD Supply Waterworks LTD-Valves-\$2,613.90; HDR Engineering Inc-WTP Design-\$367,299.72; Hedahl's Parts Plus-Filters-\$219.97; Hillcrest Golf & Country Club-Meeting Expense-\$110.40; Holophane-Parts-\$340.47; J & H Care & Cleaning Company-Janitorial Services-\$2,795.00; Johnson Electric-Install Generator-\$65,229.99; Kadrmas Lee & Jackson Inc-Apron Expansion Project-\$10,334.25; Kaiser Refrigeration Inc-Repair Water Fountain-\$142.95; Kimball-Midwest-Wire-\$132.95; Larry's Plumbing Service-Plumbing Repairs-\$66.30; Locators & Supplies Inc-Warning Markers-\$459.78; Long's Propane Inc-Propane-\$324.00; McLaury Flannery Eng Inc-Hwy 50 Utilities-\$2,805.50; Mehlhaff/Larry-Refund-Airport Key-\$10.00; Metering & Technology Solution-Meter Parts-\$101.67; Midamerican Energy-Fuel-February-\$9,039.17; Midamerican Energy-Water/WW Fuel-\$12,734.74; Midwest Alarm Company Inc-Alarm Monitoring/Testing-\$676.00; Midwest Tape-Audio Books-\$404.89; Midwest Turf & Irrigation-Parts-\$600.52; Missouri Valley Tool Inc-Pump Repair-\$2,740.00; Moser/Brad-Officer Stipend-February-\$50.00; Motorola-Repair Pager-\$234.00; Municipal Pipe Tool Inc-Parts-\$158.01; MW Automotive Services-Vehicle Towing-\$80.00; Nebraska Journal-Leader-Advertisement-\$84.65; Nebraska Life-Advertisement-\$900.00; Nelson/Amy-Travel Reimbursement-\$75.00; Neumayer/Brian-Uniform Reimbursement-\$125.00; Olson's Pest Technicians Inc-Pest Control-\$130.00; Overhead Door Co-Remove/Replace Door-\$1,976.00; Peterson/Sharlotte-Uniform Reimbursement-\$100.00; Petroleum Traders Corp-Diesel Fuel-\$5,652.21; Pheasantland Industries-T-Shirts-\$211.25; Plant & Flanged Equipment Co-Seal Kit-\$195.29; Power Source Electric-Wire Outlets For Wtr Htr-\$1,211.75; Press Dakota Mstar Solutions-Classified Ads-\$4,023.36; Printing Specialists-Utility Applications-\$90.67; Pro Auto-Vehicle Tow-\$80.00; Racom Corporation-EDACS Access-\$1,370.46; Regional Technical Education-Lease-January-\$2,933.34; Reinhart Foods Inc-Coffee-\$92.69; Schelde North America LLC-Collegiate System-Stand-\$4,137.00; Schmidt/Willard-Sludge Removal-\$97,085.00; SD Electrical Commission-Annual Inspection-\$90.00; SDPA-toby brown-SDPA Membership-\$25.00; Sheehan Mack Sales & Eq Inc-Accumlator-\$890.66; Signs By Design-Decals & Installation-\$694.51; Sioux Equipment Company Inc-Repairs-\$430.55; Smith Insurance Inc-Notary Bond-\$177.50; South Dakota Humanities-Program-\$50.00; South Dakota Magazine-Fox Run Ads-\$820.00; Southeast Firefighters Assoc-Membership Fee-\$50.00; Stensland/Patsy-Book-\$6.38; Stern Oil Co Inc-Fuel-\$1,667.83; Titleist And Foot-Joy-Golf Clubs-\$385.78; Todd Inc-Signs/ Letters-\$1,068.75; Truck Trailer Sales Inc-Truck Repairs-\$3,773.50; Turfwerks-Supplies-\$93.68; US Post Office-Utility Postage-Feb-\$1,200.00; United Parcel Service Inc-Postage-Feb-\$441.94; United States Postal Service-Postage Meter-Feb-\$1,020.00; Vellek/Frank-Range Fees-\$100.00; Wage Works-Flex Serv Fee-Jan-\$95.00; Walt's Homestyle Foods Inc-Entree-\$198.60; Welfl Construction Corp-Collector Well-\$24,817.50; Wellmark Blue Cross-COBRA Administrative Fee-\$250.00; Wholesale Supply Inc-Candy-\$135.95; Woehl/Toby-Officer Stipend-\$50.00; Woods Fuller Shultz & Smith PC-Professional Services-\$1,552.50; Xerox Corporation-Copier Lease-\$1,679.59; Yankton Area Ice Association-Reimbursement Payment-\$1,203.56; Yankton Area Prog Growth-Annual Meeting-\$45.00; Yankton Co Historical-1/4 Sp Appropriation-\$2,025.00; Yankton County Auditor-Safety Center Bill-\$46,989.83; Yankton County Sheriff Dept-DOJ Reimbursement-\$19.68; Yankton County Treasurer-1/2 Taxes-\$270.42; Yankton Fire & Safety Co-Extinguishers-\$1,661.00; Yankton Medical Clinic-Pre-

Employment Physical-\$762.00; Yankton School District 63-3-2015 4th Qtr Bill-\$26,211.49; Ziegler/William P-Officer Stipend-\$100.00; A & B Business Inc-Copier Maintenance-\$425.39; Ace Hardware-Park Supplies-\$1,659.69; Adafruit Industries-Teen Program-\$44.74; Amazon Mktplace Pmts-DVDs-\$299.04; Amazon.Com-Code Books-\$379.70; Amer Soc Civil Engineers-ASCE Membership-\$235.00; American Public Works-APWA Membership-\$92.00; Animal Health Clinic Animal-Shelter Expense-\$12.75; Ann Taylor Loft-Uniform Reimburse-\$139.39; Appeara-Towels-\$197.14; Applied Ind Tech-Blower Filters-\$512.93; Arbys-Travel Expense-\$14.84; Army Lodging-Travel Lodging-\$152.00; AT&T Bill Payment-AT&T Mobility-\$314.53; Atlantic Tactical-Equipment Bag-\$53.94; Autozone-Equipment Repair-\$5.54; Baker-Taylor-Books-\$4,645.91; Battery Exchange-Batteries-\$55.90; Beacon Hills-Travel Expense-\$47.41; Becker Body Shop-Repair Vehicle-\$4,003.67; Bizco Technologies-Computers/Dock/Console-\$7,889.00; Field&Stream-Magazine Subscription-\$19.97; Bobs Candy Service Inc-Special Olympics-\$38.55; Boller Printing-Printing-\$929.00; Bomgaars-Power Washer Set Up-\$1,569.79; Book Systems Inc-Atrium Annual Subscript-\$3,195.00; Coffee Cups-Travel Expense-\$21.51; Burger King-Travel Expense-\$13.12; Caseys Gen Store-Staff Appreciation-\$7.49; CDW Government-Laptop Mount-\$112.89; Center Point-Books-\$126.42; Chief Supply-Vehicle Equipment-\$1,511.39; Christian Century-Magazine Subscription-\$65.00; Cleveland Golf-Golf Equipment-\$181.22; Coffee Cup- Travel Fuel-\$59.94; Country Living-Magazine Subscription-\$34.97; Cox Auto Supply-Backup Alarms-\$806.60; Crescent Electric-Lamps-\$749.45; D-P Tools Inc-Strut-\$48.95; Dayhuff Enterprises-Janitorial Supplies-\$847.31; Delta-Travel Expense-\$2,282.50; Demco Inc-Office Supplies-\$103.56; Dex One-Phone Book Publishing-\$39.00; Dollartree-Summer Reading/Adult Crafts-\$32.00; Dropbox Department-Dropbox Cloud-\$99.00; Dunhams-Recreation Supplies-\$64.97; Dwyer Instruments Inc-Polymer Flow Switch-\$150.47; DX Service-Salt-\$3,023.01; Echo Electric Supply-Photocell Fuses-\$355.44; Ehresmann Engineering-Shop Supplies-\$643.62; Embroidery & Screen Works-Office Supplies-\$34.00; Esquire Magazine-Magazine Subscription-\$29.97; Expedia-Travel Baggage-\$30.00; Exxonmobil-Travel Fuel-\$30.55; Quilter's News-Magazine Subscription-\$41.99; Facebook-Fox Run Facebook Ads-\$24.80; Fastenal Company-Grommets-\$542.11; Fred Haar Company-Mower Parts-\$294.79; Gilbarco Veeder Root-Upgrade-\$162.18; Grafix Shoppe-Graphics New Vehicle-\$339.51; Hampton Inns-Lodging-\$312.39; Hardee's-Travel Expense-\$10.25; Harding Glass-Building Repair-\$135.05; Hedahls-Brakes and Pads-\$664.55; Hillcrest Golf-Maintenance Supplies-\$1,485.00; Homedepot.Com-Building Repair-\$161.95; Huskers Illustrated-Magazine Subscription-\$62.95; Hy-Vee-Concessions/Gatorade-\$608.36; IAPMO Plumbing-Continuing Ed-\$60.00; ICSC-Registration-\$1,140.00; In Powerphone-New Dispatcher Training-\$729.00; Independence Waste-Rentals-\$433.90; Int'l Code Council Inc-ICC Plumbing Certificate-\$190.00; Interstate-Radio Batteries-\$238.50; JJ Benji-Awards-\$2,217.00; Jack's Uniforms-Uniforms-\$552.97; JCL Solutions-Cleaning Supplies-\$812.74; Jimmy John's-Travel Expense-\$20.07; JoDeans Steak House-Meeting-\$19.20; Kaiser Refrigeration-Trail Supplies-\$24.99; Kendell Doors & Hardware-Door Locks Parks/Padlock-\$704.90; Kmart-Janitorial Supplies-\$214.42; Kohl's-Clothing Allowance-\$139.93; Kiplinger Editors-Magazine Subscription-\$23.95; Language Line-Interpretation Services-\$21.15; Larrys Heating-Filters-\$587.52; Lewis and Clark Ford-Trailer Hitch Kit-\$118.00; Longs Propane Service-Propane-\$22.00; Mark's Machinery Inc-Couplers-\$252.89; Marlins Family Restaurant-Travel Expense-\$21.05; McDonald's-Travel Expense-\$7.54; McMaster-Carr-Pump Solenoid-\$98.99; Mead Lumber-Park Maintenance-\$296.52; Med-Vet-Sharps Containers-\$447.00; Menards-Meridan Bridge Project-\$1,309.92; Midwest Alarm Co Inc-Alarm System Repair-\$310.50; Midwest Turf-Park Supplies-\$541.04; National Business Inst-Registration-\$339.00; National Review-Magazine Subscription-\$59.00; National Tactical Office-Membership Dues-\$150.00; Nike Golf-Golf Equipment-\$149.83; Northern Tool-Lance-\$57.92; Northern Tool Equip-Shop Supplies-\$429.98;

Northtown Automotive-Struts-\$1,003.48; Hardees-Travel Expense-\$11.21; Hardees-Travel Expense-\$10.04; Office Elements Group-Office Supplies-\$95.44; Olsons Pest Technician-Chemicals-\$68.00; O'Reilly Auto-Exhaust Fluid-\$240.14; Oriental Trading Co-Summer Reading-\$80.93; Overdrive Dist-Downloadable Books-\$723.58; Apexstore-Batteries-\$63.72; Paypal-CV Supply-Building Repair-\$129.99; Paypal Ideagroupi Supplies-PC Monitors-\$317.63; Paypal Itr-PC Monitors-\$105.54; Paypal KK4SDN-Radio-\$285.00; Paypal Penterprise-Microphone Receiver-\$44.89; Paypal Rickyfalek- PC Monitors-\$159.98; Portable Computer-Syst Software-Netmotion-\$1,947.00; Postage Refill Mailstation-Postage-\$200.00; Prandomhouse-Books-\$339.75; Printsource Network In Building-Permit Printing-\$175.00; Provantage LLC-Software Antivirus-\$1,043.35; Push Pedal Pull Corp-Equipment Repair-\$275.00; Quill Corporation-Office Supplies-\$375.52; Ramos Pizza & Pub- Travel Expense-\$33.84; Range Servant America-Golf Ball Dispenser-\$8,985.00; Recreation Supply Co-Pool Furniture-\$1,206.57; Redrossa Italian Grill-Travel Expense-\$22.73; Remington Arms Company-Training-\$675.00; Riverside Hydraulics-Build Cylinder-\$1,015.65; The Golfworks-Club Repairs-\$896.37; Rock Bottom Beers Burg-Meeting Expense-\$26.65; Ron's Auto Glass-Park Supplies-\$10.00; Royal Sport Shop-Uniforms-\$1,927.74; Sanfords Grub & Pub-Travel Expense-\$16.12; SD Secretary of State-Foundation Registration-\$10.00; SF Regional Airport-Airport Parking-\$38.00; Sheehan Mack Sales-Air Tank-\$192.46; Sherwin Williams-Park Supplies-\$175.30; Sioux Falls Two Way Radio-Mobile Radio Repair-\$449.49; Sirchie Finger Print-Evidence Tape-\$15.50; Smithsonian Mag-Magazine Subscription-\$34.00; So Pt Baja Miguels-Travel NFAA-\$63.91; So Pt Coronado Café-Travel NFAA-\$119.58; So Pt Hotel-Lodging-\$1,008.00; So Pt Silverado Steakhouse-Travel NFAA-\$1,196.35; South Dakota State Historical Society-Microfilm-\$28.80; Signs By Design-Graphics for SRT Van-\$1,061.96; The Collision Co-Repair Hood and Grill-\$1,382.96; The Gyro Hub-Travel Expense-\$10.16; Sturdevants-Impact Sensor-\$239.55; Swim 2000-Pool Supplies-\$1,007.01; Teledyne Isco-Tubing-\$344.50; TMA-Tires-\$4,536.35; Fortune Magazine-Magazine Subscription-\$60.00; Tractor Supply Co-Tractor Chains-\$95.47; Travelocity.Com-Conference ICSC-\$727.16; Truck Trailer Sales-Fuel Treatment-\$1,817.40; U Stop-Travel Fuel-\$12.69; United Conference- GOSCMA-\$787.40; Universal Printing Solutions-Office Supplies-\$1,256.76; UPS-Postage-\$14.32; Upstart/Edupress-Summer Reading Supplies-\$545.02; USA Blue Book-Supplies-\$1,988.04; USPS-Postage-\$43.43; Valentino's-Travel Expense-\$32.21; Value Line Publishing-Magazine Subscription-\$950.00; Vanderhule Moving-Torch Tip-\$207.50; Register Of Deeds-Recording Fees-\$32.50; Viddler Inc-Video Hosting-\$30.42; Vistaprint.Com-Business Cards-\$425.58; VWR International Inc-Lab Supplies-\$1,119.51; Verizon Wireless-Internet Access-\$506.17; Verizon Wireless-Prepaid Paid Minutes-\$37.80; Wal-Mart-Office Supplies-\$669.66; Walgreens-Supplies-\$14.97; Wendy's-Travel Expense-\$8.43; Western Office Product-Office Supplies-\$3,230.86; WM Supercenter-Ink-\$568.75; WW Grainger-Janitorial Supplies-\$327.80; WWW.Logmein.Com-Professional Services-\$625.00; Yankton Pizza Ranch-Meeting-\$25.68; Yankton Winnelson Co-Hot Water Tank Heater-\$190.43; 4imprint Recycling-Pencils-\$531.96; AFSCME Council 65-Employee Deductions-\$1,379.91; American Family Life Corp-Cancer & ICU Premiums-\$7,077.84; Assurant Employee Benefits-Vision Insurance-March-\$680.77; Bass/Stewart-Training-\$920.00; Connections Inc-EAP Insurance-February-\$371.28; Delta Dental-Dental Insurance-March-\$7,349.64; Dept of Social Services-Employee Deduction-\$1,835.00; First Natl Bank South Dakota-Employee Deduction-\$2,477.78; Foote/Jason-Training-\$540.00; Johnson/Jeffrey-Training-\$1,140.00; Midwest Boiler Repair Inc-City Hall Boiler Repair-\$9,526.80; Minnesota Life Insurance Co-Life Insurance-March-\$721.55; Police Chiefs' Association-Registration-\$85.00; Retirement SD-SD Retirement-February-\$69,414.45; SDSRP-Employee Deduction-\$4,810.00; South Dakota Airport Conference-Registration-\$90.00; Summit Activities Center-Employee Deduction-\$811.40; Tom's Custom Rifles-Shotguns-\$4,123.00; TS Startups LLC-Start Up Weekend Yankton-\$1,500.00; United



Way-Employee Deduction-\$89.32; Vast Broadband-Internet Services-\$3,461.93; Warrior Mindset.com-Registration-\$125.00; Wellmark Blue Cross-Health Ins-March-\$90,167.41;

SALARIES FEBRUARY, 2016:

Administration-\$33,213.92; Finance-\$31,118.68; Community Development-\$22,219.07; Police-\$154,823.45; Fire-\$11,223.24; Engineering-\$38,778.87; Street-\$38,460.89; Snow & Ice-\$7,192.75; Traffic Control-\$1,843.46; Library-\$29,560.15; Parks/SAC-\$59,546.43; Marne Creek-\$3,460.08; Water-\$39,327.18; Wastewater-\$34,493.39; Cemetery-\$3,452.47; Solid Waste-\$19,956.60; Landfill-\$17,122.89; Golf Course-\$14,013.00; Central Garage-\$6,885.94.

PERSONNEL CHANGES & NEW HIRES:

New Hires: Christopher Allington-\$1269.50 bi-wk.-Dispatch; Thomas Kruse-\$1208.35 bi-wk.-Transfer Station; Brittany LaCroix-\$1750.04 bi-wk.-Parks & Rec.

Status Change: Corey Potts-\$2213.08 bi-wk.-from Public Works Mgr. Assistant to Public Work Manager.

Longevity: Jason Tramp-\$1633.23 bi-wk.-Water

Mayor Carda read a proclamation proclaiming March 16 through March 25, 2016, as “Community Champions Week in the City of Yankton” in support of the March for Meals Campaign efforts to raise awareness of Senior Hunger.

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

Action 16-71

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

1. Possible Quorum Event  
March 22, 2016, for Chamber Annual Meeting, no official commission action
2. Budget Workshop Meeting Dates  
Consideration of Memorandum 16-76 regarding setting Budget workshop meeting dates
3. Establish public hearing for a transfer of ownership – Package Off-Sale  
Establish March 28, 2016, as the date for the public hearing on the transfer of ownership of a Package (off-sale) Malt Beverage License for July 1, 2015, to June 30, 2016, from Freedom Valu Center, Inc. (Joseph V. Topper, Jr., CEO) dba Freedom Valu Center to JAY AMBE-8, LLC (Kamleshkumar Patel, Owner) dba Freedom Valu Center, 301 Broadway Avenue, Yankton, South Dakota.
4. Establish public hearing for a transfer of ownership – Malt Beverage  
Establish March 28, 2016, as the date for the public hearing on the request for the transfer of ownership of a Retail (on-off sale) Malt Beverage License for July 1, 2015, to June 30, 2016, from Freedom Valu Center, Inc. (Joseph V. Topper, Jr., CEO) dba Goldmine to JAY AMBE-8, LLC (Kamleshkumar Patel, Owner) dba Freedom Valu Center, 301 Broadway Avenue, Yankton, South Dakota.
5. Establish public hearing for a transfer of ownership – Malt Beverage  
Establish March 28, 2016, as the date for the public hearing on the transfer of ownership of a Retail (on-off sale) Malt Beverage License for July 1, 2015, to June 30, 2016, from Charlies

Pizza House, Inc. (Steve Slowey, President) dba Charlie's Pizza House to Chuck Stop, LLC (Robert Rezac, President), dba Charlie's Pizza, 804 Summit Street, Yankton, South Dakota.

6. Establish public hearing for a transfer of ownership – Wine

Establish March 28, 2016, as the date for the public hearing on the transfer of ownership of a Retail (on-off sale) Wine License for January 1, 2016, to December 31, 2016, from Charlies Pizza House, Inc. (Steve Slowey, President) dba Charlie's Pizza House to Chuck Stop, LLC (Robert Rezac, President), dba Charlie's Pizza, 804 Summit Street, Yankton, South Dakota.

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

Motion adopted.

Action 16-72

This was the time and place for the public hearing on the application for a transfer of location of a Retail (on-off sale) Malt Beverage License for July 1, 2015, to June 30, 2016, from Cheers Bar & Grill, LLC dba Cheers Bar & Grill (Beth Cuneo, Owner), 1208 Broadway to 310 Walnut Street, Yankton, South Dakota. (Memorandum 16-58) No one was present to speak for or against approval of the transfer of location of license. Moved by Commissioner Knoff, seconded by Commissioner Gross, to approve the application for transfer of the license.

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

Motion adopted.

Action 16-73

This was the time and place for the public hearing on the application for transfer of location of a Retail (on-off sale) Wine License for January 1, 2016, to December 31, 2016, from Cheers Bar & Grill, LLC dba Cheers Bar & Grill (Beth Cuneo, Owner), 1208 Broadway to 310 Walnut Street, Yankton, South Dakota. (Memorandum 16-59) No one was present to speak for or against approval of the transfer of location of license. Moved by Commissioner Knoff, seconded by Commissioner Sommer, to approve the application for transfer of the license.

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

Motion adopted.

Action 16-74

This was the time and place for the public hearing on the application for a Special Events (on-sale) Liquor License for one day, April 19, 2016, from Chamber of Commerce (Carmen Schramm, Director) dba Chamber of Commerce, Meridian Bridge, Walnut and Levee Street, Yankton, South Dakota. (Memorandum 16-60) No one was present to speak for or against approval of the license application. Moved by Commissioner Sommer, seconded by Commissioner Knoff, to approve the license application.

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

Motion adopted.

Action 16-75

This was the time and place for the public hearing on the application for a Special Events (on-sale) Liquor License for one day, December 13, 2016, from Chamber of Commerce (Carmen Schramm, Director) dba Chamber of Commerce, first Dakota National Bank, 225 Cedar Street, Yankton, South Dakota. (Memorandum 16-61) No one was present to speak for or against approval of the license

application. Moved by Commissioner Johnson, seconded by Commissioner Sommer, to approve the license application.

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

Action 16-76

This was the time and place for the public hearing on Resolution 16-13, Special Assessment Roll for Assessment Project to Pave the Alley from 7<sup>th</sup> Street to 8<sup>th</sup> Street between Walnut Street and Douglas Avenue. (Memorandum 16-55) A number of residents were present to speak against adoption of Resolution 16-13. Moved by Commissioner Knoff, seconded by Commissioner Gross, to adopt Resolution 16-13.

**RESOLUTION 16-13**  
A RESOLUTION DECLARING THE NECESSITY OF CONSTRUCTING  
IMPROVEMENTS FOR THE ALLEY SOUTH OF 8TH STREET  
BETWEEN WALNUT STREET AND DOUGLAS AVENUE

**BE IT RESOLVED** by the Board of City Commissioners of the City of Yankton, South Dakota:

SECTION 1. That it is deemed and declared necessary to construct improvements in accordance with plans and specifications therefore, prepared under the direction of the Department of Public Works on the alley south of 8<sup>th</sup> Street, between Walnut Street and Douglas Avenue, in the City of Yankton, South Dakota, abutting upon the following described property to be assessed therefore:

**Parcel D, Lot A of Parcel D & Parcel B, Polly’s Subdivision**  
**Lots 2 through 17, Block 74, Todd’s**  
**Lot 1, Block 57, Todd’s**

SECTION 2. That the nature of said improvements is to construct a three inch asphalt pavement surface, along with items such as six inches of gravel base course, unclassified excavation/earthwork and grading, seeding and approach pavements, as needed, and all other incidentals in the above named location.

This project does not include improvements outside of the alley right-of-way, concrete driveway approaches. The project does include some slope work on private property, as necessary.

SECTION 3. That the cost and expense of the above listed improvements shall be levied by special assessment upon the above described properties in accordance with Chapter 9-43 of the South Dakota Codified Laws (SDCL). Said improvements shall be assessed upon the above described properties abutting thereon according to the benefits derived in accordance with Chapter 9-45 of the South Dakota Codified Laws.

SECTION 4. Said assessment may be paid in ten (10) equal annual installments. Any such assessment or any installment thereof unless paid within thirty (30) days after the filing of the Assessment Roll in the Office of the City Finance Officer shall be collected under Plan Two, with

interest in accordance with the procedure provided in SDCL 9-43. In all cases where interest on such assessment or the installment thereof is to be charged and collected in accordance with the law, the rate to be charged shall be as established by the Board of City Commissioners.

**Roll Call:** Members present voting “Aye:” None; voting “Nay:” Commissioners Ferdig, Gross, Hoffner, Johnson, Knoff, Miner, Sommer, Woerner, and Mayor Carda.  
Motion failed.

Action 16-77

This was the time and place for the public hearing and second reading of Ordinance No. 986, AN ORDINANCE AMENDING VEHICLES FOR HIRE REGULATIONS WITHIN THE CITY OF YANKTON. No one was present to speak for or against adoption of Ordinance No. 986. Following discussion, it was proposed to amend language in Section 13-38(d) and Section 13-38(f). Moved by Commissioner Knoff, seconded by Commissioner Johnson, to approve the proposed amendments to Sections 13-38(d) and (f) of Ordinance No. 986 as discussed.

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

It was then moved by Commissioner Hoffner, seconded by Commissioner Knoff, to adopt Ordinance No. 986 as amended.

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

Action 16-78

Moved by Commissioner Sommer, seconded by Commissioner Woerner, to adopt Resolution 16-09. (Memorandum 16-47)

**RESOLUTION 16-09**

**A RESOLUTION TRANSFERRING A HANGAR LAND LEASE AGREEMENT FROM  
JACOB HOFFNER d/b/a HOFFNER FLYING INC. TO KEITH E. TOCZEK AND  
JULIUS C. LARSON**

WHEREAS, The City of Yankton has been given the authority to approve the airport hangar ground lease agreement transfer for Airport Hangar No. 14 owned by Jacob Hoffner dba Hoffner Flying Inc.; and,

WHEREAS, Keith E. Toczec and Julius C. Larson wish to assume ownership of the hangar from Jacob Hoffner dba Hoffner Flying Inc.; and,

WHEREAS, Keith E. Toczec and Julius C. Larson have signed an agreement assuming the responsibilities and obligations of the current lease agreement; and,

WHEREAS, it is in the best interest of the City of Yankton and the operations of Chan Gurney Municipal Airport to approve the transfer of the ownership of this airport hangar and to approve the assignment of the land lease agreement to Keith E Toczec and Julius C. Larson,

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, SD, that the transfer of the ownership of the airport hangar and the assignment of the land lease agreement from Jacob Hoffner dba Hoffner Flying Inc. to Keith E. Toczek and Julius C. Larson is hereby approved.

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

Action 16-79

Moved by Commissioner Johnson, seconded by Commissioner Knoff, to approve the multiple listing agreements with Achieve Realty, Anderson Realty, America’s Best Realty, Century 21 Professional Real Estate, Discovery Realty & Management Services, LLC, Lewis and Clark Realty, Shore to Shore Realty, and Vision Real Estate Service, for City owned property described as an approximately 11 acre industrial area located South of SAPA on the north side of 15<sup>th</sup> Street East and the 1.48 acre site located southeast of the intersection of Bill Baggs Road and Alumax Road. (Memorandum 16-57)

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

Action 16-80

Moved by Commissioner Knoff, seconded by Commissioner Johnson, to approve the Mayor’s Appointments of Commissioners Ferdig, Gross, and Hoffner to serve on the Consolidated Board of Equalization. (Memorandum 16-64)

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

Action 16-81

Moved by Commissioner Johnson, seconded by Commissioner Woerner, to adopt Resolution 16-16. (Memorandum 16-62)

**AUTHORIZING RESOLUTION 16-16**

**RESOLUTION AUTHORIZING EXECUTION OF THE GRANT AGREEMENT AND DESIGNATING A REPRESENTATIVE TO CERTIFY AND SIGN PAYMENT REQUESTS**

**WHEREAS,** the **City of Yankton (the “CITY”)** has secured financial assistance from the South Dakota Board of Water and Natural Resources (the “**BOARD**”) via the Solid Waste Management Program to assist in financing improvements at the City’s Solid Waste Transfer Station; and

**WHEREAS,** the **CITY** shall designate an authorized representative to execute and submit State of South Dakota documents in support of the funding award, to include certification and execution of requests for payment.

**NOW THEREFORE, BE IT RESOLVED,** the **City Manager** is hereby authorized to execute and cause to be delivered all documents in support of an award and perform all acts necessary to effectuate administration of said grant.

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

Action 16-82

Moved by Commissioner Knoff, seconded by Commissioner Sommer, to adopt Resolution 16-14.  
(Memorandum 16-56)

**RESOLUTION 16-14**  
**BRIDGE RE-INSPECTION PROGRAM RESOLUTION**  
**FOR USE WITH SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION (SDDOT)**  
**RETAINER CONTRACT**

**WHEREAS**, Title 23, Section 151, United States Code and Title 23, Part 650, Subpart C, Code of Federal Regulations, requires initial inspection of all bridges and re-inspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are re-inspected at intervals not to exceed four years.

**THEREFORE**, the City of Yankton is desirous of participating in the Bridge Inspection Program using Bridge Replacement funds.

The City of Yankton requests SDDOT to hire Brosz Engineering, Inc. for the inspection work. SDDOT will secure federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the City for 20% of the cost. The City of Yankton will be responsible for the required 20% matching funds.

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

Action 16-83

This was the time and place to award the bid for 2016 Model Skid Steer Loader for the Department of Public Works, Street Department. The following bids were received and opened on February 17, 2016: Mark’s Machinery, Yankton, South Dakota-\$43,420.00; Koletzky Implement, Yankton, South Dakota-Model L221-\$41,253.70 or Model L228-\$42,730.30. (Memorandum 16-65) The bid from Koletzky Implement for the Model L221 Skid Steer Loader did not meet specifications and, therefore, was not considered. Moved by Commissioner Knoff, seconded by Commissioner Johnson, to award the bid to Koletzky Implement, Yankton, South Dakota, for the lowest qualified bid in the amount of \$42,730.30 for Model L228 Skid Steer Loader.

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

Action 16-84

This was the time and place to award the bids for a 2017 Model 33,000 GVW 4x2 Class Truck and a 2016 Model Asphalt Oil Distributor for the Department of Public Works, Street Department. The following bids were received and opened on February 24, 2016:

33,000 GVW 4x2 Class Truck: North Central International of Sioux Falls, Inc., Sioux Falls, South Dakota-\$77,393.00; Boyer Trucks, Sioux Falls, South Dakota-\$79,540.00.

Asphalt Oil Distributor: Sheehan Mack Sales & Equipment, Sioux Falls, South Dakota-\$91,350.00; Titan Machinery, Sioux Falls, South Dakota-\$91,365.00. (Memorandum 16-66)

Moved by Commissioner Johnson, seconded by Commissioner Knoff, to award the bid to the low bidders, North Central International, Sioux Falls, South Dakota, for the 33,000 GVW 4x2 Class Truck in the amount of \$77,393.00 and to Sheehan Mack Sales & Equipment, Sioux Falls, South Dakota, for the Asphalt Oil Distributor in the amount of \$91,350.00.

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

Motion adopted.

Action 16-85

Moved by Commissioner Sommer, seconded by Commissioner Woerner, to authorize the purchase of a 2016 Chevrolet 2500 HD 4x4 regular cab pickup for the Department of Public Works, Street Department, from Northtown Automotive, Yankton, South Dakota, for the cost of \$29,352.00 under the State bid price. (Memorandum 16-77)

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

Motion adopted.

Action 16-86

Moved by Commissioner Knoff, seconded by Commissioner Sommer, to approve the purchase of a 2016 Ford F350 chassis cab only for the Department of Parks and Recreation for the a base cost of \$31,723.00 under the State bid price. (Memorandum 16-69)

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

Motion adopted.

Action 16-87

Moved by Commissioner Knoff, seconded by Commissioner Johnson, to allow members of the Yankton High School National Honor Society to camp in Fantle Memorial Park on the night of Friday, April 29 into the morning of Saturday, April 30, to raise money and awareness of the Homeless Shelter. (Memorandum 16-68)

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

Motion adopted.

Action 16-88

Moved by Commissioner Sommer, seconded by Commissioner Woerner, to approve the request from organizers of the Meridian Mile event, to close both levels of the Meridian Bridge on June 18, 2016, from 8:00 a.m. to 3:00 p.m. to host a one-mile age-grouped run on the Meridian Bridge as a fund raising event for the Mead Building. (Memorandum 16-70)

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

Motion adopted.

Memorandum 16-71 recommending that the bid for the Cemetery Turf Maintenance RFP be rejected was considered. No motion was made.

Action 16-90

Memorandum 16-72 recommending terminating the Lease Agreement between the City of Yankton (City) and Regional Technical Education Center (RTEC) effective as of June 30, 2016, at 11:59 p.m.

was considered. Ron Kraft, Dr. Wayne Kindle, and Matt Pietz, from the Yankton School District, were present to answer questions and to support the adoption of Resolution 16-18 authorizing a transfer of deed between City and Yankton School District; and the approval of a lease agreement between the City and Yankton School District. Following discussion, it was moved by Commissioner Knoff, seconded by Commissioner Gross, to approve terminating the lease agreement between the City and RTEC effective June 30, 2016. After further discussion and prior to a vote being taken, moved by Commissioner Gross, seconded by Commissioner Hoffner, to table action on the motion to terminate the lease agreement between the City and RTEC.

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

After tabling the recommendation to terminate the Lease Agreement between the City and RTEC, and following further discussion, it was the consensus of the Commission to move on to New Business Items 14 and 15.

Action 16-91

Moved by Commissioner Johnson, seconded by Commissioner Ferdig, to adopt Resolution 16-18. (Memorandum 16-73)

**RESOLUTION 16-18**  
A RESOLUTION TO TRANSFER REGIONAL TECHNICAL EDUCATION  
CENTER REAL PROPERTY

WHEREAS, The City of Yankton is the owner of the property serving as the Regional Technical Education Center located at 1200 West 21st Street in Yankton, and legally described as follows:

Lots 3, 6 and 7 of Lot A, N1/2 of the NW1/4 of Section 12, Township  
93 North, Range 56 West of the 5th P.M., City and County of Yankton, South Dakota

(hereafter the “RTEC Facility”).

WHEREAS, the Yankton School District (“YSD”) has requested that the City of Yankton transfer ownership of the RTEC Facility to YSD, effective July 1, 2016, in order to permit the YSD access to additional grant funds and expanded educational programming;

WHEREAS, YSD has assured the City that it may continue utilizing the RTEC Facility for its public meeting purposes on similar terms to its current contractual use of the RTEC Facility.

WHEREAS, City staff and YSD have negotiated the attached written lease agreement granting the City the right to utilize the RTEC Facility meeting room so long as the City Commission desires to make use of such facility for public meeting purposes; and

WHEREAS, YSD has also negotiated written leases with Regional Technical Education Center, Inc. and Southeast Job Link, Inc. for the continuing use of the RTEC Facility and the administrative staff of both entities do not object to the change of ownership.

NOW, THEREFORE, BE IT RESOLVED, by the Board of City Commissioners of the City



of Yankton, South Dakota, that the RTEC Facility shall be transferred to YSD by quit claim deed to be signed by City Manager Amy Nelson and recorded with the Yankton County Register of Deeds, said deed to have a springing effective date of July 1, 2016; and

BE IT FURTHER RESOLVED, that the attached lease agreement is hereby approved, and City Manager Amy Nelson is hereby directed to execute the lease agreement on behalf of the City of Yankton; and

BE IT FURTHER RESOLVED that the City Manager shall cause written notice to be sent to Regional Technical Education Center, Inc. terminating the current lease agreement for use of the RTEC Facility with an effective termination date of July 1, 2016.

Following discussion it was moved by Commissioner Knoff to amend the motion to be contingent upon the lease agreement being for a longer term and eliminating the 90-day notice of termination. Motion died for lack of a second. Roll call was then taken on the original motion.

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

Action 16-92

Moved by Commissioner Gross, seconded by Commissioner Johnson, to approve the lease agreement between the City of Yankton and the Yankton School District for use of the RTEC building. (Memorandum 16-74)

**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 16-93

Moved by Commissioner Hoffner, seconded by Commissioner Ferdig, to remove Action 16-90 from the Table and open for reconsideration.

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

Action 16-94

Moved by Commissioner Ferdig, seconded by Commissioner Sommer, to terminate the Lease Agreement between the City of Yankton (City) and Regional Technical Education Center (RTEC) effective as of June 30, 2016, at 11:59 p.m.

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

Action 16-95

Moved by Commissioner Knoff, seconded by Commissioner Johnson, to adopt Resolution 16-17. (Memorandum 16-75)

**RESOLUTION 16-17**

WHEREAS, the City of Yankton owns property in the East Industrial Subdivision that is listed “for sale” for \$10,000 per acre, and

WHEREAS, Mark Erdmann, Drain Masters has offered \$10,000 to purchase one acre, and

WHEREAS, the Yankton Board of City Commissioners desires to sell the below described land for the long term goal of community and economic development.

NOW, THEREFORE BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota, hereby agrees to transfer the below described property to Yankton Area Progressive Growth for the purpose of sale to Mark Erdmann, Drain Masters, and

BE IT FURTHER RESOLVED that the City Manager is authorized to execute all documents associated with the described transfer.

The East 120 feet of the West 600 feet of Block 1 of East Industrial Subdivision lying in the N 1/2 of the SW 1/4, Section 9, T93N, R55W of the 5<sup>th</sup> PM., City and County of Yankton, South Dakota as depicted on the attached Exhibit A.

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

Action 16-96

Moved by Commissioner Sommer, seconded by Commissioner Johnson, to approve the purchase of a 2016 Chevrolet 1500 4x4 double cab pickup for the Department of Public Works, Engineering Department, from Northtown Automotive, Yankton, South Dakota, for a cost of \$29,912.00 under the state bid price. (Memorandum 16-78)

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

Action 16-97

Moved by Commissioner Sommer, seconded by Commissioner Ferdig, to adjourn at 9:18 p.m.

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

\_\_\_\_\_  
David Carda  
Mayor

ATTEST: \_\_\_\_\_  
Al Viereck  
Finance Officer

# Keep Yankton Beautiful

**WHEREAS**, Keep America Beautiful, Inc., is a national nonprofit organization dedicated to helping individuals improve their community environment, celebrates its 63rd Anniversary in 2016 and has established the Great American Clean-Up as its signature national effort for involving American citizens in environmental stewardship;

**WHEREAS**, Yankton demonstrates honor by having clean parks, streets, businesses and residences; and

**WHEREAS**, Keep Yankton Beautiful encourages the residents of Yankton to take pride in their properties to help increase the health, safety, and values of our entire community; and

**WHEREAS**, in 2015, 250 volunteers collected more than 2,580 pounds of trash; and

**WHEREAS**, Keep Yankton Beautiful is the only Keep America Beautiful affiliate in South Dakota; and

**WHEREAS**, the mission of Keep Yankton Beautiful is “improving and enhancing the beauty of the City with community involvement through recycling education and promotion, clean-up efforts and beautification projects”.

**Now, Therefore, I, Dave Carda**, Mayor of the City of Yankton, South Dakota, together with the members of the Yankton City Commission do hereby proclaim April 9, 2016 as Keep Yankton Beautiful Great American Cleanup and call upon our citizens to join in activities that promote responsible environmental stewardship and help us renew our commitment to building a better world today and for future generations.

\_\_\_\_\_  
March 28, 2016

Mayor David Carda

\_\_\_\_\_  
March 28, 2016

Finance Officer Al Viereck

# PROCLAMATION

## 2016 Mayors Day of Recognition for National Service

WHEREAS, service to others is a hallmark of the American character, and central to how we meet our challenges; and

WHEREAS, the nation's mayors are increasingly turning to national service and volunteerism as a cost-effective strategy to meet city needs; and,

WHEREAS, national service expands economic opportunity by creating more sustainable, resilient communities and providing education, career skills, and leadership abilities for those who serve; and

WHEREAS, national service participants serve in more than 60,000 locations across the country, including over 50 locations in Yankton County, bolstering the civic, neighborhood, and faith-based organizations that are so vital to our economic and social well-being; and

WHEREAS, 226 RSVP volunteers in the Yankton area increase the impact of the organizations they serve with, both through their direct service and by recruiting and managing millions of additional volunteers; and,

WHEREAS, RSVP volunteers demonstrate commitment, dedication, and patriotism by making an intensive commitment to service, a commitment that remains with them in their future endeavors; and

WHEREAS, the Corporation for National and Community Service shares a priority with mayors nationwide to engage citizens, improve lives, and strengthen communities; and is joining with mayors across the country to support the Mayors Day of Recognition for National Service on April 5, 2016.

THEREFORE, BE IT RESOLVED that I, David Carda, Mayor of City of Yankton , do hereby proclaim April 5, 2016, as National Service Recognition Day, and encourage residents to recognize the positive impact of national service in our city, to thank those who serve; and to find ways to give back to their communities.

\_\_\_\_\_  
Mayor David Carda

\_\_\_\_\_  
March 28, 2016

\_\_\_\_\_  
Finance Officer Al Viereck

\_\_\_\_\_  
March 28, 2016



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**OFFICE OF THE CITY MANAGER**

[www.cityofyankton.org](http://www.cityofyankton.org)

VOL. 51, NUMBER 6

**Commission Information Memorandum**

The Yankton City Commission meeting on Monday, March 28, 2016, will begin at 7:00 pm.

**Non-Agenda Items of Interest****1) Human Resources Update**

Amanda Schieffer was promoted from Equipment Operator to Golf Operations Assistant Manager on March 14; Marlon Huber was promoted from Equipment Operator to Sr. Equipment Operator on March 19. We are advertising internally to fill two Equipment Operator openings and will close on those applications March 25. Kyler Pekarek was promoted from Police Officer to K-9 Officer on March 12.

Our advertisements for the GIS Analyst have been running in the Press & Dakota, Sioux City Journal along with being on Monster, the City's website, the employment section of Greater Yankton Living on the Chamber of Commerce website, and with the SD Department of Labor. The application closing date is March 31.

**2) Finance Update**

The Finance Office will be doing its annual sewer rate adjustments for residential utility customers in the coming week. Residential customers' maximum sewer rates for the coming year are based on an average of their water consumption during the months of December, January and February as billed in January, February and March of each year. Sewer rates are adjusted each spring and are reflected in the April utility billing.

Please see the Finance Monthly Report for February enclosed in your packet.

**3) Information Services Update**

The Pictometry flight is scheduled to begin the week of March 21<sup>st</sup>. Timing for the image capture is critical. The goal is to capture the image with as much ground color as possible with little or no leaf cover from the trees. The window for the flight may be cut short with the recent rapid progress of trees budding out and potential snow forecast this Spring. The joint project with Yankton County will capture new imagery for the entire County with higher resolution photography over the City and lake area. Imagery flights are typically scheduled every three years. In addition, we have been advertising for the new GIS Analyst position and the applications deadline is March 31<sup>st</sup>.

City staff has received a draft copy of the radio needs assessment for the police department and met with Therkelsen & Associates to discuss the report. We have tentatively scheduled a presentation of the findings for the April 25, 2016 City Commission meeting.

**4) Police Department Update**

The Yankton Police Department has a new Speed Enforcement Trailer. The trailer was partially funded through the Federal Highway Safety Program.

Two Yankton Police Officers are currently attending Active Shooter Training.

The Crisis Intervention Team training is scheduled to begin on April 4, 2016.

**5) Library Update**

Enclosed in your packet is an update on the various activities at the Library Department.

**6) Community Development Update**

The City of Yankton would like to thank Larry and Peggy Olson of Larry’s Heating and Cooling for their generous gift of a gas fireplace, to the Center. Larry and Peggy Olson donated the fireplace and mantel in memory of his parents Oscar and Dorothy Olson. Along with the fireplace, Larson Carpets donated flooring materials and labor to finish the floor adjacent to the fireplace. The fireplace installation has been completed and was ready for a lighting ceremony at the Center’s Annual Fundraising Gala that was held on March 5, 2016. Along with the Olson’s donation, the Center Staff and Community Development Staff worked together to complete the improvements.



**7) Parks and Recreation Department Update**

Enclosed in your packet is an update on the various activities in the Parks and Recreation Department.

**8) Environmental Services Update**

Cedar Knox Rural water approached City staff about the potential to purchase water. Water department staff met with Cedar Knox Rural water staff on March 2. Cedar Knox Rural Water staff toured our treatment facilities and collector well. Currently Cedar Knox Rural water has been forced to restrict service connections in areas directly across the river from the City of Yankton. Cedar Knox is also looking at the possibility of having to increase the capacity of their current water treatment plant in the near future. The most likely connection would be a treated water service connection from the City of

Yankton water plant to the Cedar Knox Distribution system approximately two mile south of Yankton. Cedar Knox Rural Water is currently in the process of selecting an engineering firm to prepare a facility plan. This plan would outline possible options moving forward, including a potential connection with the City of Yankton. Staff will continue to work with Cedar Knox Rural Water Rural water staff, board and their engineers.

### **9) Fire Department Update**

The Yankton Fire Department has developed a challenge coin. A **challenge coin** is a small [coin](#) bearing an organization's [insignia](#) or [emblem](#) and carried by the organization's members. Traditionally, they are given to prove membership when challenged and to enhance morale. In addition, they are also collected and traded. They can be presented in recognition of visits to an organization. The coins will be available sometime in the next 30 days.

### **10) Public Works Department Update**

Masonry Components has started the Transfer Station Scale Replacement and Entrance project. Work is being done at the east entrance for new pavement and installation of a new gate.

Street department personnel continue to perform joint and pothole maintenance on the City portions of West City Limits Road.

The engineering department personnel have been working to design an ADA accessible path which would allow access from the south end of the Meridian Bridge to the existing City trail system in proximity to the bridge, on the Nebraska side.

Traffic control has been installed, removals have begun, and the installation of the storm sewer is underway on the Highway 50 reconstruction project. The first weekly meeting will be at 9:00 am, on March 29, at the Chamber building.

A preconstruction meeting for 15<sup>th</sup> Street, from West City Limits Road to Dakota Street has been scheduled for Wednesday, March 23, 2016. Construction scheduling will be provided once the contractor has determined the start date.

The preconstruction meeting for Douglas Avenue is Thursday, March 24, 2016, at 3:00 pm. A public meeting has also been scheduled for 5:15 pm, that same day. At the public meeting, we will inform the local residents of the scheduling and address any comments or concerns.

Yankton Citywide Cleanup is scheduled for the week of April 11-15, 2016. Placing items curbside before March 28 is not permitted, and those items may be removed at the property owner's expense. The Transfer Station will begin accepting no charge drop-off from regular collection route customers on April 9. Residents may also participate, at no additional cost, by placing items into sorted piles by type at their homes. Please have items placed curbside by your regular collection day. Piles should be located directly in front of your property, not in the street, alley, or neighboring property. Items not eligible for disposal include: tires, grass clippings, leaves, recyclables, refrigerators, air conditioners, dehumidifiers, paint, chemicals or household hazardous waste, oils, and batteries. Motor oil may be taken to the transfer station and disposed of free of charge year around. Please place garbage cans for regular collection at your normal collection point and away from piles. For more information on cleanup week and transfer station hours visit [www.cityofyankton.org](http://www.cityofyankton.org) or call 605-668-5211.

**11) Minutes**

Joint Powers Solid Waste monthly reports is included for your review. Minutes from the Planning Commission and Golf Advisory Board are also included for your review.

Have an enjoyable weekend and do not hesitate to contact us if you have any questions about these or other issues. If you will not be able to attend the Commission meeting on Monday, please inform my office.

Sincerely,

Amy Nelson  
City Manager



## FINANCE MONTHLY REPORT

Activity	FEB 2016	FEB 2015	FEB 2016 YTD	FEB 2015 YTD
<b>UTILITY BILLING:</b>				
<b>Water</b>				
Water Sold (in gallons per 1,000)	44,365	44,812	83,362	87,629
Water Billed	\$368,627.87	\$354,583.93	\$698,414.99	\$694,235.78
Basic Water Fee/Rate per 1000 gal	\$15.91/\$5.23	\$15.45/\$5.08		
Number of Accounts Billed	5,147	5,111	10,305	10,231
Number of Bills Mailed	5,147	5,111	10,305	10,231
Total Meters Read	5,555	5,562	11,103	11,120
Meter Changes/pulled	3	3	7	7
Total Days Meter Reading	1	1	2	2
Misreads found prior to billing	0	0	0	0
Customers requesting Rereads	1	0	1	0
<b>Sewer</b>				
Sewer Billed	\$283,292.89	\$269,565.07	\$537,660.91	\$523,610.24
Basic Sewer Fee/Rate per 1000 gal	\$8.79/\$5.32	\$8.37/\$5.06		
<b>Solid Waste</b>				
Solid Waste Billed	\$79,828.10	\$76,915.97	\$159,632.53	\$153,929.91
Basic Solid Waste Fee	\$17.13	\$16.63		
<b>Total Utility Billing:</b>	<b>\$731,748.86</b>	<b>\$701,064.97</b>	<b>\$1,395,708.43</b>	<b>\$1,371,775.93</b>
<b>Adjustment Total:</b>	<b>(\$200.00)</b>	<b>(\$1,029.44)</b>	<b>(\$441.41)</b>	<b>(\$1,147.35)</b>
Misread Adjustments	\$0.00	\$0.00	\$0.00	\$0.00
Other Adjustments	\$0.00	(\$799.44)	(\$1.41)	(\$787.35)
Penalty Adjustments OFF	(\$200.00)	(\$260.00)	(\$440.00)	(\$420.00)
Penalty Adjustments ON	\$0.00	\$30.00	\$0.00	\$60.00
New Accounts/Connects	51	35	95	77
Accounts Finaled/Disconnects	43	46	107	87
New Accounts Set up	1	4	3	7
Delinquent Notices	372	416	801	802
Doorknockers	106	110	235	269
Delinquent Call List	74	74	165	185
Notice of Termination Letters	12	9	14	21
Shut-off for Non-payment	5	4	7	8
Delinquent Notice Penalties	\$3,720.00	\$4,160.00	\$8,010.00	\$8,020.00
Doorknocker Penalties	\$1,060.00	\$1,100.00	\$2,350.00	\$2,690.00
<b>Other Office Functions:</b>				
Interest Income	\$10,804.94	\$4,381.42	\$22,074.63	\$9,550.04
Interest Rate-Checking Account	0.68%	0.27%		
Interest Rate-CDs	0	0		
# of Monthly Vendor Checks	125	140		
Payments Issued to Vendors	\$856,004.91	\$974,886.72	\$3,281,254.09	\$2,500,696.21
# of Employees on Payroll	220	202		
Monthly Payroll	\$398,726.69	\$381,781.90	\$831,355.68	\$980,974.62

\*January 2015 had 3 pay periods  
xls.Commission monthly report

## **Yankton Community Library**

### **Yankton Seed Library Classes:**

We had 28 attend our final session of Soil & Garden Preparation, our first class, on March 14, so total attendance for all three sessions was 71. Our second class, Your “Growing” Questions, is April 5, at 1 p.m. and 6:30 p.m. The seed cabinet will be open after both sessions.

### **Food for Fines:**

We collected 82 boxes of Mac & Cheese during March Mac & Cheese Madness. We are collecting Hamburger and Tuna Helper April 1-10, with all donations going to the Contact Center.

### **Closed for Easter:**

The library is closed on Easter Sunday.

### **Second Oscar Weekend:**

Because our first weekend was so well attended and we have licenses for more recently-released Oscar movies, we are holding our second Oscar Weekend in April. The following is our schedule:

- April 9: *The Big Short*, 9 a.m.; *Creed*, 12 p.m.; *The Force Awakens*, 2:30 p.m.
- April 10: *Brooklyn*, 1 p.m.; *The Danish Girl*, 3 p.m.

Commission Information Memorandum

PARKS AND RECREATION DEPARTMENT

**SUMMIT ACTIVITIES CENTER and RECREATION PROGRAMS**

1st - half of March information:

Fitness Classes-	
Early Bird Boot Camp class	41 participants
Power Abs	64 participants
Prime Time Senior class	26 participants
Tabata class	54 participants
Water aerobics	145 participants
Work-Out Express class	99 participants
Yoga classes	90 participants
Zumba class	49 participants

Rentals-	
o Birthday rentals-	17 parties
o SAC courts-	20 hours
o Theater-	16 hours
o Meeting rooms-	1.5 hours
o City Hall courts-	16.5 hours
o Capital Building-	1 dates
o Riverside shelters-	0 rentals
o Memorial shelters-	0 rentals
o Westside shelter-	0 rentals
o Rotary outdoor classroom-	0 rentals
o Sertoma shelter-	0 rentals
o Tripp shelter-	0 rentals
o Meridian Bridge	0 rental

SAC members-	2,184 people
SAC memberships-	913
SAC attendance-	3,633 visits
New members-	34 people

Friday, March 4- Coed Dodgeball Registrations Due. 6 teams.  
Women's Basketball League Registrations Due. 4 teams.

Saturday, Marcy 5- Youth QuickStart Tennis Program started. 31 participants.

Friday, March 11- Optimists Free Swim & Gym. 47 participants.

Sunday, March 13 – Sunday, March 20. SAC Pool Closed for maintenance and cleaning.

The Summer Recreation Brochure will be distributed to the public the first week of April.

The City of Yankton is applying to be "Capital for the Day" with the Governor's Office for a day in the summer of 2016.

Todd, Brittany LaCroix, and Tracey Grotenhuis are working on the 2016 Ribfest event. Saturday, June 4, 2016. The event is going to expand and have music, food, and beer on Friday evening, June 3, also.

Todd and Brittany LaCroix are working on the 2016 Rockin' Rumble event. The event is expanding into Friday night also. Dates are July 22 and July 23.

Todd and Brittany LaCroix are working on an ADA Celebration event for Tuesday, July 26.

Yankton Area Arts has informed the City that they will not sponsor any musical groups in the amphitheater in the evening of July 4. City fireworks only on the night of July 4.

## **PARKS**

The Parks Department is working with the contractor to help prepare the two north Sertoma fields for the installation of field turf.

The City of Yankton has met with the National Park Service and a representative from the Regional office. The City Engineering Department will be surveying the City property and ditch leading down to the trails system to design an ADA accessible path that can be built down through the ditch to provide more access to the trail system. The City will also be determining if this path can be constructed by City crews in the fall of 2016.

## **GOLF**

With the nice weather, outside golf activity at Fox Run Golf Course has been very good. Season Passes are being sold along with walk-up golfers playing at the course.

Fox Run and the Summit Activities have paid for an ad in the Yankton Visitor's Guide, it is on page 3. We are marketing the golf course to the campgrounds by being in this magazine. Fox Run has also paid for ads in South Dakota Magazine and Nebraska Life Magazine. This is the second year for the South Dakota Magazine ads and is the first year for the Nebraska Life Magazine.

Joint Powers Solid Waste Authority  
Financial Report Thru February 29, 2016

Description	Yankton Transfer	Vermillion Landfill	Total Joint	2 Month Budget	Legal 2016 Budget
<b>Joint Power Transfer/Landfill</b>					
<i>Total Revenue</i>	\$137,892.04	\$115,117.68	\$253,009.72	\$262,026.67	\$1,572,160.00
<i>Expenses:</i>					
Personal Services	36,549.23	50,847.29	87,396.52	101,414.50	608,487.00
Operating Expenses	31,668.79	44,875.31	76,544.10	123,228.67	739,372.00
Depreciation (est)	18,011.86	46,756.96	64,768.82	68,184.00	409,104.00
Trench Depletion	0.00	26,130.10	26,130.10	12,795.83	76,775.00
Closure/Postclosure Resrv	0.00	1,156.17	1,156.17	1,335.00	8,010.00
Amortization of Permit	0.00	151.46	151.46	176.67	1,060.00
<i>Total Operating Expenses</i>	86,229.88	169,917.29	256,147.17	307,134.67	1,842,808.00
<i>Non Operating Expense-Interest</i>	0.00	11,951.86	11,951.86	11,540.83	69,245.00
<i>Landfill Operating Income</i>	51,662.16	(66,751.47)	(15,089.31)	(56,648.83)	(339,893.00)
<b>Joint Recycling Center</b>					
<i>Total Revenue</i>	15,494.05	21,261.65	36,755.70	46,256.67	277,540.00
<i>Expenses:</i>					
Personal Services	3,216.64	30,183.28	33,399.92	39,824.00	238,944.00
Operating Expenses	7,400.06	6,986.36	14,386.42	26,053.83	156,323.00
Depreciation (est)	6,743.20	6,662.30	13,405.50	13,141.67	78,850.00
<i>Total Operating Expenses</i>	17,359.90	43,831.94	61,191.84	79,019.50	474,117.00
<i>Non Operating Expense-Interest</i>	0.00	0.00	0.00	0.00	0.00
<i>Recycling Operating Income</i>	(1,865.85)	(22,570.29)	(24,436.14)	(32,762.83)	(196,577.00)
<i>Total Operating Income</i>	\$49,796.31	(\$89,321.76)	(\$39,525.45)	(\$89,411.67)	(\$536,470.00)
<b>Tonage in Trench:</b>	<i>2/28/2015</i>	<i>2/29/2016</i>			
Asbestos	19.64	33.24	33.24	8.33	50.00
Centerville	48.56	40.79	40.79	55.00	330.00
Beresford	186.26	188.35	188.35	191.67	1,150.00
Clay County Garbage	1,346.51	1,891.51	1,891.51	2,016.67	12,100.00
Elk Point	150.77	150.55	150.55	183.33	1,100.00
Yankton County Garbage	2,892.16	2,950.85	2,950.85	3,666.67	22,000.00
<i>Total Tonage in Trench</i>	4,643.90	5,255.29	5,255.29	6,121.67	36,730.00
Operating Cost per ton			\$51.02	\$52.06	\$52.06

This report is based on the following:

- Revenue accrual thru February 29, 2016
- Expenses cash thru February 29, 2016 with March Bills

Joint Powers Solid Waste Authority  
 Financial Report Thru February 29, 2016

Description	Yankton Transfer	Vermillion Landfill	Total Joint	2 Month Budget	Legal 2016 Budget
<b>Source of Funds</b>					
<i>Beginning Balance</i>	\$224,362.00	\$587,584.00	\$811,946.00	\$811,946.00	\$811,946.00
<i>Operating Revenue:</i>					
Net Income	49,796.31	(89,321.76)	(39,525.45)	(89,411.67)	(536,470.00)
Depreciation	24,755.06	53,419.26	78,174.32	81,325.67	487,954.00
Trench Depletion	0.00	26,130.10	26,130.10	12,795.83	76,775.00
Amortization of Permit	0.00	151.46	151.46	176.67	1,060.00
<i>Non Operating Revenue:</i>					
Grant	0.00	0.00	0.00	62,500.00	375,000.00
Loan Proceeds	0.00	0.00	0.00	62,500.00	375,000.00
Contributed Capital	0.00	0.00	0.00	4,000.00	24,000.00
Sale Proceeds	0.00	0.00	0.00	833.33	5,000.00
Comp. for Loss & Damage	0.00	0.00	0.00	0.00	0.00
Fire Related Expenses	0.00	0.00	0.00	0.00	0.00
Interest	229.55	133.94	363.49	416.67	2,500.00
<i>Cash Flow Transfer:</i>					
Joint Power Transfer/Landfill	(64,413.89)	64,413.89	0.00	(5,393.33)	(32,360.00)
Joint Recycling Center	(6,712.08)	6,712.08	0.00	0.00	0.00
<b>Total Funds Available</b>	<b>228,016.95</b>	<b>649,222.97</b>	<b>877,239.92</b>	<b>941,689.17</b>	<b>1,590,405.00</b>
<b>Application of Funds Available</b>					
<i>Joint Power Transfer/Landfill</i>					
Equipment	0.00	0.00	0.00	35,333.33	212,000.00
Trench	0.00	0.00	0.00	0.00	0.00
Closure/Postclosure Cash Res.	0.00	1,156.17	1,156.17	1,335.00	8,010.00
<i>Joint Recycling Center</i>					
Equipment	4,500.00	0.00	4,500.00	138,583.33	831,500.00
<i>Payment Principal</i>					
Appropriation to Reserve	0.00	15,367.35	15,367.35	26,389.83	158,339.00
	0.00	0.00	0.00	0.00	0.00
<b>Total Applied</b>	<b>4,500.00</b>	<b>16,523.52</b>	<b>21,023.52</b>	<b>201,641.50</b>	<b>1,209,849.00</b>
<b>Ending Balance</b>	<b>\$223,516.95</b>	<b>\$632,699.45</b>	<b>\$856,216.40</b>	<b>\$740,047.67</b>	<b>\$380,556.00</b>

<b>Joint Power Transfer/Landfill Description</b>	<b>Yankton Transfer</b>	<b>Vermillion Landfill</b>	<b>Total Joint</b>	<b>2 Month Budget</b>	<b>Legal 2016 Budget</b>
<i>Revenue: (accrual)</i>					
Asbestos	\$0.00	\$2,160.59	\$2,160.59	\$666.67	\$4,000.00
Elk Point	0.00	7,000.63	7,000.63	8,250.00	\$49,500.00
Centerville	0.00	1,896.78	1,896.78	2,475.00	14,850.00
Bon Homme	0.00	0.00	0.00	0.00	0.00
Union County	0.00	0.00	0.00	0.00	0.00
Beresford	0.00	8,758.36	8,758.36	8,625.00	51,750.00
Clay County Garbage	0.00	100,229.79	100,229.79	95,750.00	574,500.00
Compost-Yd Waste-Wood	0.00	698.13	698.13	333.33	2,000.00
Contaminated Soil	0.00	95.70	95.70	83.33	500.00
White Goods	0.00	254.50	254.50	1,250.00	7,500.00
Tires	0.00	426.80	426.80	416.67	2,500.00
Electronics	0.00	360.00	360.00	250.00	1,500.00
Other Revenue	5,326.54	50.00	5,376.54	1,266.67	7,600.00
Less Recycling Tipping Fee	(8,634.57)	(6,813.60)	(15,448.17)	(18,173.33)	(109,040.00)
Cash long	0.02	0.00	0.02	0.00	0.00
Yard Waste	0.00	0.00	0.00	0.00	0.00
Rubble	3,872.90	0.00	3,872.90	8,333.33	50,000.00
Transfer Fees	137,327.15	0.00	137,327.15	152,500.00	915,000.00
<b>Total Revenue</b>	<b>137,892.04</b>	<b>115,117.68</b>	<b>253,009.72</b>	<b>262,026.67</b>	<b>1,572,160.00</b>
<i>Expenses: (cash)</i>					
Personal Services	36,549.23	50,847.29	87,396.52	101,414.50	608,487.00
Insurance	0.00	0.00	0.00	4,508.67	27,052.00
Professional Service/Fees	1,800.73	2,132.03	3,932.76	9,500.00	57,000.00
Non Professional Fees	0.00	0.00	0.00	0.00	0.00
Processing- Reduction	0.00	0.00	0.00	2,500.00	15,000.00
State Fees	0.00	5,255.29	5,255.29	6,113.33	36,680.00
Professional - Legal/Audit	0.00	0.00	0.00	41.67	250.00
Publishing & Advertising	58.58	0.00	58.58	216.67	1,300.00
Rental	0.00	0.00	0.00	83.33	500.00
Hauling fee	0.00	0.00	0.00	0.00	0.00
Equipment repair	67.84	4,087.34	4,155.18	7,666.67	46,000.00
Motor vehicle repair	0.00	2,487.83	2,487.83	3,833.33	23,000.00
Vehicle fuel & maintenance	19,101.16	2,784.86	21,886.02	39,833.33	239,000.00
Equip, Mat'l & Labor	1,993.06	0.00	1,993.06	2,000.00	12,000.00
Building repair	2,008.99	934.30	2,943.29	3,166.67	19,000.00
Facility repair & maintenance	0.00	116.90	116.90	4,166.67	25,000.00
Postage	84.88	1.72	86.60	125.00	750.00
Office supplies	58.99	107.94	166.93	500.00	3,000.00
Copy supplies	17.42	1.05	18.47	50.00	300.00
Uniforms	55.93	410.58	466.51	750.00	4,500.00
Small Tools & Hardware	35.47	0.00	35.47	41.67	250.00
Travel & Training	0.00	358.53	358.53	833.33	5,000.00
Operating supply	477.82	20,839.00	21,316.82	25,433.33	152,600.00
Electricity	1,322.66	1,707.54	3,030.20	4,366.67	26,200.00
Heating Fuel - Gas	3,916.09	3,337.30	7,253.39	6,166.67	37,000.00
Water	285.04	53.40	338.44	500.00	3,000.00
WW service	162.84	0.00	162.84	283.33	1,700.00
Landfill	34.26	0.00	34.26	33.33	200.00
Telephone	187.03	259.70	446.73	515.00	3,090.00
Depreciation (est)	18,011.86	46,756.96	64,768.82	68,184.00	409,104.00
Trench Depletion		26,130.10	26,130.10	12,795.83	76,775.00
Closure/Postclosure Resrv		1,156.17	1,156.17	1,335.00	8,010.00
Amortization of Permit		151.46	151.46	176.67	1,060.00
<b>Total Op Expenses</b>	<b>86,229.88</b>	<b>169,917.29</b>	<b>256,147.17</b>	<b>307,134.67</b>	<b>1,842,808.00</b>

Joint Power Transfer/Landfill Description	Yankton Transfer	Vermillion Landfill	Total Joint	2 Month Budget	Legal 2016 Budget
<i>Non Operating Expense-Interest</i>	0.00	11,951.86	11,951.86	11,540.83	69,245.00
<i>Operating Income (Loss)</i>	\$51,662.16	(\$66,751.47)	(\$15,089.31)	(\$56,648.83)	(\$339,893.00)
<i>Capital:</i>					
Capital Outlay	\$0.00	\$0.00	\$0.00	\$35,333.33	\$212,000.00
Landfill Development	0.00	0.00	0.00	8,333.33	\$50,000.00
Capital Lease	0.00	0.00	0.00	0.00	\$0.00
<i>Total Capital Expenditures</i>	\$0.00	\$0.00	\$0.00	\$43,666.67	\$262,000.00
<i>Grant Reimbursement</i>	\$0.00	\$0.00	\$0.00	\$62,500.00	\$375,000.00
Equipment Sale Proceeds	\$0.00	\$0.00	\$0.00	\$833.33	\$5,000.00
<i>Cash Flow Transfer</i>	(\$64,413.89)	\$64,413.89	\$0.00	\$0.00	\$0.00
<i>Tonage in Trench:</i>					
Asbestos		33.24	33.24	8.33	50.00
Beresford		188.35	188.35	191.67	1,150.00
Centerville Garbage		40.79	40.79	55.00	330.00
Clay County Garbage		1,891.51	1,891.51	2,016.67	12,100.00
Elk Point		150.55	150.55	183.33	1,100.00
Yankton County Garbage		2,950.85	2,950.85	3,666.67	22,000.00
<i>Total Tonage in Trench</i>		5,255.29	5,255.29	6,121.67	36,730.00
Operating Cost per ton			\$51.02	\$52.06	\$52.06



Joint Recycling Center Description	Yankton Transfer	Vermillion Center	Total Joint	2 Month Budget	Legal 2016 Budget
<i>Revenue:</i>					
Tipping Fees	\$8,634.57	6,813.60	\$15,448.17	18,173.33	\$109,040.00
Magazines	0.00	0.00	0.00	1,416.67	8,500.00
Metal/Tin	147.40	0.00	147.40	1,666.67	10,000.00
Plastic	0.00	1,903.00	1,903.00	5,333.33	32,000.00
Aluminum	2,388.06	5,200.47	7,588.53	5,833.33	35,000.00
Newsprint	1,646.63	1,216.18	2,862.81	2,833.33	17,000.00
Cardboard	2,677.39	5,570.88	8,248.27	8,166.67	49,000.00
High Grade Paper	0.00	0.00	0.00	2,500.00	15,000.00
Other Material	0.00	557.52	557.52	333.33	2,000.00
Contributions/Operating Grants	0.00	0.00	0.00	0.00	0.00
<b>Total Revenue</b>	<b>15,494.05</b>	<b>21,261.65</b>	<b>36,755.70</b>	<b>46,256.67</b>	<b>277,540.00</b>
<i>Expenses:</i>					
Personal Services	3,216.64	30,183.28	33,399.92	39,824.00	238,944.00
Insurance	0.00	0.00	0.00	378.83	2,273.00
Professional Service/Fees	0.00	0.00	0.00	3,333.33	20,000.00
Hazardous Waste Collection	0.00	345.36	345.36	5,416.67	32,500.00
Professional-Legal	0.00	0.00	0.00	0.00	0.00
Publishing & Advertising	0.00	0.00	0.00	416.67	2,500.00
Rental	0.00	0.00	0.00	0.00	0.00
Equipment repair	0.00	1.79	1.79	2,041.67	12,250.00
Vehicle repair & maintenance	0.00	0.00	0.00	166.67	1,000.00
Vehicle fuel	929.47	377.69	1,307.16	2,283.33	13,700.00
Building repair & maintenance	85.00	538.10	623.10	583.33	3,500.00
Postage	0.00	0.43	0.43	108.33	650.00
Freight	0.00	210.00	210.00	333.33	2,000.00
Office supplies	0.00	75.00	75.00	166.67	1,000.00
Uniforms	0.00	0.00	0.00	125.00	750.00
Materials Purchases	0.00	420.00	420.00	1,416.67	8,500.00
Travel & Training	0.00	478.04	478.04	250.00	1,500.00
Operating Supplies	0.00	2,655.83	2,655.83	1,666.67	10,000.00
Copy Supply	0.00	1.05	1.05	58.33	350.00
Electricity	0.00	958.94	958.94	916.67	5,500.00
Heating Fuel-Gas	0.00	630.31	630.31	916.67	5,500.00
Water	0.00	62.82	62.82	91.67	550.00
WW service	0.00	103.04	103.04	166.67	1,000.00
Telephone	0.00	127.96	127.96	133.33	800.00
Revenue Sharing	0.00	0.00	0.00	1,833.33	11,000.00
Transportation to Vermillion	630.00	0.00	630.00	750.00	4,500.00
Processing Recyclables	5,755.59	0.00	5,755.59	2,500.00	15,000.00
Depreciation (est)	6,743.20	6,662.30	13,405.50	13,141.67	78,850.00
<b>Total Op Expenses</b>	<b>17,359.90</b>	<b>43,831.94</b>	<b>61,191.84</b>	<b>79,019.50</b>	<b>474,117.00</b>
<i>Non Operating Expense-Interest</i>	0.00	0.00	0.00	0.00	0.00
<b>Operating Income (Loss)</b>	<b>(\$1,865.85)</b>	<b>(\$22,570.29)</b>	<b>(\$24,436.14)</b>	<b>(\$32,762.83)</b>	<b>(\$196,577.00)</b>
<b>Capital Outlay</b>	<b>\$4,500.00</b>	<b>\$0.00</b>	<b>\$4,500.00</b>	<b>\$138,583.33</b>	<b>\$831,500.00</b>
<b>Grant Reimbursement/Donations</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>Cash Flow Transfer</b>	<b>(\$6,712.08)</b>	<b>\$6,712.08</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

This report is based on the following:

Revenue accrual thru February 29, 2016

Expenses cash thru February 29, 2016 with March Bills

## 2016 Joint Powers Total Operations Recap

Month	Yankton Transfer	Vermillion Landfill	Total	Total Tons	\$ per ton	Recycling			Yankton Operations	Vermillion Operations	Total Operations
						Yankton	Vermillion	Total			
January	27,219.60	(37,872.18)	(10,652.58)	2,453.74	51.32	623.65	(6,724.34)	(6,100.69)	27,843.25	(44,596.52)	(16,753.27)
February	24,442.56	(16,927.43)	7,515.13	2,801.55	46.48	(2,489.50)	12,657.79	10,168.29	21,953.06	(4,269.64)	17,683.42
Subtotal	51,662.16	(54,799.61)	(3,137.45)	5,255.29	51.02	(1,865.85)	5,933.45	4,067.60	49,796.31	(48,866.16)	930.15

3/7/2016

City of Yankton Transfer Station  
Recap of Customer Tonnage

Date	City	Licensed Haulers							Sub-Total	All Other	Total Transfer	Recycling
	Compactors (577)	Bartunek (587)	Janssen (547)	Arts (586)	Fischer (590)	Independence (627)	Loren Fischer (648)	Kortan (673)				Plastic Tonnage
January 2015	228.32	0.00	537.70	380.58	44.72	0.00	50.18	3.33	1,016.51	255.24	1,500.07	4.91
February 2015	188.52	0.00	476.61	351.74	32.51	0.00	47.29	6.86	915.01	215.54	1,319.07	3.91
March 2015	219.10	0.00	577.32	455.17	44.54	0.00	50.43	7.15	1,134.61	294.01	1,647.72	4.66
April 2015	235.49	0.00	609.05	540.52	41.41	0.00	51.08	4.03	1,246.09	654.13	2,135.71	4.88
May 2015	236.92	0.00	654.70	529.94	37.37	0.00	62.42	4.08	1,288.51	286.48	1,811.91	5.81
June 2015	246.19	0.00	664.97	528.54	56.29	6.41	58.67	10.10	1,324.98	326.95	1,898.12	5.30
July 2015	268.28	0.00	812.20	538.36	47.21	1.45	67.02	3.24	1,469.48	380.13	2,117.89	6.08
August 2015	258.02	0.00	733.79	513.07	42.35	0.00	70.36	8.20	1,367.77	324.92	1,950.71	5.06
September 2015	252.89	0.00	666.62	490.70	54.08	0.00	46.02	7.43	1,264.85	340.81	1,858.55	5.05
October 2015	232.03	0.00	706.02	514.42	45.91	0.00	45.48	8.08	1,319.91	399.76	1,951.70	5.95
November 2015	223.63	0.00	583.04	384.68	52.06	0.00	47.80	10.78	1,078.36	287.15	1,589.14	3.38
December 2015	263.45	0.00	568.04	433.13	54.97	0.00	48.53	10.03	1,114.70	252.49	1,630.64	5.98
2015 Total	2,852.84	0.00	7,590.06	5,660.85	553.42	7.86	645.28	83.31	14,540.78	4,017.61	21,411.23	60.97
January 2016	204.72	0.00	506.69	368.30	53.23	0.00	46.55	7.51	982.28	238.64	1,425.64	3.88
February 2016	206.87	0.00	495.25	333.19	49.59	0.00	58.99	6.40	943.42	302.26	1,452.55	4.63
2016 Total	411.59	0.00	1,001.94	701.49	102.82	0.00	105.54	13.91	1,925.70	540.90	2,878.19	8.51

Total Tons	1,452.55
X \$3	3.00
Recycling Fee	<u>4,357.65</u>

CITY OF VERMILLION  
LANDFILL TONS

	2016	Independence Waste	Fischer Disposal	Art's Garbage	Verm. Garbage	City of Elk Point	Loren Fischer	Turner County	City of Beresford	Other	2016 Tons
\$45.00 PER TON	Jan	254.19	90.52	74.58	37.07	72.35	229.36	20.45	90.07	106.39	974.98
	Feb	286.52	110.84	33.01	39.74	78.20	244.08	20.34	98.28	418.45	1329.46
	Mar										0.00
	April										0.00
	May										0.00
	June										0.00
	July										0.00
	Aug										0.00
	Sept										0.00
	Oct										0.00
	Nov										0.00
	Dec										0.00
			540.71	201.36	107.59	76.81	150.55	473.44	40.79	188.35	524.84
\$40.00 PER TON	Jan	268.49	113.11		41.76	82.53	199.71	26.77	106.70	123.70	962.77
	Feb	230.93	109.12		39.98	68.24	187.06	21.79	79.56	52.29	788.97
	Mar	308.67	129.33		43.59	88.90	232.92	24.11	107.68	143.52	1078.72
	April	368.21	140.64		46.81	83.08	257.99	23.21	114.26	220.04	1254.24
	May	461.23	157.80		52.20	86.49	313.58	26.12	101.75	180.49	1379.66
	June	429.91	145.53		42.30	95.93	320.00	24.61	128.88	314.60	1501.76
	July	351.03	158.78		51.73	88.68	337.56	18.62	132.18	210.85	1349.43
	Aug	419.10	179.45		49.66	95.58	296.77	21.99	132.40	267.08	1462.03
	Sept	422.71	131.50		43.49	93.64	309.29	27.96	94.83	260.80	1384.22
	Oct	390.49	131.96		41.76	85.17	313.89	26.16	115.37	226.32	1331.12
	Nov	322.64	137.95		43.33	94.97	312.82	22.26	116.57	140.95	1191.49
	Dec	320.63	120.50		43.10	100.68	285.57	20.41	108.45	292.08	1291.42
			4294.04	1655.67	0.00	539.71	1063.89	3367.16	284.01	1338.63	2432.72

# ***MINUTES***

## **FOX RUN GOLF ADVISORY BOARD**

**Thursday, February 18, 2016  
Fox Run Golf Course Clubhouse – 12:00 P.M.**

### **Routine Business**

#### Roll Call:

Present: Dan Kortan, Jake Hoffner, Kim Auch, Mike Brinkerhoff.

Absent: Warren Erickson, Steve Sager, Annette Kohoutek.

Also present were PGA Pro Kevin Doby, Course Superintendent Rockie Wampol, Director of Parks and Recreation Todd Larson, and Parks Secretary Chasity McHenry

Public Appearances: Rich Hinckley

#### Minutes:

January 21, 2016 minutes approved. Doby motioned, Auch second.  
Motion carried 4-0.

### **Old Business**

A. No old business.

### **New Business**

- A. Update on staffing plan for 2016. Tom Jeffers hired as Golf Operations Manager. Tom started Monday, February 22. Currently interviews for the Assistant Golf Operations Manager Position will start in the beginning of March.
- B. Marketing for 2016. Fox Run will do the free sleeve of golf balls for each paid green fee again this summer. There are Srixon balls left from last year, so those will be given out and then the sleeves will be Titleist after that. Todd will add the promotion to the advertising we do in South Dakota Magazine, Nebraska Life, and the Sioux City Journal.
- C. League software update. Range ball dispenser has been purchased and waiting for delivery. The new dispenser will no longer use tokens. Range pass holders will be given a key fob for use and those who purchase a bucket will receive a code on their receipt that will be used to get the bucket of balls. The key fob can be limited to so many baskets a day to help keep one key fob from being passed around to friends. Once the two bucket limit is reached, the pass holder can come into the clubhouse and request more range balls. League software will be going to Golf Genesis in 2016. The demo tests have gone well so Kevin is hopeful it will be a very smooth system to use for both employees and league participants.
- D. Course event calendar for 2016. City Classic will be August 27<sup>th</sup> and 28<sup>th</sup>. Fox Run will be hosting the first day on the 27<sup>th</sup> with an evening event and Hillcrest will be hosting the second day on August 28<sup>th</sup>. The City Classic is a two-year agreement for 2016 and 2017 between the courses and then it will be re-evaluated again.
- E. Yankton Recreation Pass. Reviewed the spreadsheet and information (attachment). The board thought a monthly pay option through an Electric Funds Transfer (EFT) should be included. Discussed the idea of collecting a deposit at the beginning of the agreement and the deposit could be used by the city if the person decided to quit before the 12

month agreement was completed. The board also felt requiring the same status of passes at both the SAC and Fox Run was an acceptable requirement. The board felt the program should be implemented as soon as possible. The concept needs to also be discussed with the Parks Advisory Board. Then it will go to the City Commission for discussion.

- F. Course conditions and projects –Rockie. Rockie will plan to have some trees moved again this spring. A number of trees were moved in the fall. In this spring season, Rockie will continue to monitor the course and determine when the course is too wet and walking only will be allowed. Currently, the course is dry and carts will be allowed.

### **Other Business**

- A. Next Meeting Date – Thursday, March 17, 2016. The GAB meetings will be moved to Thursdays through October of 2016.

### **Meeting Adjourned**

- A. Kortan motioned, Brinkerhoff second. Motion carried 4-0.

**CITY of YANKTON**  
**PLANNING COMMISSION MEETING MINUTES**  
**for**  
**March 14, 2016**

The meeting was called to order at 5:30 p.m. by Chairman Wenande

**ROLL CALL:**

Present – Jon Economy, Steve Pier, Dr. Scott Shindler, Mike Healy, Deb Specht, Bruce Viau and City Commission Representative Chris Ferdig, ETJ Member Michael Welch and Chairman Brad Wenande.

Unable to attend: Marc Mooney and Lynn Peterson.

Chairman Wenande asked for approval of the February 8, 2016 meeting minutes.

**MINUTES – February 8, 2016**

- 16-09 **MOTION** – It was moved by Commissioner Shindler and seconded by Commissioner Specht to approve the minutes of the February 8, 2016 meeting.

**VOTE** – Voting “Aye” – all members present. Voting “Nay” – none.

**MOTION – PASSED**

Chairman Wenande read the item on the consent agenda establishing April 11, 2016 as the date for a public hearing to consider a Conditional Use Permit in the Extraterritorial Jurisdiction for a self-storage facility on the North 406.8’ of the SE ¼, Section 35, T94N, R56W, lying East of the Railroad ROW, Yankton County, South Dakota. Address, 3207 West City Limits Road. Jerome Poeschl, Revocable Living Trust, owner.

- 16-10 **MOTION** – It was moved by Commissioner Healy and seconded by Commissioner Economy to recommend establishing the hearing date.

**VOTE** – Voting “Aye” – all members present. Voting “Nay” – none.

**MOTION – PASSED Planning Commission hearing date on April 11, 2016.**

Chairman Wenande read the action item to consider a plat of Lot 5, Blakey’s Addition, in the NW ¼ of the NW ¼, Section 16, T93N, R55W of the 5th. P.M., Yankton County, SD. Location, Address, 707 Eagle Drive. Terry Sayler, owner.

Mr. Mingo explained the location of the plat. Commissioner Pier asked if something was approved, in the same area, last month. Mr. Mingo states yes there was another plat east of Eagle Drive that was approved and that the land owners were doing a “land swap”.

16-11 **MOTION** – It was moved by Commissioner Viau and seconded by Commissioner Shindler to recommend approval of the plat of Lot 5, Blakey’s Addition, in the NW ¼ of the NW ¼, Section 16, T93N, R55W of the 5th. P.M., Yankton County, SD. Location, Address, 707 Eagle Drive. Terry Sayler, owner.

**VOTE** – Voting “Aye” – all members present. Voting “Nay” – none.

**MOTION – PASSED Moves to City Commission Meeting on April 11, 2016.**

Chairman Wenande read the action item to consider a plat of Debra Boulevard and Dedicated Public Right-of-Ways in the S1/2 of the E1/2 of the W1/2 of the NW1/4, Section 15, T93N, R56W of the 5<sup>th</sup>. P.M., Yankton County, South Dakota. Address, South side of the 3500 and 3600 Block of W. 8<sup>th</sup> Street. Phil Spady, owner

Mr. Mingo explained the location of the plat. Mr. Mingo also stated that the Department of Transportation (DOT) will not allow additional access to property. ETJ Member Welch asked if this will be going to the County for approval as well. Mr. Mingo stated yes, anything in the 3 mile jurisdiction is required to go through both units of government. Commissioner Healy asked about the timing of the approvals. Who goes first, the City or the County? Mr. Mingo stated that 9 out of 10 times these items are reviewed by the City first and County thereafter. Once in a while the meeting schedules are such that the County review comes first. Each action is contingent on the approval of both entities.

16-12 **MOTION** – It was moved by Commissioner Specht and seconded by Commissioner Economy to recommend approval of the plat of Debra Boulevard and Dedicated Public Right-of-Ways in the S1/2 of the E1/2 of the W1/2 of the NW1/4, Section 15, T93N, R56W of the 5<sup>th</sup>. P.M., Yankton County, South Dakota. Address, South side of the 3500 and 3600 Block of W. 8<sup>th</sup> Street. Phil Spady, owner.

**VOTE** – Voting “Aye” – all members present. Voting “Nay” – none.

**MOTION – PASSED Moves to City Commission Meeting on April 11, 2016.**

February Building Permit Report Update - Mr. Mingo advised February was a normal month compared to last year.

Code Enforcement activities for 2015. Mr. Mingo stated that per City Commission directive, staff continues to be very active in the Code Enforcement. Action numbers are plateauing a bit. Mr. Mingo attributed this in part due to more education being done with residents and business owners. Code enforcement is a never ending job. Grass that gets mowed in order to come into compliance continues to grow.

Mr. Mingo also stated that sometimes public perception is that if something is fixed once, it is always fixed and that is a false perception. Code Enforcement has to continually track issues to ensure they are taken care. Commissioner Pier



asked if each of the 58 actions, in regards to the snow removal from sidewalks, meant a contact with the public. Mr. Mingo stated yes. Commissioner Healy asked Mr. Mingo to look into the situation on the SE corner of 2<sup>nd</sup> Street and Broadway Avenue. Mr. Mingo stated that Code Enforcement staff has been in contact with the owner related to past violations at the site. Staff will take another look at the location. Commissioner Healy asked whether the structure could be demolished. Mr. Mingo replied that there are criteria to follow and there could be historical issues with the building also. Staff would review the site. Questions arose regarding City Wide cleanup. Mr. Mingo answered all questions from the Commissioners.

**ADJOURNMENT**

16-13 **MOTION** – It was moved by Commissioner Healy and seconded by Commissioner Specht to adjourn at 5:48 p.m.

**VOTE** – Voting “Aye” – all members present. Voting “Nay” – none.

**MOTION – PASSED**

Respectfully submitted,

Dave Mingo  
Secretary

Publishing Dates: March 17 and March 24, 2016

## **NOTICE TO BIDDERS**

Sealed bids will be received by the City Commission of the City of Yankton, South Dakota, at 416 Walnut Street, Yankton, South Dakota, at the office of the City Finance Officer of said City until 3:00 P.M. or may be hand delivered to the place of opening at 3:00 P.M. on the 30<sup>th</sup> day of March, 2016, at which time they will be publicly opened and read in the Second Floor Meeting Room of City Hall, Yankton, South Dakota. Disposition of said bids will be held on the 11<sup>th</sup> day of April, 2016, at 7:00 P.M. in the City of Yankton Community Meeting Room located in the Technical Education Center at 1200 W. 21<sup>st</sup> Street, Yankton, South Dakota.

Bids will be received on the following:

### **ONE (1) NEW HEAVY DUTY TEN YARD 14' DUMP BOX BODY, HYDRAULIC HOIST AND UNDERBODY SCRAPER**

THE PUBLIC WORKS DEPARTMENT  
STREET DIVISION

Copies of the specifications and bidding forms may be obtained at the Office of the Department of Public Works, 700 Levee Street, Yankton, South Dakota, 57078 or by telephoning (605) 668-5211.

All bids must be submitted on forms provided by the City of Yankton.

The City of Yankton, South Dakota, reserves the right to reject any and all bids and to waive any informalities therein to determine which is the best and most advantageous bid to the City.

Adam Haberman PE  
Director of Public Works  
City of Yankton, South Dakota

Dated: March 17, 2016

**-THE CITY OF YANKTON IS AN EQUAL OPPORTUNITY EMPLOYER-**

***Memorandum #16-90***

*To: City Manager*  
*From: Finance Department*  
*Date: March 22, 2016*  
*Subject: Transient Merchant License Application*

We have received the following application for a Transient Merchant License:

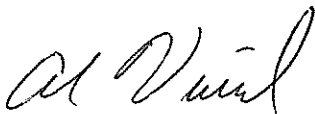
Big Red Bed Truck  
912 S. Willow Creek Place  
Sioux Falls, SD 57106

The applicant is requesting to hold a Gel Mattress and new bedding sale at Yankton Bowl Family Fun Center, 3010 Broadway, on March 31 – April 3, 2016.

A check with the State Sales Tax office revealed that the applicant does pay State Sales Tax.

City Code also requires the applicant to pay a fee of \$50.00 per month and file proof of a insurance bond with the Finance Officer. We have received the fee and bond.

The applicant is in compliance with all police codes as checked by the Police Department.



Al Viereck  
Finance Officer

\_\_\_\_ Voice vote

NOTICE OF HEARING UPON APPLICATION  
FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN that an application has been received by the Board of City Commissioners of the City of Yankton, South Dakota, for the transfer of ownership of a Retail (on-off sale) Malt Beverage License for July 1, 2015, to June 30, 2016, from Torid, LLC d/b/a 5'OClock Somewhere – Parrots Cove (Richard Dolejsi, Member), to YASS Inc. d/b/a 5'OClock Somewhere – Parrots Cove (Vikash Patel, President), 2007 Broadway, Suite M-A, Yankton, S.D.

NOTICE IS FURTHER GIVEN that a Public Hearing upon the application will be held on Monday, April 11, 2016, at 7:00 p.m. in the City of Yankton Community Meeting Room at the Technical Education Center, 1200 West 21<sup>st</sup> Street, Yankton, South Dakota, where any person or persons interested in the approval or rejection of the above application may appear and be heard.

Dated at Yankton, South Dakota  
this 28<sup>th</sup> day of March, 2016.



Al Viereck  
FINANCE OFFICER

\_\_\_\_ Voice vote

NOTICE OF HEARING UPON APPLICATION  
FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN that an application has been received by the Board of City Commissioners of the City of Yankton, South Dakota, for the transfer of ownership of a Retail (on-off sale) Malt Beverage License for July 1, 2015, to June 30, 2016, from Torid, LLC d/b/a 5'OClock Somewhere (Richard Dolejsi, Member), to YASS Inc. d/b/a 5'OClock Somewhere (Vikash Patel, President), 2007 Broadway, Suite M, Yankton, S.D.

NOTICE IS FURTHER GIVEN that a Public Hearing upon the application will be held on Monday, April 11, 2016, at 7:00 p.m. in the City of Yankton Community Meeting Room at the Technical Education Center, 1200 West 21<sup>st</sup> Street, Yankton, South Dakota, where any person or persons interested in the approval or rejection of the above application may appear and be heard.

Dated at Yankton, South Dakota  
this 28<sup>th</sup> day of March, 2016.



Al Viereck  
FINANCE OFFICER


\_\_\_\_ Voice vote

***Memorandum #16-84***

*To: City Manager*  
*From: Finance Officer*  
*Date: March 22, 2016*  
*Subject: Transfer Package (off-sale) Malt Beverage Lic.-Freedom Valu Center*

We have received an application for the transfer of ownership of a Package (off-sale) Malt Beverage License for July 1, 2015, to June 30, 2016, from Freedom Valu Center, Inc. (Joseph V. Topper, Jr., CEO) d/b/a Freedom Valu Center to JAY AMBE-8, LLC (Kamleshkumar Patel, Owner) d/b/a Freedom Valu Center, 301 Broadway Avenue, Yankton, SD 57078.

The above application is in compliance with the City Code of Ordinances, as checked by the Department of Finance. A Police check on the applicant revealed no felony convictions or wants. An inspection by the Building Inspector and Fire Marshal has been done and is in compliance with all city codes.



Al Viereck  
Finance Officer

***Memorandum #16-85***

*To: City Manager*  
*From: Finance Officer*  
*Date: March 22, 2016*  
*Subject: Transfer Retail (on-off sale) Malt Beverage Lic.-Freedom Valu Center*

We have received an application for the transfer of ownership of a Retail (on-off sale) Malt Beverage License for July 1, 2015, to June 30, 2016, from Freedom Valu Center, Inc. (Joseph V. Topper, Jr., CEO) d/b/a Goldmine to JAY AMBE-8, LLC (Kamleshkumar Patel, Owner) d/b/a Freedom Valu Center, 301 Broadway Avenue, Yankton, SD 57078.

The above application is in compliance with the City Code of Ordinances, as checked by the Department of Finance. A Police check on the applicant revealed no felony convictions or wants. An inspection by the Building Inspector and Fire Marshal has been done and is in compliance with all city codes.



Al Viereck  
Finance Officer

***Memorandum #16-86***

*To: City Manager*  
*From: Finance Officer*  
*Date: March 22, 2016*  
*Subject: Transfer Retail (on-off sale) Malt Beverage Lic.-Charlies Pizza*

We have received an application for the transfer of ownership of a Retail (on-off sale) Malt Beverage License for July 1, 2015, to June 30, 2016, from Charlies Pizza House, Inc. (Steve Slowey, President) d/b/a Charlie's Pizza House to Chuck Stop, LLC (Robert Rezac, President), d/b/a Charlie's Pizza, 804 Summit Street, Yankton, S.D.

The above application is in compliance with the City Code of Ordinances, as checked by the Department of Finance. A Police check on the applicant revealed no felony convictions or wants. An inspection by the Building Inspector and Fire Marshal has been done and is in compliance with all city codes.



Al Viereck  
Finance Officer



**Memorandum #16-87**

To: City Manager  
From: Finance Department  
Date: March 22, 2016  
Subject: Transfer Retail (on-off sale) Wine – Charlies Pizza

We have received an application for the transfer of ownership of a Retail (on-off sale) Wine License for January 1, 2016, to December 31, 2016, from Charlies Pizza House, Inc. (Steve Slowey, President) d/b/a Charlie's Pizza House to Chuck Stop, LLC (Robert Rezac, President), d/b/a Charlie's Pizza, 804 Summit Street, Yankton, S.D.

The above applicant is in compliance with the City Code of Ordinances, as checked by the Department of Finance. A police check on the applicant revealed no felony convictions or wants. The applicant is in compliance with all building and fire codes.



Al Viereck  
Finance Officer

**Memorandum #16-79**

**To:** Amy Nelson, City Manager  
**From:** Corey Potts, Public Works Manager  
**Subject:** Bid award for the Annual Supply of Liquid Asphalt for the Department of Public Works, Street Division  
**Date:** March 21, 2016

Bid packets for the Annual Supply of Liquid Asphalt were sent to suppliers known to be within the region. The only bid received is outlined below.

	<i>AC PG 58-28 Grade Asphalt Cement</i>	<i>MC 70 Grade Asphalt</i>	<i>RC 800 Grade Asphalt</i>	<i>Demurrage Cost Per Hour Over 3 Hours</i>
<i>Jebro, Inc. 2302 Bridgeport Drive Sioux City, IA 51111</i>	<b>\$372.00 Ton</b>	<b>\$2.42 Gal.</b>	<b>\$2.54 Gal.</b>	<b>\$75.00</b>

The above grades of Liquid Asphalt are those used by the City to complete its annual maintenance and construction activities. This year's bid reflects decreases in all grades of Liquid Asphalt over last year's prices. AC Grade Asphalt represents a decrease of \$155.76 per ton, MC 70 Grade Asphalt reflects a decrease of \$0.6026 per gallon and RC800 Grade Asphalt shows a decrease of \$0.5859 per gallon. Approximately 50 tons of AC Grade, 6,200 gallons of MC 70 Grade and 38,000 gallons of RC800 Grade Asphalt are used annually in maintenance and construction activities.

The bid from Jebro, Inc. of Sioux City, Iowa, does meet specifications. Jebro has served the City of Yankton for several years supplying the City's liquid asphalt products. Therefore, it is recommended that the bid be awarded to Jebro, Inc. of Sioux City, Iowa, for the AC Grade Asphalt, RC800 Grade Asphalt and MC 70 Grade Asphalt in the amounts stated above.

Respectfully submitted,

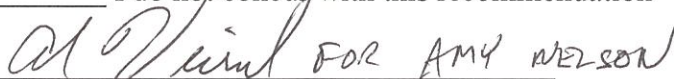


Corey Potts  
Public Works Manager

**Recommendation: It is recommended the bid be awarded to Jebro, Inc. of Sioux City, Iowa, for the AC Grade Asphalt at \$372.00 per ton, MC 70 Grade Asphalt at \$2.42 per gallon and for the RC800 Grade Asphalt at \$2.54 per gallon as detailed in Memorandum #16-79.**

I concur with this recommendation

I do not concur with this recommendation



Amy Nelson  
City Manager

cc: Adam Haberman PE  
mlr

\_\_\_\_ Roll call

**Memorandum #16-80**

**To:** Amy Nelson, City Manager  
**From:** Corey Potts, Public Works Manager  
**Subject:** Bid award for the Annual Supply of Bituminous Mix for the Department of Public Works, Street Division  
**Date:** March 21, 2016

One bid was received for the annual supply of Bituminous Mix. The bid received is outlined below.

NAME	BID AMOUNT
Concrete Materials 1500 N. Sweetman Place PO Box 84140 Sioux Falls, SD 57118-4140 Mission Hill, SD Plant	<b>\$65.00 per ton</b>

The bid submitted for the Bituminous Mix is less than the amount paid in 2015. The bid submitted for \$65.00 per ton is comparable to what current asphalt costs are in other locations in South Dakota.

The bid from Concrete Materials does meet City specifications and the City has utilized this supplier for several years. Therefore, it is recommended that the bid be awarded to Concrete Materials of Sioux Falls SD, Yankton Asphalt Plant for the Annual Supply of Bituminous Mix.

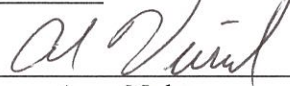
Respectfully submitted,



Corey Potts  
Public Works Manager

**Recommendation: It is recommended that the City Commission approve Memorandum #16-80 authorizing the Annual Supply of Bituminous Mix be awarded to Concrete Materials of Sioux Falls, South Dakota, Yankton, South Dakota Plant at the price of \$65.00 per ton.**

I concur with this recommendation  
 I do not concur with this recommendation

 FOR AMY NELSON

Amy Nelson  
City Manager

cc: Adam Haberman PE  
mlr

\_\_\_\_\_ Roll call

**Memorandum #16-89**

**To:** Amy Nelson, City Manager  
**From:** Kyle Goodmanson, Environmental Services Director  
**Subject:** Bid Award for Lift Station  
**Date:** March 28, 2016

Construction contract bids for the Lift Station were received on March 17, 2016. This project includes the construction of a new Lift Station, gravity and force main to connect to existing infrastructure, and the demolition of the existing Dale Lift station. A generator will also be installed at the new Lift Station. This project is funded with an United States Economic Development Administration (EDA) Grant. The Lift Station portion is the first phase of wastewater improvements in the area. Future improvements will include a new gravity sewer line to replace the Chesterman Lift Station and a new force main to increase overall capacity of the collection system.

The Bids received are listed below.

	Base Bid
1. Gridor Construction	\$2,396,000.00
2. Wefl Construction	\$2,908,400.00
3. IPT Construction	\$3,379,000.00
4. Rice Lake Construction	\$3,384,400.00

Gridor Construction is located in Buffalo, Minnesota. Gridor Construction has been in business since 1969 and specializes in water and wastewater construction projects. Gridor has completed projects for Lewis Clark Water System, City of Sioux Falls, City of Aberdeen, City of Watertown, City of Canton and the City of Lennox. Gridor Construction also completed the second phase of the City of Yankton Wastewater Treatment Plant improvements.

The low bid of \$2,396,000.00 is less than the engineer's estimate of \$2,400,000.00. City staff recommends the bid be awarded, subject to the concurrence of the South Dakota Department of Environment and Natural Resources and United States Economic Development Administration, to Gridor Construction for \$2,396,000.00.

\_\_\_\_\_ Roll call

Respectfully submitted,



Kyle Goodmanson  
Environmental Services Director

**Recommendation: It is recommended that the City Commission approve Memorandum #16-89 awarding the bid for the Lift Station to Gridor Construction, in the total amount of \$2,396,000.00, subject to the concurrence of the South Dakota Department of Environment and Natural Resources and United States Economic Development Administration.**

I concur with this recommendation.

I do not concur with this recommendation.

 FOR AMY NELSON  
\_\_\_\_\_  
Amy Nelson – City Manager

\_\_\_\_ Roll call



March 21, 2016

Mr. Kyle Goodmanson  
Environmental Services Director  
City of Yankton  
416 Walnut Street  
Yankton SD 57078

RE: City of Yankton Contract 2016-1  
EDA Project 05-79-05291, SRF Project C461038-04 - City of Yankton Pump Station Project  
Recommendation for Award

Dear Mr. Goodmanson,

On Thursday, March 17, 2016, a public bid opening was held for the City of Yankton Wastewater Pumping Station Project. Four (4) bids were received and opened. A certified bid tab of the received bids has been provided to you. All of the bids received were above the engineer's estimate (with contingencies) except the bid from Gridor Construction, Inc. at \$2,396,000.00. We understand, after consultation with the City, that the City is prepared to proceed with the project and will commit to providing the funds required in excess of the original Engineer's estimate. We are well aware of Gridor's capabilities, as is the City, and they have done several successful projects in the past with the City.

Based upon our review, the bid received from Gridor Construction inc. from Buffalo, MN for the construction of Contract 2016-1 appears to be in accordance with the Advertisement for Construction Bids and the Bid Documents. Upon our detailed review of the bid, but we have verified with the bidder that he is prepared to stand behind the bid as submitted.

The bid is thus considered to be a responsible and responsive Bid and therefore we recommend awarding Contract 2016-1 to Gridor Construction for the low bid price of \$2,396,000.00. This recommendation is contingent upon the review and approval of your attorney and the US EDA and the SDDENR, which are the primary funding agencies.

If you have any questions or comments please let me know.

Sincerely,

BARTLETT & WEST, INC.

A handwritten signature in black ink, appearing to read "G. Hines".

G. Jeffery Hines, P.E.  
Project Manager

cc: John Clem – Planning District III, Al Vierek – City of Yankton, Veronica Jacobson, PE – USED A, Andy Bruels, PE - SDDENR

## *Memorandum #16-82*

**To:** Amy Nelson, City Manager  
**From:** Dave Mingo, AICP Community Development Director  
**Subject:** Planning Commission Action Number 16-11 / Resolution #16-19  
**Date:** March 22, 2016

---

### **PLAT REVIEW**

**ACTION NUMBER: 16-11**

**E.T.J. MEMBER ACTION REQUIRED: No**

**APPLICANT / OWNER:** Terry Sayler.

**ADDRESS / LOCATION:** 707 Eagle Drive. Please reference the attached map.

**PROPERTY DESCRIPTION:** Lot 5, Blakey's Addition, in the NW 1/4 of the NW 1/4, Section 16, T93N, R55W of the 5th. P.M., Yankton County, SD

**ZONING DISTRICT:** ETJ I-1 Industrial.

**PREVIOUS ACTION:** Original Blakey's Addition Plat.

**COMMENTS:** The location of the proposed plat is in the City's three mile plating jurisdiction. This allows the City to require the dedication of right-of-way along the extension of the planned street grid. The proposed plat is located adjacent to a previously approved subdivision with identified right-of-way corridors serving as the primary access to the property. The previous adjacent right-of-way dedications identify the location of the corridor that needs to be included in the proposed plat. This plat includes the required dedication for Eagle Drive. The plat is not adjacent to the City's corporate limits so the Subdivision Ordinance requirements do not apply.

The proposal will also be subject to county platting review as it moves forward through the process.

Staff recommends approval of the proposed plat.

#### **HEARING SCHEDULE:**

March 14, 2016: The Planning Commission reviews the plat and makes a recommendation to the City Commission.

March 28, 2016: The City Commission reviews the plat and makes a final decision.

**Planning Commission results:** The Planning Commission recommended approval of the proposed plat.

\_\_\_\_\_ Roll Call

**RESOLUTION #16-19**

WHEREAS, it appears from an examination of the plat of Lot 5, Blakey's Addition, in the NW 1/4 of the NW 1/4, 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 and is subject to County review.

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 is hereby approved.

Adopted:

\_\_\_\_\_  
David Carda, Mayor

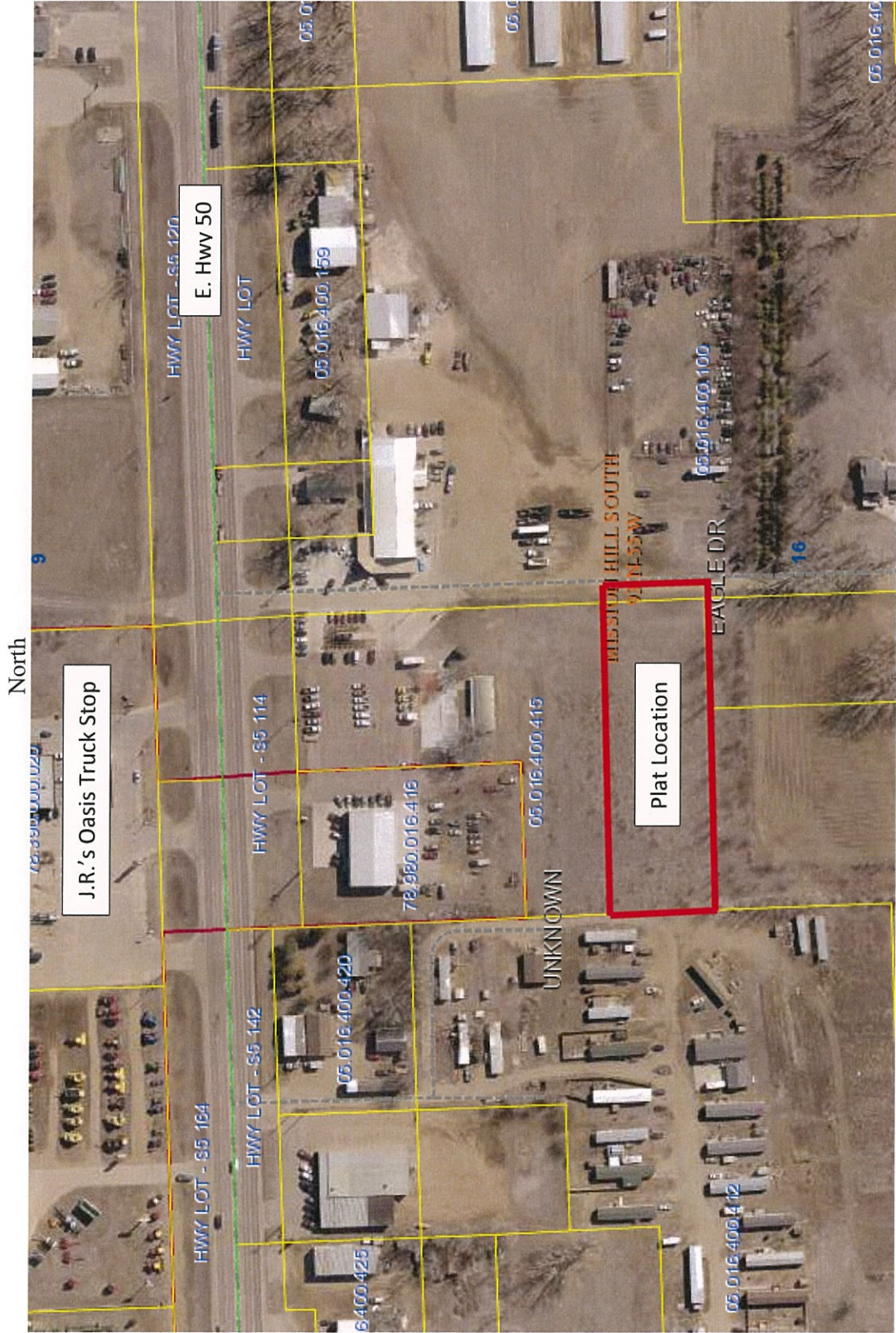
ATTEST:

\_\_\_\_\_  
Al Viereck, Finance Officer



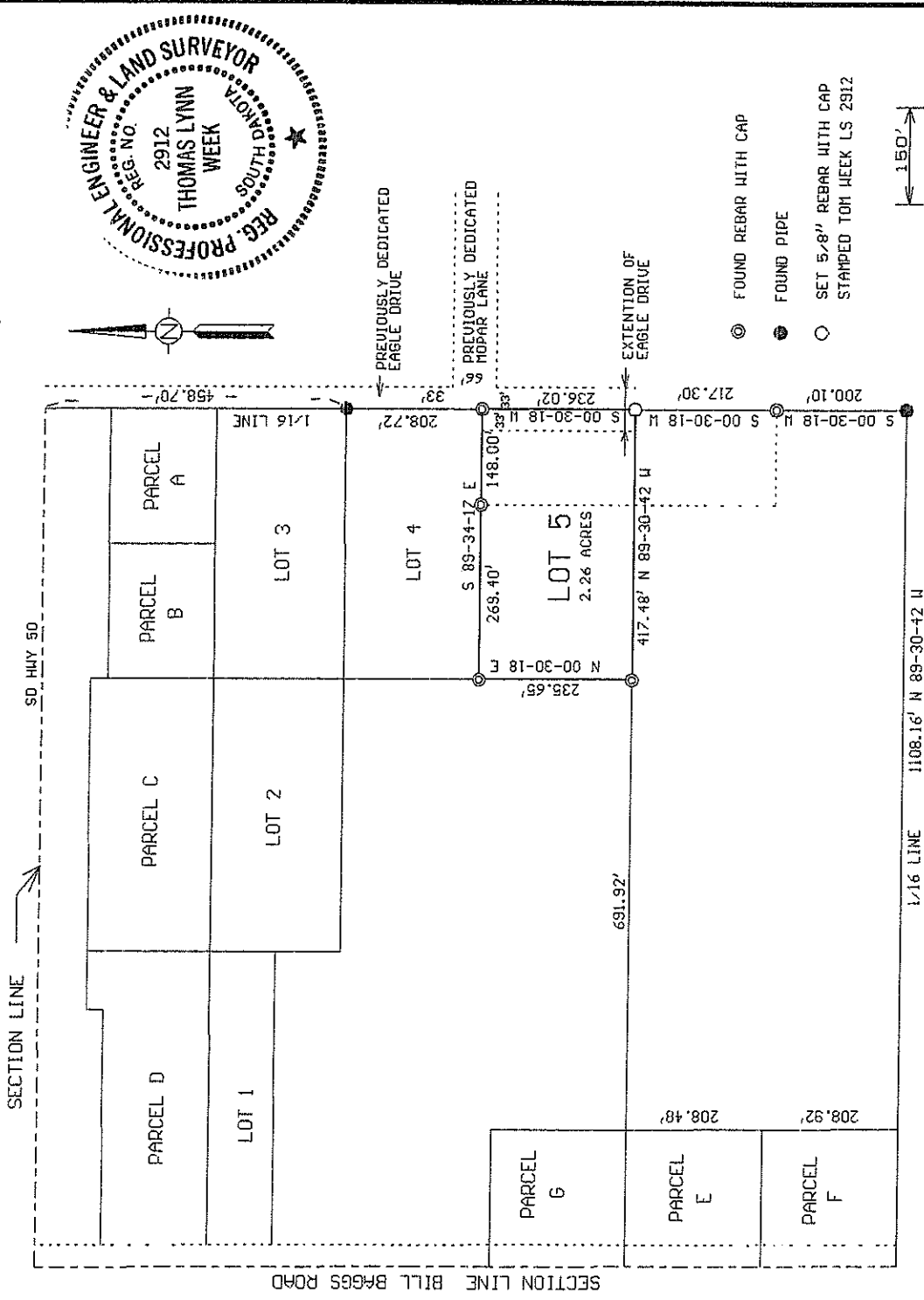
# Plat Location Map

Lot 5, Blakey's Addition, in the NW 1/4 of the NW 1/4, Section 16, T93N, R55W of the 5th. P.M., Yankton County, SD  
707 Eagle Drive



*D. J. F. G. d*

PLAT OF LOT 5, BLAKEY'S ADDITION, IN THE NW1/4 OF THE NW1/4,  
SECTION 16, T93N, R55W OF THE 5TH. P.M., YANKTON COUNTY, SD



N.W.1/4, N.W.1/4, SECTION 16-93-55, YANKTON COUNTY, S.D.

SURVEYORS CERTIFICATE

I, THOMAS LYNN WEEK, REGISTERED LAND SURVEYOR BY VOTING

## ***Memorandum #16-83***

**To:** Amy Nelson, City Manager  
**From:** Dave Mingo, AICP Community Development Director  
**Subject:** Planning Commission Action Number 16-12 / Resolution #16-20  
**Date:** March 22, 2016

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### **PLAT REVIEW**

**ACTION NUMBER: 16-12**

**E.T.J. MEMBER ACTION REQUIRED: No**

**APPLICANT / OWNER:** Phil Spady.

**ADDRESS / LOCATION:** South side of the 3500 and 3600 Block of W. 8<sup>th</sup> Street. Please reference the attached map.

**PROPERTY DESCRIPTION:** Debra Boulevard and Dedicated Public Right-of-Ways in the S1/2 of the E1/2 of the W1/2 of the NW1/4, Section 15, T93N, R56W of the 5th. P.M., Yankton County, South Dakota

**ZONING DISTRICT:** County Zoning Jurisdiction.

**PREVIOUS ACTION:** None

**COMMENTS:** The location of the proposed plat is in the City's three mile plating jurisdiction. This allows the City to require the dedication of right-of-way along the extension of the planned street grid. The proposed plat is located adjacent to a previously approved subdivision (Thon's) with identified right-of-way corridors serving as the primary access to the property. The proposal includes right-of-way for the continuation of Debra Boulevard, a frontage road, and other dedications associated with the property. The plat is not adjacent to the City's corporate limits so the Subdivision Ordinance requirements do not apply.

The proposal will also be subject to county platting review as it moves forward through the process.

Staff recommends approval of the proposed plat.

#### **HEARING SCHEDULE:**

March 14, 2016: The Planning Commission reviews the plat and makes a recommendation to the City Commission.

March 28, 2016: The City Commission reviews the plat and makes a final decision.

**Planning Commission results:** The Planning Commission recommended approval of the proposed plat.

\_\_\_\_\_ Roll Call

**RESOLUTION #16-20**

WHEREAS, it appears from an examination of the plat of Debra Boulevard and Dedicated Public Right-of-Ways in the S1/2 of the E1/2 of the W1/2 of the NW1/4, Section 15, T93N, R56W 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 and is subject to County review.

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 is hereby approved.

Adopted:

\_\_\_\_\_  
David Carda, Mayor

ATTEST:

\_\_\_\_\_  
Al Viereck, Finance Officer

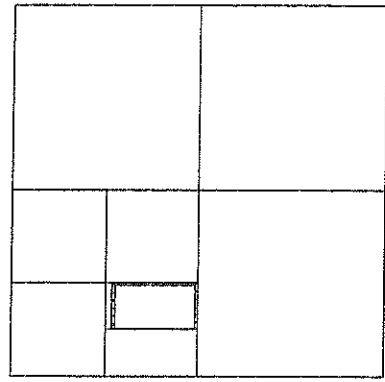
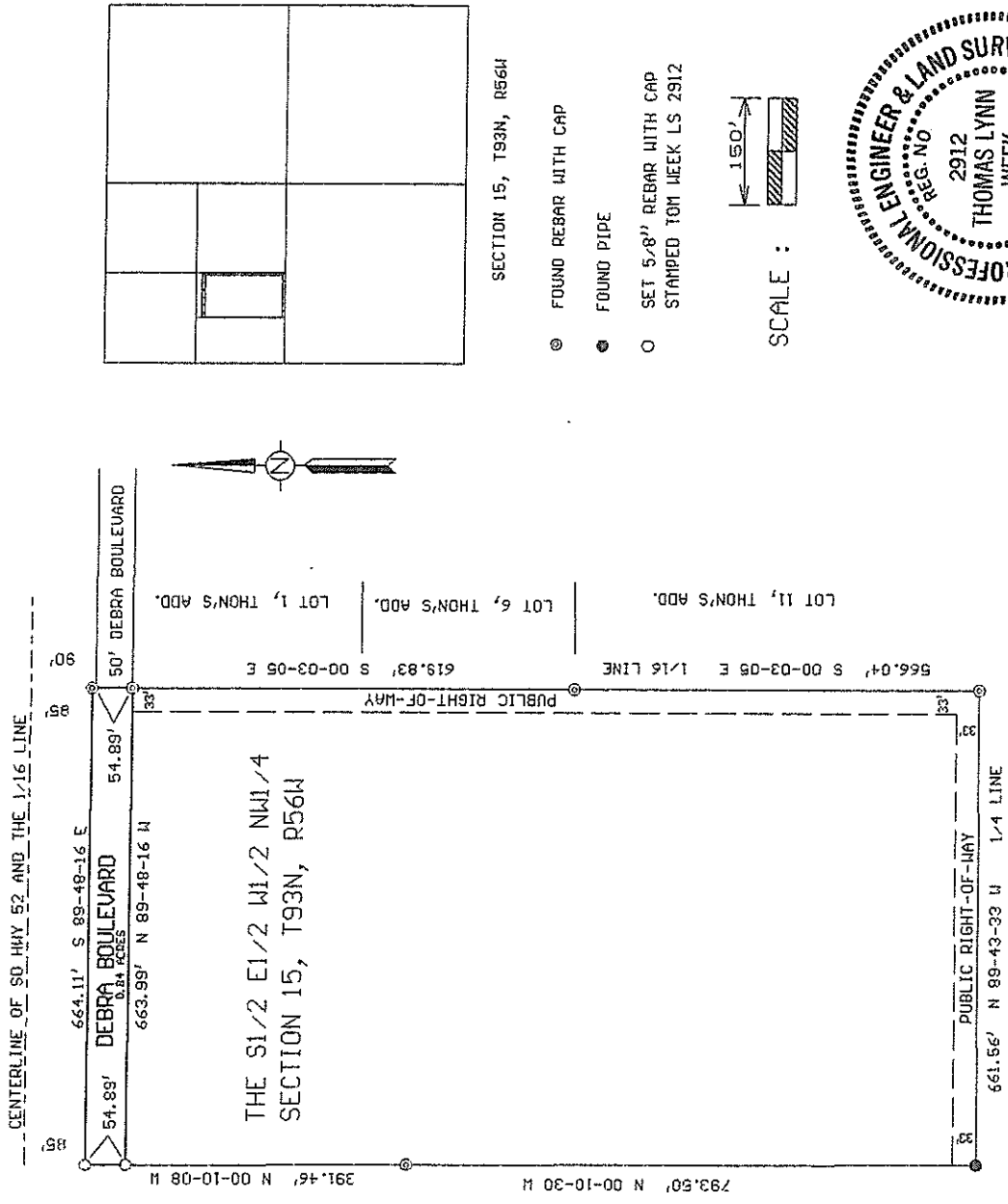
## Plat Location Map

Debra Boulevard and Dedicated Public Right-of-Ways in the S1/2 of the E1/2 of the W1/2 of the NW1/4, Section 15, T93N, R56W of the 5th. P.M., Yankton County, South Dakota  
 South side of the 3500 and 3600 Blocks of W. 8th Street



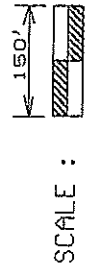
06877-1

PLAT OF DEBRA BOULEVARD AND DEDICATED PUBLIC RIGHT-OF-WAYS  
IN THE S1/2 OF THE E1/2 OF THE W1/2 OF THE NW1/4, SECTION 15,  
T93N, R56W OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA.



SECTION 15, T93N, R56W

- ⊙ FOUND REBAR WITH CAP
- FOUND PIPE
- SET 5/8" REBAR WITH CAP STAMPED TOM WEEK LS 2912



SURVEYORS CERTIFICATE

I, THOMAS LYNN WEEK, REGISTERED LAND SURVEYOR IN YANKTON, SOUTH DAKOTA, HAVE AT THE

## *Memorandum #16-81*

**To:** Amy Nelson, City Manager  
**From:** Dave Mingo, Community Development Director  
**Date:** March 22, 2016  
**Subject:** Purchase of Property Necessary for Highway 50 Project.

The attached documentation represents the results of negotiations between John Justra the South Dakota Department of Transportation (DOT) and City representatives. The proposed acquisition of property would provide the Justra owned land necessary for the DOT and City to complete the planned upgrades to East Highway 50.

The property was appraised at \$6,631 by an independent appraiser. The proposed price of \$10,000 represents a compromise between the appraised value and the owner's asking price. The DOT right-of-way staff has indicated to City staff that this is a fairly common payment ratio for acquisitions of this nature. When determining a price, the DOT and the City's special legal counsel for the project consider other factors like what it would cost to acquire the land through other means.

The previously approved agreement between the DOT and the City stipulates that the DOT will pay one-third of the cost and the City will pay two-thirds. This is based on the amount of land necessary for the planned improvements related to each entity. It is City staff's opinion that we should move forward with the purchase based on what we know about costs to acquire the property through other means. The City's share of the cost would be under \$7,000. We had based the City's budget projections for acquisition on 100 percent of the appraised value so our share of the cost of this purchase is very close to budget.

This acquisition also includes a relocation assistance agreement to provide for the owner moving items located on the property. \$350 is the cost identified for those actions so the total is \$10,350.

Per city ordinance, the purchase of property requires a two-thirds vote of the entire City Commission.

Respectfully submitted,

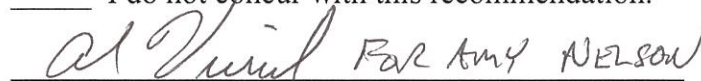


Dave Mingo, AICP  
 Community Development Director

**Recommendation:** It is recommended that the City Commission approve Memorandum #16-81 approving the purchase of the Justra property necessary for the Highway 50 Project and authorizing the City Manager to execute the associated documents.

I concur with this recommendation.

I do not concur with this recommendation.

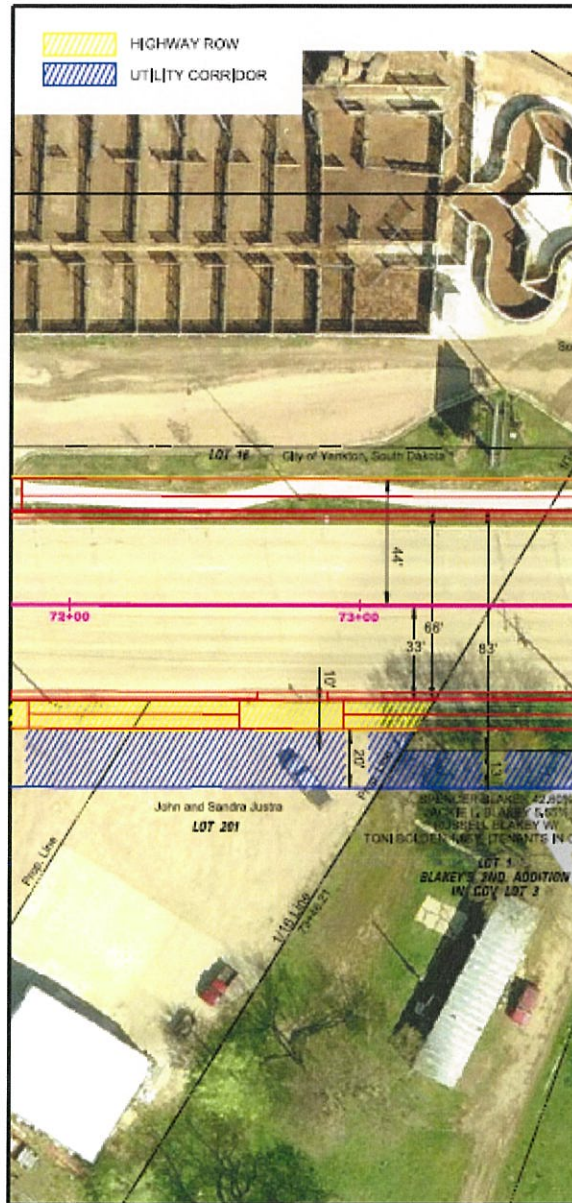
  
 Amy Nelson, City Manager

Roll Call (requires two-thirds majority to pass)

# Acquisition Location Map

Justra Parcels 20 and 20A

North





**Prepared By:**  
James E. Moore  
Woods, Fuller, Shultz & Smith P.C.  
PO Box 5027  
Sioux Falls, SD 57117  
(605) 336-3890

### WARRANTY DEED

Project No.: NH 0050(99)381      PCN No. 6926      Parcel No. 20, 20A  
County      Yankton

John Justra, a single person, Grantor, of 2806 Fox Run Parkway, Yankton County, South Dakota, 57078, for and in consideration of One Dollar and Other Good and Valuable Consideration, grants, conveys, and warrants to the City of Yankton, Grantee, with an address of PO Box 176, Yankton, South Dakota 57078-0176, the following described real estate in the County of Yankton, in the State of South Dakota:

Lot H1 in Lot 201 in the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4), Section 17, Township 93 North, Range 55 West of the Fifth Principal Meridian, Yankton County, South Dakota.

Said Lot H1 Lot 201 contains 0.02 acre (983 sq. ft.), more or less.

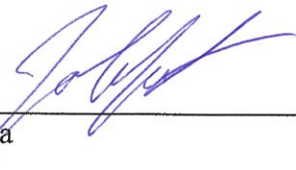
Lot U1 in Lot 201 in the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4), Section 17, Township 93 North, Range 55 West of the Fifth Principal Meridian, Yankton County, South Dakota.

Said Lot U1 Lot 201 contains 0.05 acre (1,965 sq. ft.), more or less.

The right of way for this property is depicted in the recorded plats of Lots H1 and U1.

Exempt from transfer fee pursuant to SDCL § 43-4-22(2).

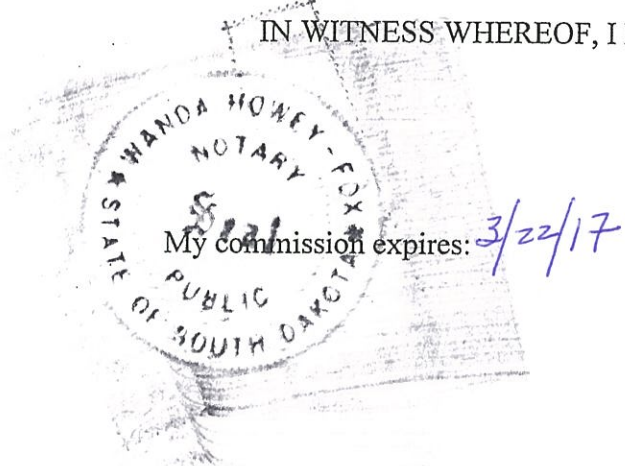
Dated this 2 day of March, 2016.

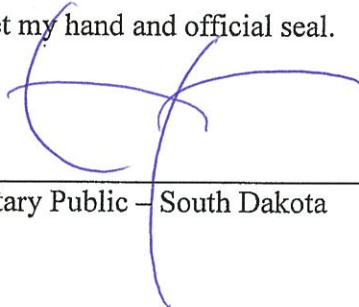
  
\_\_\_\_\_  
John Justra

STATE OF SOUTH DAKOTA    )  
  :SS  
COUNTY OF YANKTON        )

On this the 2nd day of March, 2016, before me personally appeared John Justra, known to me to be the person that is described in and who executed the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



  
\_\_\_\_\_  
Notary Public - South Dakota

RELOCATION ASSISTANCE AGREEMENT

Project No. NH 0050(99)381 PCN No. 6926 Parcel No. 20
County Yankton Claim No. 5

The State of South Dakota, acting through the South Dakota Department of Transportation, has determined it necessary to acquire a portion of the following described real property for highway purposes, which will necessitate the removal of the personal property:

Lot 201, in the NE1/4 SW1/4 NW1/4 of Section 17 - Township 93 North - Range 55 West of the 5th P.M., Yankton County, South Dakota.

It is expressly agreed and understood by the parties hereto as follows:

- (1) The real property must be vacated and all personal property removed by ... unless an extension of time is granted by the Right of Way Program Manager or the Region Engineer or their authorized representative in writing.
(2) It is further agreed any payments under this agreement are for removal and/or reinstallation of personal property and the State is released from any payment for the property as realty.
(3) When the State acquires possession of the real property, a 30-day Written Notice will be given specifying the date by which the personal property must be removed & the premises vacated. In no event will removal of the personal property and vacation of the premises be required prior to ..., 20...
(4) The Department of Transportation will reimburse the displacee for relocation costs in the following amounts after all Federal and State requirements have been complied with and the personal property removed from the right of way and/or easement area.
A. Actual, Reasonable & Necessary Cost to Move, as supported by receipted bills
OR
B. Self-move wherein the owner assumes full responsibility for the move
OF

Station 73+00 to 73+15 Rt.: Sign: "Midwest Radiator & Exhaust" And snow plow for sale \$350.00

MOVING OPTION TAKEN: A( ) or B( )

(5) The above relocation payments are binding upon the Department of Transportation only when approved by the Right of Way Program Manager or authorized representative and in the event said approval is not obtained, this Agreement is null and void and of no force or effect.

The above and foregoing Agreement is entered into on this 2nd day of March, 2016, and in the witness whereof the Grantor hereunto subscribes by signature.

\_\_\_\_\_

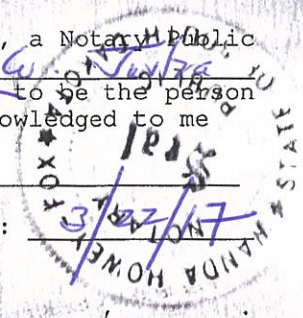
ACKNOWLEDGMENT

STATE OF South Dakota  
COUNTY OF Yankton )SS

On this 2nd day of March, in the year 2016, before me, a Notary Public within and for said County and State, has personally appeared John W. [Signature], a single person, known to me to be the person who described in, and who executed the within instrument and acknowledged to me that he executed the same.

(SEAL)

Notary Public  
My Commission Expires: 3/27/17



The above and foregoing agreement approved this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Right of Way Authorized Representative

**RIGHT OF WAY AGREEMENT (CITY)**

Project No. NH 0050(99)381

PCN No. 6926

Parcel No. 20, 20A

County Yankton

This AGREEMENT for highway right of way and facilities entered into by the undersigned hereinafter referred to as Grantor, to the City of Yankton, South Dakota, hereinafter referred to as Grantee, witnesseth:

WHEREAS, the Grantee contemplates the construction, operation and maintenance of highway facilities and a utility corridor on the above described project, as described by plans; and

WHEREAS, a portion of the right of way for such highway facilities and utility corridor is located over and across the real property hereinafter described as:

Lot H1 in Lot 201 in the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4), Section 17, Township 93 North, Range 55 West of the Fifth Principal Meridian, Yankton County, South Dakota. Said Lot H1 Lot 201 contains 0.02 acre (983 sq. ft.), more or less.

Lot U1 in Lot 201 in the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4), Section 17, Township 93 North, Range 55 West of the Fifth Principal Meridian, Yankton County, South Dakota. Said Lot U1 Lot 201 contains 0.05 acre (1,965 sq. ft.), more or less.

The right of way for this property is depicted in the recorded plats of Lots H1 and U1.

WHEREAS, the Grantor has this date conveyed an interest in the above described real property to the Grantee.

NOW, THEREFORE, it is expressly covenanted, agreed and understood by the parties hereto, as follows:

(1) This AGREEMENT shall be in full force and effect until such highway is disposed of in accordance with the law and;

(2) Conditions relating to temporary easement areas on Grantor's property are contained in a separate Temporary Easement Agreement; and;

(3) That the Grantor by deliverance herewith of the properly executed deed conveying the above described property to the Grantee, and upon receipt of payment of the above amount by the Grantor from the Grantee, or its agent, less any deductions necessary to satisfy any liens or encumbrances necessary to guarantee a good and sufficient title to the Grantee, the Grantee shall be released from any claims of damages accruing or alleging to accrue to the adjacent property of the Grantor, his successors or assigns, by virtue of the construction, operation and maintenance of said highway; and;

(4) That Grantor, his heirs, successors or assigns, shall not interfere with or disturb any of such above described highway facility, or portion thereof, without express approval of the Grantee, or its duly authorized representative empowered to grant such approval, and then only under the conditions as designated by the Grantee or its duly authorized representative. The Grantee shall have the right of ingress or egress to enter upon abutting property when necessary to maintain drainage structures until the right of way is no longer used for highway purposes.

(5) The Grantor grants permission to the Grantee to enter upon the above described property to commence construction and all foregoing conditions are binding upon the Grantee only upon approval of this AGREEMENT by the Grantee's authorized representative, and in the event said approval is not obtained, this AGREEMENT is null and void and of no force or effect; and;

(6) NOW, THEREFORE, BE IT AGREED, that for a total consideration of \$10,000, consisting of \$10,000, for land conveyed, temporary easement, improvements and damages, less \$0.00, for retained salvage; with the understanding, payment will be made as soon as all required documents and releases are properly signed and received by the Grantee and a voucher processed for payment; the above and foregoing AGREEMENT is entered into on the 2 day of March, 2016, and in witness whereof the Grantor hereunto subscribes by signature.

Receipt of an identical copy of this AGREEMENT is hereby acknowledged.

  
\_\_\_\_\_  
John Justra

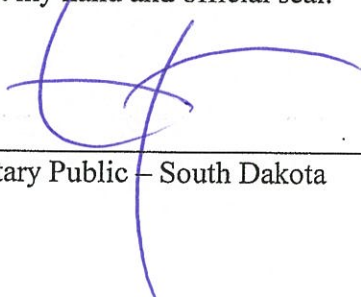
**ACKNOWLEDGMENT**

STATE OF SOUTH DAKOTA     )  
  :SS  
COUNTY OF YANKTON        )

On this the 2nd day of March, 2016, before me personally appeared John Justra, known to me to be the person that is described in and who executed the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



  
\_\_\_\_\_  
Notary Public – South Dakota

The above and foregoing AGREEMENT approved this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Authorized Representative of City/County

**Memorandum #16-88**

**To:** Amy Nelson, City Manager  
**From:** Joe Morrow, Building Official  
**Subject:** Modular Home 1703 John Street  
**Date:** March 21, 2016

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Habitat for Humanity of Yankton County has requested permission to place a modular home at 1703 John Street, Legal: Lot 17, Block 3, Matuska's Subdivision.

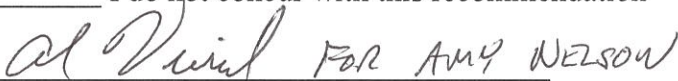
Section 23-27 of Yankton's City Ordinance allows for the City Commission, at their discretion, to permit modular homes to be placed outside of licensed mobile homes parks provided that they are sufficiently different from a mobile home. The house built by Superior Homes meets or exceeds all of the requirements set by the International Building Codes for a conventionally framed home and it is recommended that this request be approved. Attached is the request by Habitat for Humanity of Yankton County along with a floor plan, rendering and site plan.

**Recommendation: It is recommended that the request by Habitat for Humanity, Yankton County to place a modular home at 1703 John Street be approved.**

Respectfully,

  
Joe Morrow  
Building Official

I concur with this recommendation  
 I do not concur with this recommendation

  
Amy Nelson  
City Manager

cc: Dave Mingo, Community Development Director

\_\_\_\_ Roll call



March 15, 2016

Dear Members of the City Council,

**RE: 1703 John**

On behalf of Habitat for Humanity of Yankton County, I am asking the City of Yankton to approve the placement of two Superior Homes one to be placed at 1703 John Street.

The home to be considered at 1703 John Street will be 3 Bedroom, 1 Bath, 1,200 Sq. Feet with a crawl space. The name of the home is the Wagner.

Below is an excerpt from Superior Homes, LLC. The company located in Watertown South Dakota is donating these homes to our affiliate.

“What is the Superior Homes difference? Strength, quality construction, quality products and durability are some of the things that differentiate our unique redi-built homes. All of the Superior products are built stronger with double OSB sheathing as a standard item! We also offer engineered truss floors and roof systems. Quality dimensional lumber built to 16” on center is used throughout. These features provide more lumber in the walls and a much quieter and energy efficient home over all. And as always, all built indoors to avoid moisture, damage and harsh weather conditions. Highly skilled and experienced personnel will construct your home guided by quality control methods at every stage of the process to ensure that it will meet or exceed state and local codes.”

Thank you for your consideration. These homes will help our affiliate meet the need on our current waiting list for housing.

Sincerely,

A handwritten signature in cursive script that reads "Julie Dykstra".

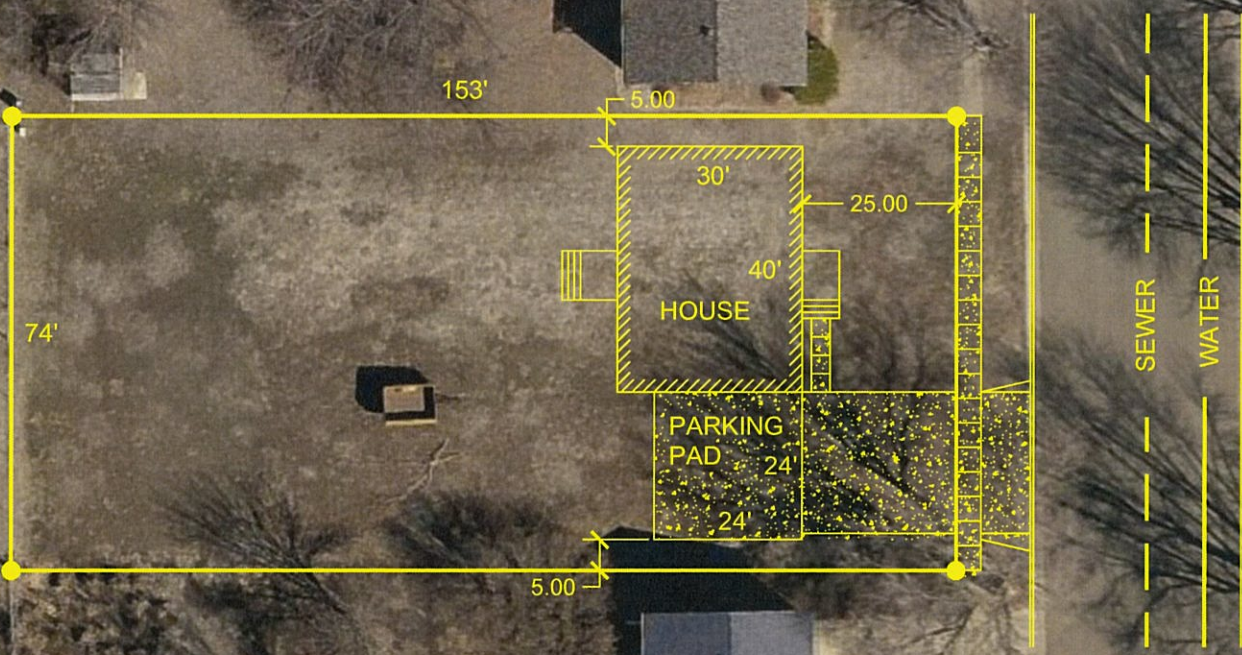
Julie Dykstra, Executive Director



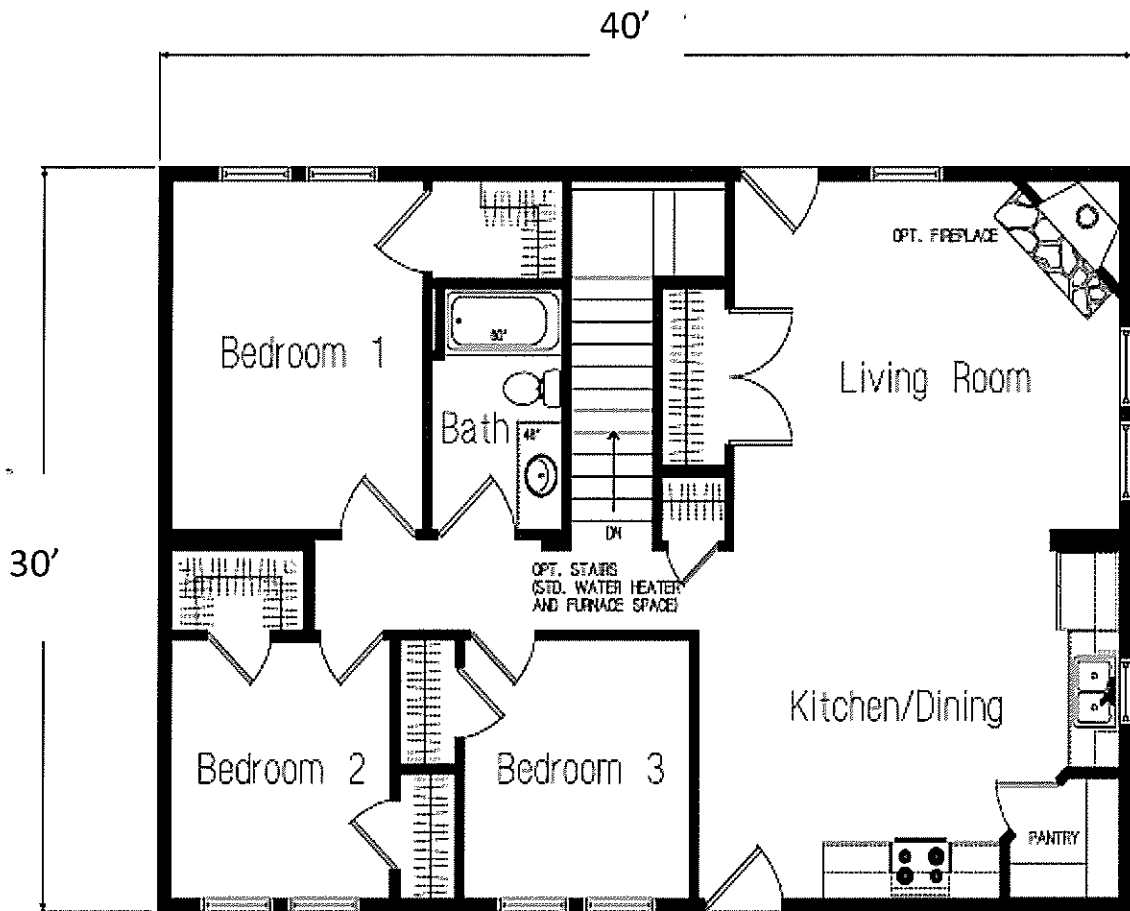
# EXHIBIT "A"

JOHN STREET

JOHN STREET



LEGAL: LOT 17, BLOCK 3  
MATUSKA'S SUBDIVISION  
YANKTON, SOUTH DAKOTA  
LOT SIZE: 74' X 153'



Superior Homes

1,200 Sq. Ft. Floor Plan

1703 John Street, Yankton, South Dakota

1703 John Street, Yankton South Dakota  
Lot 17, Block 3, Matuska's Subdivision

