



**2024\_05\_28**

**CITY COMMISSION  
MEETING**



**Mission Statement**  
To provide exemplary experiences, services & spaces that create opportunities for everyone to learn, engage and thrive.

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## **YANKTON BOARD OF CITY COMMISSIONERS**

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

**Tuesday, May 28, 2024**

**City of Yankton Community Meeting Room**

Located at the Career Manufacturing Technical Education Academy formerly known as Technical Education Center • **1200 W. 21<sup>st</sup> Street • Room 114**

If you would like to watch the City Commission meeting you can do so by accessing the City of Yankton's YouTube Live Channel. <https://www.youtube.com/c/cityofyankton/live>

TV Schedule: Mondays at 7:03 p.m. and Tuesday following meeting at 1:00 p.m. on Midco Channel 3 and Bluepeak Channel 98.

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### **I. ROUTINE BUSINESS**

**1. Roll Call**

**2. Approve Minutes of Regular Meeting of May 13, 2024 and Special Commission Meeting of May 20, 2024**

**Attachment I-2**

**3. Schedule of Bills**

**Attachment I-3**

**4. Proclamation: Mental Wellness Conference  
- Dr. Thomas Stanager**

**5. City Manager's Report**

**Attachment I-5**

**6. Public Appearances**

*"Public Appearances" is a time for persons to address the City Commission on items not listed on the agenda. No action may be taken on a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken. Each person has up to three minutes to speak. Comments made during the Public Appearance Comment period of the agenda may be on any subject. There shall be no personal attacks against the Mayor, members of the City Commission, City Staff, or any other individual.*

### **II. CONSENT ITEMS**

*Matters appearing on the Consent Agenda are expected to be non-controversial and will be acted upon by the City Commission at one time, without discussion. Approval constitutes following the recommendation of the City Manager on each item.*

**1. Notice of Hearing for Sale of Alcoholic Beverages**

Establish June 10, 2024 as the date for the public hearing on the application for a Special On-sale Malt Beverage Retailers License and a Special On-sale Wine Retailers License for 1 day, July 27, 2024, from The Center, 900 Whiting Drive.

**Attachment II-1**

### **III. OLD BUSINESS**

*Old business includes items that have previously appeared on the City Commission's agenda and require further consideration or action by the board.*

1. **Public Hearing for Sale of Alcoholic Beverages**  
Consideration of Memorandum #24-114 regarding a request for a Special On-sale Malt Beverage Retailers License and a Special On-sale Wine Retailers License for 1 day, June 29, 2024, from The Center, 900 Whiting Drive.  
**Attachment III-1**
2. **Public Hearing for Sale of Alcoholic Beverages**  
Consideration of Memorandum #24-115 regarding a request for a Special On-sale Malt Beverage Retailers License and a Special On-sale Wine Retailers License for July 4, 2024, July 5, 2024, and August 8, 2024 from Ben's Brew Station, 719 Walnut Street, Yankton, South Dakota. The events will take place at Riverside Park.  
**Attachment III-2**
3. **Public Hearing for Sale of Alcoholic Beverages**  
Consideration of Memorandum #24-116 regarding a request for a Special On-sale Malt Beverage Retailers License and a Special On-sale Wine Retailers License for the following dates: July 11, 2024, July 18, 2024, July 25, 2024, and August 1, 2024 from Ben's Brew Station, 719 Walnut Street, for Music at the Meridian. The events will take place at The Lawn - Parking Lot and Green Space Westside of Meridian Bridge & the enclosed area of Levee Street.  
**Attachment III-3**
4. **Public Hearing for Sale of Alcoholic Beverages**  
Consideration of Memorandum #24-117 regarding a request for a Special On-sale Liquor License for one day, June 7, 2024, from O'Malley's Irish Pub, 204 W. 3<sup>rd</sup> Street, Yankton, South Dakota. This is an NRA Banquet, and the event will take place at the NFAA Easton Yankton Archery Center, 800 Archery Lane, Yankton, South Dakota.  
**Attachment III-4**
5. **Public Hearing for Sale of Alcoholic Beverages**  
Consideration of Memorandum #24-118 regarding requests for transfer of ownership of a Restaurant Retail (On-sale) Liquor License and transfer of ownership of a Retail (On-sale) Liquor License from Bernard Properties, LLC to Riverfront Brewery, Inc.  
**Attachment III-5**
6. **Second Reading and Public Hearing for "Amusement" Licensing Ordinance**  
Consideration of Memorandum #24-121 regarding Ordinance #1079 – An ordinance amending the licensing structure for "Amusement" businesses regulated by the City of Yankton and moving applicable licensing ordinances to Chapter Thirteen (13) of the Yankton Municipal Code of Ordinances.  
**Attachment III-6**
7. **Second Reading and Public Hearing for Chapter 3 Alcoholic Beverages Ordinance**  
Consideration of Memorandum #24-122 regarding Ordinance #1080 – An ordinance updating Chapter Three (3) of the Yankton Municipal Code of Ordinances.  
**Attachment III-7**

*Adoption of an ordinance is typically a two-meeting process. At the first meeting, an ordinance is introduced, and the first reading is held. During the second meeting, the ordinance is discussed by the commission and the public and then considered for adoption.*

#### **IV. NEW BUSINESS**

*New business items are those that have not been discussed by the Commission previously.*

**1. YSD Request for Sidewalk Installation Delay**

Consideration of Memorandum #24-119 recommending the delay for the requirement for sidewalk installation as described in the Yankton School District letter of request and depicted in the associated site plan.

**Attachment IV-1**

**2. Bid Award for Plastic Pavement Marking Installation Project**

Consideration of Memorandum #24-120 recommending that the City Commission award the contract for the Cold Applied Plastic Pavement Marking Installation Project to Traffic Solutions Inc. of Harrisburg, SD in the amount of \$54,077.00.

**Attachment IV-2**

**3. Purchase Agreement Assignment**

Consideration of Memorandum #24-123 recommending that the City Commission approve Resolution #24-26 agreeing to the assignment of the Option to Purchase the described property and authorizing the City Manager to execute all associated documents including purchase agreements and transfer documents.

**Attachment IV-3**

#### **V. OTHER BUSINESS**

*Other business is a time for City Commissioners to address the commission regarding matters not on the agenda. These items will not be deliberated by the governing body and will not be acted upon at this time. Items mentioned may be added to a future City Commission meeting or work session for deliberation or action.*

#### **VI. ADJOURN THE MEETING OF MAY 28, 2024**

*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  
MAY 13, 2024**

In the absence of the Mayor, the regular meeting of the Yankton City Commission was called to order by City Manager Leon at 7:03 p.m.

Roll Call: Present: Commissioners Benson, Brunick, Hunhoff, Johnson, Miner, Schramm, Villanueva, and Webber. City Attorney Den Herder, City Manager Leon, and Finance Officer Yardley were also present. Absent: Mayor Moser. Quorum present.

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

**Action 24-131**

Moved by Commissioner Webber, seconded by Commissioner Miner, that nominations cease and a unanimous ballot be cast for Commissioner Johnson for acting Mayor Pro Tem for the meeting of May 13, 2024. All present voted aye; motion carried, 8-0.

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

**Action 24-132**

Moved by Commissioner Webber, seconded by Commissioner Miner, to approve Minutes of Special Meeting of April 12, 2024; Work Session Meeting of April 22, 2024; and Regular Meeting of April 22, 2024. All present voted aye; motion carried, 8-0.

**Action 24-133**

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

1 Office (Office Supplies) \$40.43; 5.11, Inc. (Uniform) \$137.64; A&B Business (Copier Lease) \$412.83; Adobe (Subscription) \$19.99; Adobe (Subscription) \$58.40; Advanced Graphix (Speed Trailer Graphics) \$50.00; Aflac (Premiums) \$10,484.68; AFSCME Council 65 (Union Deductions) \$1,023.44; Amazon (Smart Counter) \$14.80; Amazon (Training Books) \$297.03 Amazon (Training Books) \$85.98; Amazon (Towels) \$74.97; Amazon (Belt Keepers) \$31.60; Amazon (Dry Erase Boards) \$36.24; Amazon (Grant Books) \$193.62; Amazon (Book) \$22.90; Amazon (Weight Room Dumbbells) \$267.30; Amazon (Lifeguard Certification) \$1,702.00; Amazon (Summer Reading Supplies) \$36.97; Amazon (DVD) \$28.99; Amazon (Safety Tubes) \$207.50; Amazon (Slide Maintenance) \$127.01; Amazon (Office Supplies) \$16.99; Amazon (Radio Ear Piece Supply) \$41.94; Amazon (Janitorial Supplies) \$93.25; Amazon (Summer Reading Supplies) \$323.11; Amazon (Program Supplies) \$40.48; Amazon (Summer Reading Supplies) \$95.99; Amazon (Chemical Testers) \$58.26; Amazon (Grant Supplies) \$35.85; Amazon (Uniform Pants) \$126.70; Amazon (Radio Ear Piece Supply) \$47.96; Amazon (Plotter Paper) \$75.53; Amazon (Office Supplies) \$63.18; Amazon (Office Supplies) \$41.97; Amazon (Rescue Tubes) \$475.40; Amazon (Pool Maintenance) \$161.76; Amazon (Janitorial Supplies) \$148.40; Amazon (Office Supplies) \$71.88; Amazon (Smart Sign) \$166.25; Amazon (Light Rack) \$131.98; Amazon (Helmet Insignia) \$24.90; Amazon (Slide Maintenance) \$124.72; Amazon (Janitorial Supplies) \$329.93; Amazon (Lights) \$1,946.10; Amazon (Attachment Clips) \$22.98; Amazon (Uniform Pants) \$70.00; Ambur/Roberta (Election Reserve Payout) \$35.00; A-OX (Acetylene) \$137.42; Applied Concepts (Speed Trailer Light) \$193.00;

Arborwear (Arbor Day Supplies) \$137.10; Arby's (Travel Exp) \$19.91; Arby's (Travel Exp) \$12.75; AT&T (Mobile Data) \$1,254.91; Auto Value (Filters) \$1,165.23; Automatic Building Controls (Fire Alarm Contract) \$2,812.00; AutoZone (Wiper Blades, Antifreeze) \$1,079.61; Avera Health (Premiums) \$80,196.92; Avera Sacred Heart (CDL Testing) \$189.00; Axvoice (Dialer Service) \$21.44; Baker-Taylor (Books) \$4,412.68; Banner Associates (Cedar St Bridge) \$19,743.00; Baymont Inn (Travel Exp) \$275.97; Blarneys (Travel Exp) \$35.45; Blauer Manufacturing (Uniform) \$394.14; Bluepeak (Internet) \$4,128.47; BNSF (Pipeline Permit Fee) \$2,186.00; Bomgaars (Oil) \$2,441.79; Bread & Circus (Travel Exp) \$60.31; Buffalo Wild Wings (Travel Exp) \$18.00; Buhl's Cleaners (Uniform Alterations) \$7.00; Butler Machinery (Pump Repair) \$991.50; C&B (Equipment Maintenance) \$403.18; C&B Operations (Gator With Plow) \$36,348.39; Casey's (Travel Exp) \$11.94; Casey's (Travel Exp) \$48.22; CCSI MetroFax (Fax Service) \$11.95; Cellebrite (Software) \$6,900.00; Cenex-Trienta (Travel Exp) \$46.09; Center Point (Large Print Books) \$368.66; City Of Vermillion (Joint Powers Fees - April) \$85,945.20; City Of Yankton (City Wide Cleanup) \$25,253.27; City Of Yankton (Landfill) \$18,982.12; City Of Yankton (Landfill) \$13.87; City Utilities (Water/WW Charges) \$8,698.70; Clarks Rentals (Concrete Saw Rain Cap) \$147.95; Collaborative Summer (Reading Prog Shirts) \$309.29; Comfort Suites (Travel Exp) \$499.00; Comfort Suites (Travel Exp) \$868.24; Conoco (Travel Exp) \$54.51; Core & Main (Lab Solution) \$55.30; Cornwell D-P Tools (Disc Sander) \$38.10; Counterfeit Catering (Canvas & Charcuterie) \$424.01; CPI Environmental (Lab Supplies) \$259.46; Cramer-Kenyon Heritage Home (Special Appropriation) \$2,500.00; Credit Collection Service (Utility Collection) \$122.84; Credit Collections Bureau (Garnishment) \$50.00; Crescent Electric (Lights) \$197.62; CSG Forte (Processing Fees) \$611.50; Cubby's (Travel Exp) \$43.05; Dairy Queen (Travel Exp) \$12.10; Dakota Battery (Elevator Battery) \$21.95; Dakota Prairie Quilt Guild (Centennial Bridge Quilt) \$303.58; Danger von Dempsey's (Travel Exp) \$14.03; DC Taxi (Travel Exp AWWA) \$12.09; Deadwood Mountain (Travel Exp) \$81.00; Deadwood Resort (Travel Exp) \$97.55; Deadwood Resorts (Travel Exp) \$315.00; Dept Of Agriculture (Permit Fee) \$102.50; Dept Of Environment (Solid Waste Loan Prog) \$63,173.59; Dept Of Health (Lab Testing) \$515.00; Dept Of Social Services (Child Support) \$2,114.92; DMG Restaurant (Travel Exp) \$14.86; Dollar Tree (Staff Appreciation) \$11.25; Earl Of Sandwich (Travel Exp) \$37.08; eBay (Shop Supplies) \$446.03; Echo Electric (Lights) \$1,384.91; EcoWater (Water Rent) \$126.00; Emme Sand & Gravel, Inc (Sand VB Courts) \$4,368.46; Exxon (Fuel) \$79.04; Ez Duz It Laundry (Uniform Patch Sewing) \$76.00; Facebook (Marketing) \$44.37; Fair Manufacturing (Snow Blower Repair) \$225.00; Fairfield Inn (Travel Exp) \$218.00; Fantasy Drone Shows (Drone Show - 7/5/24) \$20,000.00; Fastenal (Hardware & Disposables) \$1,296.44; FedEx (Postage) \$18.07; Feimer Construction (Storm Repair) \$2,244.90; Ferguson Enterprises (Water Meter Installation) \$201,120.00; Finance Department (Election Workers) \$2,405.00; Firehouse Subs (Travel Exp) \$27.47; Firehouse Subs (Travel Exp) \$51.40; First Dakota (Fire Station Debt Serv) \$10,720.00; First Dakota (HSA Contributions) \$10,833.86; First National (Cafeteria Plan) \$2,105.80; Forensics Source (Sharps Tubes) \$239.49; Foss/Kasi (Election Board) \$76.83; Pryor Learning (Membership) \$50.00; Frontier Mills (Grass Seed) \$614.20; Galls (Handcuffs) \$228.54; Gold Coast (Travel Exp AWWA) \$26.80; GORUCK (Uniform) \$293.38; GOSCMA (Conference) \$325.00; Hach Company (Reagents) \$1,490.04; Hanson Briggs (Deposit Tickets) \$374.54; Hartington Tree (Arbor Day Tree) \$533.00; Hawkins (Chemicals) \$17,544.90; Holiday Inn (Travel Exp) \$214.00; Holiday Stations (Travel Exp) \$34.37; House Of Brands (Uniforms) \$882.00; HP Store (Plotter Paper) \$299.96; Hunt/Alexija (Membership Refund) \$190.23; Hy-Vee (Postage) \$13.60; ICMA Retirement (Contributions) \$410.00; Institute For Environment (Testing) \$595.00; Interstate All Battery (Battery) \$1,075.60; Intl Code Council (Membership) \$160.00; IR Industrial (Air Compressor Parts) \$541.78; ISA (Exam) \$54.95; ISFSI (Membership) \$135.00; J&H Cleaning (Janitorial Services) \$4,200.00; J&M Aircraft (Runway Light Bulbs) \$369.74; Jacks Uniforms

(Summer Uniforms) \$771.97; JCL Solutions (Cleaning Supplies) \$1,710.17; Jimmy Johns (Staff Appreciation) \$162.72; JLC Piano (Youth Programs) \$250.00; JMN Construction (Bridge Column Repair) \$78,496.05; John T Jones Construction (Wastewater Improv) \$333,158.07; Kaiser Refrigeration (Nozzle/Tube) \$323.37; Khorasan Kabob (Travel Exp) \$22.24; Koletzky Implement (Equipment Belt) \$826.71; Kopetsky's Ace (Landscape Maint) \$700.88; Lange/Alyssa (Election Board) \$63.54; Larry's Heating & Cooling (Filters) \$210.00; Larry's (MMIP Grant) \$154.48; Layne Christensen (Pump & Pipe Repairs) \$72,701.00; Lewis & Clark BHS (Special Appropriation) \$10,000.00; Locators & Supplies (Locate Flags) \$613.70; Loves (Travel Exp) \$112.61; Loves (Travel Exp) \$61.23; Lumen (Internet) \$372.44; Marriott (Travel Exp) \$56.20; Marriott (Travel Exp AWWA) \$2,551.64; Masonry Components (21st St Construction) \$119,592.00; Mavericks Steak (Travel Exp) \$19.56; McDonalds (Travel Exp) \$18.95; McDonalds (Travel Exp) \$29.77; McMaster (Lagoon Hose) \$894.56; Mead Lumber (Softball grid markers) \$623.52; Menards (Golf Shed Repairs) \$3,846.79; Meridian Eye Care (Exam) \$221.00; MG Scientific (Heating Element) \$809.76; MidAmerican Energy (Fuel) \$4,173.13; MidAmerican Energy (Fuel) \$12,503.01; Mid-American Research Chemical (Weed Treatment) \$4,062.13; Midco (Internet) \$246.78; Mid-States (MOCIC Conference) \$390.00; Midwest Alarm (Monitoring) \$76.85; Midwest Laboratories (Testing) \$649.84; Midwest Radiator (John Deere Repair) \$75.00; Midwest Ready Mix (Landscape Block) \$3,770.00; Midwest Turf (Repairs) \$200.76; Money Movers (SAC Maint Fee) \$10.50; Morrow/Joseph (Design Work) \$4,320.00; Motorola Solutions (Radio Equipment) \$194,050.39; Mozak's (Carpet Installation) \$4,987.62; NAPA Auto (Wrench) \$456.89; NBS Calibrations (Scale Calibration) \$358.00; Nebraska DOR (Income Tax) \$2,945.33; Northland Trust Services (Agent Annual Fee) \$495.00; Northtown Auto (Pump,Coolant,Powertrain) \$957.99; Northwestern Energy (Electric) \$82,744.50; Observer (Ad) \$48.00; Olson's Pest (Pest Control) \$278.00 Olson's Pest (Pest Control) \$364.00; O'Reilly (Brake Rotor, Disc Pads) \$1,727.94; Otter Products (Phone Case) \$105.03; Overdrive (Annual Fee) \$4,692.13; Panda House (Travel Exp) \$36.00; Parkway Construction (Westside Park Const) \$28,017.40; Payment Service Network (Merchant Fees) \$70.05; PayPal (Centennial Bridge) \$600.00; PayPal (Internet Access) \$359.95; Pheasantland (Safety Apparel) \$54.58; Pilot (Travel Exp) \$55.01; Pitney Bowes (Postage) \$207.00; Playaway Products (Wonderbooks) \$714.26; PowerPhone (Training) \$329.00; Press&Dakotan (Ad) \$221.60; Press&Dakotan (MMIP Grant Ad) \$397.60; Pressure Washers (Supplies) \$185.27; Provantage (Plotter Spindle) \$109.50; Push Pedal Pull (Repairs) \$237.00; Qdoba (Travel Exp) \$14.15; Qdoba (Travel Exp) \$93.37; Quadient (Postage) \$678.00; Racom (Beon Access) \$35.80; Recreation Supply (Pool Supplies) \$276.48; RefurbUPS (Batteries) \$114.03; Register Of Deeds (Recording Fee) \$67.00; Register Of Deeds (Recording Fee) \$32.50; River District (Exam) \$700.00; Riverside Hydraulics (Hoses, Fittings, Seals) \$898.49; Roma Ristorante (Travel Exp) \$29.26; Ron's Auto (Windshield Replacement) \$286.00; Royal Sport (Baseball Plates) \$142.77; RVM Consulting (Leadership Training) \$4,250.00; Safariland (Holster) \$301.50; SD Government (Finance Officer School) \$150.00; SD Humanities (Programming) \$50.00; SDML (Training) \$30.00; SDML Workers Compensation (2022 Work Comp Audit) \$4,081.00; SDRS (401(A) Special Pay) \$3,892.33; SDRS (Contributions) \$95,458.89; SDSRP (Contributions) \$19,785.44; Shell Oil (Travel Exp) \$83.01; Sherwin Williams (Paint) \$569.34; Silverado (Travel Exp) \$71.72; SD Dept Of Labor (Unemployment Insurance) \$3,703.30; SD Magazine (Advertisement) \$600.00; Southeast Technical (Travel Exp) \$9.63; ASP (Handcuffs) \$255.95; The Standard Insurance (Premiums) \$9,055.50; Stanley Petroleum (Fuel Container Repair) \$9,556.42; Subway (Travel Exp) \$15.63; Swim 2000 (Uniforms) \$293.75; Teledyne Instruments (Sampler Tubing) \$517.00; Tessman Company (Supplies) \$4,671.07; The Lodge At Deadwood (Travel Exp) \$403.80; The Tap (Travel Exp) \$40.00; Third Millennium (Utility Billing) \$737.88; Three 22 Kitchen (Travel Exp) \$22.20; Titan Machinery (Repairs) \$190.02; TMA (Truck Tires) \$973.89; Tractor Supply (K-9 Dog Food) \$69.99; TRE Environmental Strategies (Testing)

\$650.00; TRK Hosting (Internet ) \$7.95; Truck Trailer Sales (Break Can/Starter) \$904.41; Turfwerks (Repairs) \$403.35; UKG (Payroll Software) \$2,393.56; Uline (Office Supplies) \$295.82; US Treasury (WH Tax) \$181,304.30; United Way (Special Appropriation) \$11,250.00; United Way (Employee Contributions) \$86.00; Upper Midwest Garage (Garage Door Repair) \$160.00; UPS (Shipping) \$15.10; UPS (Shipping) \$258.22; USPS (Postage) \$490.27; USPS (Postage) \$2,586.95; USPS (Postage) \$60.80; UVC (Travel Exp AWWA) \$18.87; Verizon (Lab Supplies) \$1,019.20; Verizon (Internet) \$4,498.08; Vessco (Parts) \$2,131.14; Viddler (Video Hosting) \$41.25; VistaPrint (Office Supplies) \$247.02; Walmart (Office Chairs) \$668.52; Walmart (Youth Program) \$880.79; Walmart (GOSCMA Welcome Bags) \$271.21; Western Iowa Tech (Training) \$380.00; Whiskey Creek (Travel Exp) \$122.50; Xerox (Lease/Copies) \$1,833.79; Yankton Area Arts (Special Appropriation) \$2,500.00; Yankton Community Library (Shirts) \$776.00; Yankton County Treasurer (Property Taxes) \$747.34; Yankton Janitorial (Janitorial Supplies) \$695.75; Yankton Media (Subscription) \$8.99; Yankton School District (Cost Share) \$52,318.55; Yankton Thrive (Special Appropriation) \$115,000.00; Yankton Thrive (Tax Reimb Menards) \$119,739.28; Yankton Winnelson (Bathroom Parts) \$146.05; YMC (Exam) \$876.00; YMC (Exam) \$534.00; Zagg (iPad Cases) \$146.98; Zero Solutions (Vest Attachments) \$200.96

Salaries by Department: April 2024: Administration \$61,182.28; Finance \$36,395.91; Community Development \$31,756.59; Police/Dispatch \$216,210.06; Fire \$8,899.46; Engineering / Sr. Citizens \$53,042.34; Streets \$58,934.34; Traffic Control \$5,006.95; Library \$39,680.52; Parks / SAC \$88,950.41; Marne Creek \$4,173.54; Water \$49,342.78; Wastewater \$48,502.07; Cemetery \$6,435.26; Solid Waste \$32,242.88; Joint Powers \$25,389.83; Central Garage \$9,345.39

New Hires: Police Department: Ryan Duch, Officer, \$2,176.23 biweekly; Fire Department: Daniel Preadable, Deputy Fire Chief, \$3,235.34 biweekly; Parks, Recreation and City Events Department: Justin Lincoln, Parks Maintenance – Summer, \$16.50/hr., Macy Baker, Lifeguard, \$14.00/hr., Stephen Stucky, Parks Maintenance – Summer, \$16.50/hr., Nathan Barnes, Lifeguard, \$14.00/hr., Maya Villanueva, Lifeguard, \$14.00/hr.

Wage Changes: Parks, Recreation and City Events Department: John Gleich, Park Maintenance – Summer, \$24.00 to \$24.25/hr.; Rockie Wampol, Park Maintenance – Summer, \$24.00 to \$24.25/hr.; Alaina Nelson, Lifeguard, \$12.00 to \$14.00/hr.; Bill Boardman, Cemetery Ground Maintenance – Seasonal, \$12.50 to \$16.50/hr.; Barbara Law, Instructor, \$14.25 to \$14.50/hr.; Tracy Raab, Fitness Instructor, \$16.25 to \$16.50/hr.; Public Works Department: James Stewart, Airport Maintenance – Summer, \$14.50 to \$14.75/hr.; Environmental Services Department: Joshua Monson, Senior Wastewater Plant Operations Specialist, \$2,151.69 to \$2,206.26 biweekly

Mayor Pro Tem Johnson read a proclamation for National Police Week and presented it to Officers Reining, Bruening, Goodwillie, Hite, Urban, and Chief Foote.

City Manager Leon submitted a written report giving an update on community projects and items of interest. Additionally, she announced that a Special Meeting will be held on May 20, 2024 at 12:00 p.m. to accommodate two time sensitive alcohol license requests.

Citizen John Keyes, local property owner and businessman, discussed his concerns regarding semi-trucks Jake braking and other speeding noise issues. Extra law enforcement was recommended.



Citizens Pauline Akland and Citizen Colin Neubauer-Keyes also expressed additional traffic noise issues.

**Action 24-134**

Moved by Commissioner Brunick, seconded by Commissioner Miner, to approve the following consent agenda items listed below. All present voted aye; motion carried, 8-0.

1. Set the date of May 28, 2024 at 6:00 PM in Room #114 of the Career Manufacturing Technical Education Academy for the next work session of the Yankton City Commission.
2. Establish May 28, 2024 as the date for the public hearing for a Special On-sale Malt Beverage Retailers License and a Special On-sale Wine Retailers License for 1 day, June 29, 2024, from The Center, 900 Whiting Drive.
3. Establish May 28, 2024 as the date for the public hearing for a Special On-sale Malt Beverage Retailers License and a Special On-sale Wine Retailers License for the following dates: July 4, 2024 and July 5, 2024, from Ben's Brew Station, 719 Walnut Street, for Music at the Meridian. Event location: Riverside Park.
4. Establish May 28, 2024 as the date for the public hearing for a Special On-sale Malt Beverage Retailers License and a Special On-sale Wine Retailers License for the following dates: July 11, 2024, July 18, 2024, July 25, 2024, August 1, 2024 and August 8, 2024, from Ben's Brew Station, 719 Walnut Street, for Music at the Meridian. Event location: Parking Lot and Green Space Westside of Meridian Bridge & the enclosed area of Levee Street.

**Action 24-135**

This was the time and the place for the public hearing on the applications for the renewal of Malt Beverage & SD Farm Wine Licenses for the July 1, 2024 through June 30, 2025 licensing period. The Finance Department has received the following applications:

**RETAIL (ON-OFF SALE) MALT BEVERAGE & SD FARM WINE:**

MG Oil Company dba 777 Casino & Liquor, 901 Broadway Suite A\*  
 MG Oil Company dba 777 Casino & Liquor, 901 Broadway Suite B\*  
 MG Oil Company dba 777 Casino & Liquor, 901 Broadway Suite C\*  
 Angelas La Mexicana, LLC dba Angelas La Mexicana Hispanic Market, 401 Picotte  
 Hanten, Inc. dba Bens Brewing Co, 222 W 3<sup>rd</sup> St  
 Hanten, Inc. dba Ben's Brewing Co, 719 Walnut\*  
 Five Futures, LLC dba The Boat House, 301 E. 3<sup>rd</sup> St.  
 Boomers, Inc. dba Boomers Lounge, 100 E. 3<sup>rd</sup>  
 DBC, LLC dba Bro Burger Bar, 2101 Broadway Suite 40  
 Casey's Retail Company dba Casey's General Store #2268, 1000 Broadway  
 Casey's Retail Company dba Casey's General Store #2260, 608 E. 8<sup>th</sup>  
 Casey's Retail Company dba Casey's General Store #3855, 2300 Broadway  
 I & E, LLC dba Chaparros Tacos, 100 E. 4<sup>th</sup>\*  
 Chuck Stop, LLC dba Charlie's Pizza, 804 Summit  
 Chuck Stop, LLC dba Chuck Stop, 800 Summit

Lady Bird, Inc. dba The Cockatoo Bar & Zebra Club, 106 E. 3<sup>rd</sup> St Ste B\*  
Cork 'N Bottle, Inc. dba Cork 'N Bottle, 1500 Broadway\*  
Diggers, Inc. dba Diggers Casino, 2020 Elm Suite 7\*  
Diggers, Inc. dba Diggers 2.0, 511 West 4<sup>th</sup> Suite B\*  
East Eight, LLC dba Econolodge, 611 W. 23<sup>rd</sup>  
El Tapatio Family Mexican Restaurant, Inc. dba El Tapatio Family Mexican Restaurant, 2502 Fox Run  
Matthew Evans dba Event Central, 2101 Broadway  
6<sup>th</sup> Meridian, LLC dba Farm House Food Co / Counterfeit Catering, 2503 Fox Run Suite 1  
Diggers, Inc. dba The Fox Den, 511 W 4<sup>th</sup> Suite C\*  
GL Management, LLC dba Fox Run Golf Course, 600 W. 27<sup>th</sup> St.  
The Fox Stop, Inc. dba The Fox Stop, 1316 W. 30<sup>th</sup>\*  
Diggers, Inc. dba Goldrush, 2020 Elm St. Suite 7B\*  
ABG Ventures, LLC dba Happy Hourz, 311 Douglas  
SYMS, LLC dba Holiday Inn Express Hotel & Suites, 2607 Broadway  
Hy-Vee Inc. dba Hy-Vee Fast and Fresh, 2110 Broadway  
TC Corner, LLC dba JR's Oasis, 2404 E. Hwy 50\*  
King Buffet Mongolian Grill Restaurant, Inc. dba King Buffet Mongolian Grill, 3013 N. Broadway, Suite 5  
San Jose, Inc. dba Mexico Viejo, 1809 Broadway  
The Mint Yankton, LLC dba The Mint, 318 Douglas  
Annis Properties, Inc. dba Patriot Express, 2217 Broadway\*  
P&P Lottery Enterprises, LLC dba Pin-ups Casino & Gaming Lounge 2, 3010 Broadway Ste 2\*  
P&P Lottery Enterprises, LLC dba Pin-ups Casino & Gaming Lounge 3, 3010 Broadway Ste 3\*  
P&P Lottery Enterprises, LLC dba Pin-ups Casino & Gaming Lounge 4, 3010 Broadway Ste 4\*  
P&P Lottery Enterprises, LLC dba Pin-ups Casino & Gaming Lounge 5, 3010 Broadway Ste 5\*  
P&P Lottery Enterprises, LLC dba Pin-ups Casino & Gaming Lounge 6, 3010 Broadway Ste 6\*  
Annis Properties, Inc. dba Prairie Pumper, 909 Broadway\*  
Pump N Stuff Yankton, Inc. dba Pump N Stuff, 215 W. 2<sup>nd</sup>\*  
Pump N Stuff Yankton, Inc. dba Pump N Stuff #2, 215 W. 2<sup>nd</sup> Suite 2\*  
Pure Ice Partners, LLC dba Pure Ice Company, 101 Capital  
Yankton Morning Optimist, Inc. dba Riverside Baseball Park, 200 Levee  
Zaccon, Inc. dba Roadrunner Convenience Mart, 300 W. 23<sup>rd</sup> Suite 1\*  
JoAnne D. Selves dba Selves Concessions, Sertoma Park, 15<sup>th</sup> & Ferdig St.  
Diggers, Inc. dba Smokey Hollow, 511 W. 4<sup>th</sup> Suite A\*  
Morgen, LLC dba South Point Gaming Lounge, 1101 Broadway Suite 107A\*  
Morgen, LLC dba South Point Gaming Lounge, 1101 Broadway Suite 107B\*  
Morgen, LLC dba South Point Gaming Lounge, 1101 Broadway Suite 111A\*  
Morgen, LLC dba South Point Gaming Lounge, 1101 Broadway Suite 111C\*  
Tokyo Japanese Cuisine of Yankton, Inc., 2007 Broadway Suite J  
Yankton Convenience, Inc. dba Total Stop Convenience Store #6112, 700 E. 4<sup>th</sup> St.\*  
Gerstner Oil Co, Inc. dba Triple Time Rudys, 1606 Broadway\*  
MG Oil dba Upperdeck, 315 Broadway Suite B\*  
Shree LLC dba Vape God 2, 821 Broadway Ste 2\*  
Shree LLC dba Vape God 3, 821 Broadway Ste 3\*  
Walgreen Co. dba Walgreens #09806, 2020 Broadway  
Walnut Tavern, Inc. dba Walnut Tavern, 100 W. 3<sup>rd</sup> St.  
Willa B's LLC, 114 Douglas Suite 2  
Yankton Missouri River Kampground, LLC dba Yankton Missouri River KOA, 807 Bill Baggs

(Memorandum 24-106) No one was present to speak for or against the applications. Moved by Commissioner Webber, seconded by Commissioner Benson to approve the 2024-2025 Malt Beverage & SD Farm Wine Licenses. All present voted aye; motion carried, 8-0.

**Action 24-136**

This was the time and place for the public hearing on the application for a Special On-sale Malt Beverage Retailers License and a Special On-sale Wine Retailers License for 1 day, May 18, 2024, from The Center, 900 Whiting Drive, Yankton, South Dakota. (Memorandum 24-107) No one was present to speak for or against the application. Moved by Commissioner Brunick, seconded by Commissioner Miner to approve the license. All present voted aye; motion carried, 8-0.

**Action 24-137**

This was the time and place for the public hearing on the application for a Special On-sale Malt Beverage Retailers License and a Special On-sale Wine Retailers License for 1 day, July 19, 2024, from The Center, 900 Whiting Drive, Yankton, South Dakota. (Memorandum 24-108) No one was present to speak for or against the application. Moved by Commissioner Webber, seconded by Commissioner Miner to approve the license. All present voted aye; motion carried, 8-0.

**Action 24-138**

Moved by Commissioner Webber, seconded by Commissioner Miner to approve Resolution #24-23. (Memorandum 24-92) All present voted aye; motion carried, 8-0.

The following remain unpaid: 500 W 3rd Street - E3 LTS 10 & 11 BLK 22 WITHERSPOON'S ADDN; 206 E. 6th Street - W3 OF LTS 10, 11 & 12 BLK 19 LOWER YANKTON; 1017 Douglas Avenue - LTS 18 & 19 BLK 1 TRIPP & HARRIS ADDN; 600 East 11th Street - LTS 7 & 8 BLK 10 TAYLOR & SARGENT'S ADDN; 810 Locust Street - LT 4 BLK 85 B C FOWLER'S ADDN; 1206 Whiting Street - Lt 27 DAKOTA NATL, S/D; 3013 Broadway Ave. #8, PMB 131 - LTS 3 & 4 BLK 2 JTM PIERCE'S S/D BLK 9 WEST YANKTON; 814 Capital Street - S44' & S17' N22' W103.7' LT 2 LESS TR 1 BLK 17 LOWER YANKTON; 1215 Whiting Street - LT 34 & W4 LT 35 DAKOTA NATL S/D; 600 Broadway Avenue - LT 9 BLK 59 TODD'S ADDN; 715 Capital Street - LT 15 BLK 7 LOWER YANKTON; 210 East 6th Street - E2/3 LTS 10, 11, 12 & W58' S27' LT 13 BLK 19 LOWER YANKTON

**RESOLUTION #24-23**

**A RESOLUTION APPROVING THE 2024 SPECIAL ASSESSMENT ROLL FOR  
NUISANCE ABATEMENT**

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

SECTION 1. That the special assessment roll for the assessment of the property assessable for nuisance abatement in the City of Yankton, South Dakota, is hereby approved and the assessments as set out in said special assessment roll approved this date are hereby levied against such property upon filing of said special assessment roll in the office of the City Finance Officer.

SECTION 2. The assessments set forth in the assessment roll will become due and payable in one (1) annual installment together with interest at a rate prescribed by the Board of City

Commissioners, by resolution, per annum, in accordance with SDCL 9-43.

The above assessments may be paid without interest to the City Finance Officer on or before June 12, 2024, thereafter, the entire assessment may be paid with interest from the date of filing with the City Finance Officer at the rate established by resolution of the Board of City Commissioners.

**Action 24-139**

Moved by Commissioner Benson, seconded by Commissioner Webber, to adjourn Sine Die at 7:30 p.m. All present voted aye; motion carried, 8-0.

In absence of a Mayor, City Manager Leon called the meeting to order at 7:30 p.m.

City Attorney Den Herder administered the Oath of office to re-elected City Commissioners Benson and Villanueva and newly elected Commissioner Carda.

Roll Call: Present: Commissioners Benson, Brunick, Carda, Hunhoff, Miner, Schramm, Villanueva and Webber. City Attorney Den Herder, City Manager Leon, and Finance Officer Yardley were also present. Absent: Commissioner Moser. Quorum present.

City Manager Leon requested nominations for Office of Mayor for the 2024-2025 term.

**Action 24-140**

Moved by Commissioner Webber, seconded by Commissioner Hunhoff, that nominations cease and a unanimous ballot be cast for Commissioner Schramm for the position of Mayor. All present voted aye; motion carried, 8-0.

City Manager Leon turned the meeting over to Mayor Schramm at this time.

City Attorney Den Herder administered an Oath of Office to Daniel Prendable, Deputy Fire Chief.

**Action 24-141**

Moved by Commissioner Hunhoff, seconded by Commissioner Benson, to approve the appointment of Commissioners Villanueva, Webber, and Brunick to serve on the EMS Committee with Yankton County officials, and authorize the City Manager and City Finance Officer to identify staff who would be useful to include in the discussions. (Memorandum 24-112) Citizen Pauline Akland discussed a personal experience in which untimely billing to Medicare led to a \$2,656 loss for the Yankton County EMS. All present voted aye; motion carried, 8-0.

**Action 24-142**

Moved by Commissioner Miner, seconded by Commissioner Webber, to authorize an additional \$10,000 allocation to the emerald ash borer line item in the 2024 budget. (Memorandum 24-102) All present voted aye; motion carried, 8-0.

**Action 24-143**

Moved by Commissioner Brunick, seconded by Commissioner Miner, to approve sharing the cost of the installation of the brick pavers in Riverside Park with the Chopper Johnson Foundation, in an amount not to exceed \$5,000, utilizing BBB funds. (Memorandum 24-103) Voting Aye: Benson,

Brunick, Carda, Hunhoff, Miner, Webber and Mayor Schramm. Villanueva abstained. Motion carried, 7-0.

**Action 24-144**

Moved by Commissioner Miner, seconded by Commissioner Webber, to authorize the City Manager to order electrical work expended from the BBB in the amount of \$2,887.90 for the installation of additional electrical power in the public parking lot on the east side of Douglas Street. (Memorandum 24-104) All present voted aye; motion carried, 8-0.

**Action 24-145**

Moved by Commissioner Benson, seconded by Commissioner Villanueva, to approve a Sidewalk Café Permit to 301 East 3<sup>rd</sup> Street, doing business as the Boat House. (Memorandum 24-105) All present voted aye; motion carried, 8-0.

**Action 24-146**

Moved by Commissioner Webber, seconded by Commissioner Villanueva, to approve Resolution #24-25 and authorize the purchase of the Trimble total station and data collector with appurtenances from Frontier Precision Inc. in the amount of \$34,828.30. (Memorandum 24-109) All present voted aye; motion carried, 8-0.

**RESOLUTION #24-25**

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

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

**PROPERTY TO SURPLUS**

2015 Trimble S3 Robotic Total Station  
2015 Trimble TSC3 Data Collector

Commissioner Moser arrived at 7:56 p.m.

**Action 24-147**

Moved by Commissioner Villanueva, seconded by Commissioner Brunick, to approve Change Order No. 2, accept the completed construction project along 3<sup>rd</sup> Street and Green Street, and authorize the Finance Office is issue a manual check to Masonry Components, Inc. in the amount of \$14,574.52. (Memorandum 24-110) All present voted aye; motion carried, 9-0.

**Action 24-148**

Moved by Commissioner Miner, seconded by Commissioner Webber, to authorize the City Manager to sign the referenced FAA Project Closeout Report for FAA Grant AIP #3-46-0062-038-2023 and BIL-AIG #3-46-0062-037-2023. (Memorandum 24-111) All present voted aye; motion carried, 9-0.

**Action 24-149**

Mayor Schramm read the title of Ordinance No. 1079, AN ORDINANCE AMENDING “AMUSEMENT” LICENSING. Commissioner Webber introduced and moved to set the date of the second reading and public hearing as May 28, 2024, seconded by Commissioner Miner. (Memorandum 24-83) All present voted aye; motion carried, 9-0.

**Action 24-150**

Mayor Schramm read the title of Ordinance No. 1080, AN ORDINANCE AMENDING CHAPTER 3 ALCOHOLIC BEVERAGES. Commissioner Miner introduced and moved to set the date of the second reading and public hearing as May 28, 2024, seconded by Commissioner Webber. (Memorandum 24-113) All present voted aye; motion carried, 9-0.

**Action 24-151**

Moved by Commissioner Moser, seconded by Commissioner Benson, to adjourn into Executive Session at 8:01 p.m. to discuss contractual and personnel matters under SDCL 1-25-2. All present voted aye; motion carried, 9-0.

Regular meeting of the Board of City Commissioners of the City of Yankton was reconvened by Mayor Schramm at 8:23 p.m.

Roll Call: Present: Commissioners Benson, Brunick, Carda, Hunhoff, Miner, Schramm, Villanueva, Webber, and Mayor Schramm. City Manager Leon, City Attorney Den Herder, and City Finance Officer Yardley were also present. Quorum present.

**Action 24-152**

Moved by Commissioner Villanueva, seconded by Commissioner Webber, to adjourn at 8:23 p.m. All present voted aye; motion carried, 9-0.

\_\_\_\_\_  
Mason Schramm, Mayor

ATTEST:

\_\_\_\_\_  
Lisa Yardley, Finance Officer

Published on May 22, 2024

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS  
YANKTON, SOUTH DAKOTA  
MAY 20, 2024**

The special meeting of the Yankton City Commission was called to order by Mayor Schramm at 12:00 p.m.

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

There were no public appearances at that time.

**Action 24-153**

Moved by Commissioner Moser, seconded by Commissioner Webber, to approve the following consent agenda items listed below. All present voted aye; motion carried, 7-0.

1. Establish May 28, 2024 as the date for the public hearing on the application for a Special On-sale Liquor License for one day, June 7, 2024, from O'Malley's Irish Pub, 204 W 3rd St. This is for an NRA Banquet at the NFAA Center, 800 Archery Lane.
2. Establish May 28, 2024 as the date for the public hearing on two applications for the transfer of owner of a Restaurant Retail (On-sale) Liquor and Retail (On-sale) Liquor license from Bernard Properties LLC to Riverfront Brewery Inc, 113-121 West 3rd Street and 204 Walnut.

Commissioner Hunhoff questioned the best way to handle citizen complaints on different traffic related situations. City Manager Leon recommended that those types of concerns should be directed towards her office to investigate with the police and/or public works department. There was no official action taken at that time.

**Action 24-154**

Moved by Commissioner Hunhoff, seconded by Commissioner Webber, to adjourn at 12:04 p.m. All present voted aye; motion carried, 7-0.

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Mason Schramm, Mayor

ATTEST:

\_\_\_\_\_  
Lisa Yardley, Finance Officer

Published on May 25, 2024

Schedule of Bills

VENDOR NAME	DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P	ID	LINE
A&B BUSINESS SOLUTIONS	COPIER LEASE	395.67	RENTALS & XEROX SUPPLIES	101.142.212		1135469	024289	P	831	00005
A-OX WELDING SUPPLY CO I	PROPANE	86.07	CHEMICALS & GASES	801.801.240		302312	024572	P	831	00003
	CYLINDER LEASE	45.95	CHEMICALS & GASES	801.801.240		88068369	024579	P	831	00004
		132.02	*VENDOR TOTAL							
ACTIVE NETWORK LLC	REFUND	71.00	PROFESSIONAL SERVICES	202.202.202		20240401378	081177	P	831	00006
AVERA HEART HOSPITAL OF	AED BATTERIES/PADS	256.00	MEDICAL, SAFETY, & LAB. S	203.203.243		5.8.2024	081095	P	831	00001
BANNER ASSOCIATES INC	CEDAR ST BRIDGE	12,563.00	CEDAR STREET BRIDGE	207.221.397		42280	243003	P	831	00008
	23RD ST BRIDGE DESIGN	3,512.88	23RD STREET BRIDGE	207.221.389		42283	243009	P	831	00007
		16,075.88	*VENDOR TOTAL							
BIES/BRAD	TRAVEL REIMBURSEMENT	313.56	CONFERENCE & MEETINGS	101.106.265		05.20.24	024026	P	831	00094
BRUNKEN/JEFF	LEAGUE REFUND	282.49	ADULT RECREATION LEAGUES	203.3744		68079761	081096	P	831	00009
	LEAGUE REFUND	17.51	SALES TAX PAYABLE	203.2073		68079761	081096	P	831	00010
		300.00	*VENDOR TOTAL							
CEDAR KNOX PUBLIC POWER	ELECTRICITY	731.93	ELECTRICITY	601.601.272		350022554	005176	P	831	00095
	ELECTRICITY	367.74	ELECTRICITY	201.201.272		350035355	005243	P	831	00096
		1,099.67	*VENDOR TOTAL							
CHESTERMAN COMPANY	CONCESSIONS	1,064.65	MISCELLANEOUS CONCESSION	202.202.728		3591576	081180	P	831	00013
CITY OF YANKTON-PARKS	LANDFILL	524.88	LANDFILL	201.201.276		16865	003889	P	831	00014
CITY OF YANKTON-POLICE	PETTY CASH	15.00	TRAVEL EXPENSE	101.111.263		5.17.24	023084	P	831	00061
CIVICPLUS, LLC	ANNUAL FEE	23,390.00	PROFESSIONAL SERVICES	203.203.202		301468	023853	P	831	00011
CLARK'S RENTAL LLC	SAW BLADES	313.00	REP. & MAINT. - DISTRIBUT	601.601.226		91694	240139	P	831	00015
CLAY COUNTY SHERIFF'S OF	OFFICER EQUIPMENT	500.00	REP. & MAINT. - EQUIPMEN	101.111.221		202404578	241533	P	831	00012



Schedule of Bills

VENDOR NAME	DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P	ID	LINE
DESIGN SOLUTIONS & INTEG	SCADA WORK	3,277.50	REP. & MAINT. - PLANT	601.601.221		65087-65143	240143	P	831	00016
EMERSON MANUFACTURING	AXLE JACK	4,790.70	EQUIPMENT	801.801.350		491041	024571	P	831	00017
FERGUSON ENTERPRISES LLC	WATER METER PROJECT	25,655.10	METER TECHNOLOGY UPGRADE	602.602.351			240146	P	831	00090
	WATER METER PROJECT	94,250.00	METER TECHNOLOGY UPGRADE	602.602.351		477156-3	240140	P	831	00092
	WATER METER PROJECT	5,860.00	METER TECHNOLOGY UPGRADE	602.602.351		486502	240142	P	831	00091
		125,765.10	*VENDOR TOTAL							
GEOTEK ENG & TESTING SER	WWTP CONCRETE TESTING	1,807.75	PROFESSIONAL SERVICES	611.611.202		66010	022823	P	831	00018
GERSTNER OIL CO	FUEL	26,378.18	GARAGE GASOLINE & LUBRIC	801.801.238		196597	024563	P	831	00019
GRAYMONT WI LLC	LIME	8,066.50	CHEMICALS & GASES	601.601.240		14-191744RI	240147	P	831	00097
HANSON BRIGGS ADVERTISIN	PRINTING	288.00	PROFESSIONAL SERVICES	801.801.202		33451	024605	P	831	00030
HAWKINS INC	CHEMICALS	13,962.00	CHEMICALS & GASES	601.601.240		6744429	240144	P	831	00033
	CHEMICALS	7,943.24	CHEMICALS & GASES	202.202.240		6756589	081097	P	831	00032
	CHEMICALS	617.70	CHEMICALS & GASES	203.203.240		6756596	081097	P	831	00031
		22,522.94	*VENDOR TOTAL							
HDR ENGINEERING INC	WWTP IMPROVEMENTS	145,521.56	EDA PROJECT (GRANT)	611.611.323		1200595135	022828	P	831	00026
	WWTP IMPROVEMENTS	17,775.00	2019 WW IMPROVEMENTS PHA	611.611.332		1200595137	021019	P	831	00020
	WWTP IMPROVEMENTS	19,126.25	2019 WW IMPROVEMENTS PHA	611.611.332		1200601648	021019	P	831	00021
	WWTP IMPROVEMENTS	280,325.02	EDA PROJECT (GRANT)	611.611.323		1200601658	022828	P	831	00027
	WATER/SEWER MASTER PLAN	1,916.25	GIS MODELING	602.602.318		1200602781	022801	P	831	00024
	WWTP IMPROVEMENTS	35,901.59	2019 WW IMPROVEMENTS PHA	611.611.332		1200610562	021019	P	831	00022
	WWTP IMPROVEMENTS	228,482.46	EDA PROJECT (GRANT)	611.611.323		1200610563	022828	P	831	00028
	WWTP IMPROVEMENTS	32,026.25	2019 WW IMPROVEMENTS PHA	611.611.332		1200618284	021019	P	831	00023
	WWTP IMPROVEMENTS	297,029.35	EDA PROJECT (GRANT)	611.611.323		1200618287	022828	P	831	00029
	WATER/SEWER MASTER PLAN	5,081.25	COLLECTION MODEL/MASTER	611.611.318		1200619403	022801	P	831	00025
		1,063,184.98	*VENDOR TOTAL							
HEATEC INC	BOILER REPAIRS	6,713.45	REP. & MAINT. - EQUIPMEN	101.123.221		20000419	024451	P	831	00034
JANITOR'S CLOSET	PAPER PRODUCTS	480.95	JANITORIAL SUPPLIES	801.801.236		1358920	024578	P	831	00035
	PAPER PRODUCTS	240.47	OFFICE SUPPLIES	637.637.232		1358920	024578	P	831	00036
		721.42	*VENDOR TOTAL							

Schedule of Bills

VENDOR NAME DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P	ID	LINE
KIESLER'S POLICE SUPPLY AMMUNITION	378.00	AMMUNITION	101.111.267		238650	241531	P	831	00040
KLEINS TREE SERVICE TREE WORK	2,800.00	ABATEMENT	101.106.204		2087	024263	P	831	00051
KNIFE RIVER - SOUTH DAKO CONCRETE	780.00	OPEN ASPHALT	506.572.376		448356	024592	P	831	00046
CONCRETE	263.00	OPEN ASPHALT	506.572.376		448357	024593	P	831	00047
CONCRETE	752.00	OPEN ASPHALT	506.572.376		449291	024591	P	831	00045
CONCRETE	700.00	OPEN ASPHALT	506.572.376		450048	024590	P	831	00044
CONCRETE	470.00	OPEN ASPHALT	506.572.376		450049	024573	P	831	00041
CONCRETE	611.00	OPEN ASPHALT	506.572.376		450050	024589	P	831	00042
CONCRETE	564.00	OPEN ASPHALT	506.572.376		450498	024588	P	831	00043
CONCRETE	517.00	OPEN ASPHALT	506.572.376		450577	024594	P	831	00048
CONCRETE	545.00	OPEN ASPHALT	506.572.376		450578	024595	P	831	00049
CONCRETE	404.00	OPEN ASPHALT	506.572.376		450989	024599	P	831	00050
CONCRETE	658.00	OPEN ASPHALT	506.572.376		451691	024607	P	831	00038
CONCRETE	564.00	OPEN ASPHALT	506.572.376		451692	024606	P	831	00037
CONCRETE	498.00	OPEN ASPHALT	506.572.376		451944	024609	P	831	00039
	7,326.00	*VENDOR TOTAL							
MASONRY COMPONENTS INC YANK BB ASSOC-WALKWAY	9,894.00	PARK SIDEWALKS	503.548.322		3207	023854	P	831	00089
MAYER SIGNS SIGNS	350.00	PARK SIGNS	503.549.321		24-3093	081185	P	831	00054
MERKEL ELECTRIC WALNUT ST LIGHT	2,275.60	REP. & MAINT. - BUILDING	201.201.223		10974	081181	P	831	00052
MIDWEST ALARM COMPANY IN INSPECTIONS	450.00	PROFESSIONAL SERVICES	201.201.202		374503	081178	P	831	00055
MIDWEST PETROLEUM EQUIP, PARTS	546.07	GARAGE PARTS	801.801.249		1800	024574	P	831	00053
MIELKE/BRENT LIBRARY PERFORMANCE	350.00	RECREATION SUPPLIES	701.701.242		5.20.24	024300	P	831	00093
NIHCA-NATIONAL INDEPENDEN MEMBERSHIP DUES	199.00	MEMBERSHIP DUES	203.203.261		107173	081182	P	831	00056
OPIS REPORTS	276.00	GARAGE GASOLINE & LUBRIC	101.127.238		520916	024351	P	831	00060
OVERHEAD DOOR CO REMOTES	810.00	REP. & MAINT. - BUILDING	801.801.223		93265	024580	P	831	00059

Schedule of Bills

VENDOR NAME	DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P	ID	LINE
POWER SOURCE ELECTRIC	ANTENNA WORK	5,642.66	METER TECHNOLOGY UPGRADE	602.602.351		68665/68729	240145	P	831	00065
	MATERIALS	527.73	REP. & MAINT. - EQUIPMEN	101.114.221		68828	245523	P	831	00062
	LABOR/MATERIALS	1,200.94	REP. & MAINT. - BUILDING	202.202.223		68849	081171	P	831	00066
	MATERIALS	188.83	REP. & MAINT. - BUILDING	202.202.223		68872	081179	P	831	00063
		7,560.16	*VENDOR TOTAL							
POWERPHONE	MAINTENANCE	299.70	PROFESSIONAL SERVICES	208.208.202		82645	204449	P	831	00064
PRESS & DAKOTAN/YANKTON	LEGAL NOTICE	31.40	ELECTION	101.104.204		153335	081512	P	831	00099
	LEGAL NOTICE	63.07	PUBLISHING	101.101.211		153828	081108	P	831	00098
	LEGAL NOTICE	38.30	AUDIT	101.101.203		154148	081127	P	831	00108
	ELECTION BALLOT	507.50	ELECTION	101.104.204		154209	081517	P	831	00112
	MINUTES	158.56	PUBLISHING	101.101.211		154428	081544	P	831	00107
	LEGAL NOTICE	27.94	PUBLISHING	101.106.211		154429	024258	P	831	00116
	LEGAL NOTICE	13.76	PUBLISHING	101.101.211		154430	081130	P	831	00106
	LEGAL NOTICE	14.08	PUBLISHING	101.101.211		154557	081131	P	831	00103
	LEGAL NOTICE	14.40	INSURANCE	101.101.201		154558	081545	P	831	00100
	LEGAL NOTICE	13.60	PUBLISHING	101.101.211		154559	081132	P	831	00104
	MINUTES	240.64	PUBLISHING	101.101.211		154991	081547	P	831	00105
	LEGAL NOTICE	59.68	PUBLISHING	101.101.211		155025	081111	P	831	00102
	MINUTES	84.67	PUBLISHING	101.101.211		155029	081548	P	831	00101
	LEGAL NOTICE	12.96	PUBLISHING	101.101.211		155201	081549	P	831	00115
	LEGAL NOTICE	13.76	PUBLISHING	101.101.211		155203	081549	P	831	00114
	LEGAL NOTICE	12.80	PUBLISHING	101.101.211		155204	081112	P	831	00113
	BID NOTICE	61.64	REP. & MAINT. - EQUIPMEN	101.122.221		155335	024567	P	831	00109
	MINUTES	24.96	PUBLISHING	101.101.211		155491	081133	P	831	00111
	MINUTES	109.76	PUBLISHING	101.101.211		155493	081133	P	831	00110
		1,503.48	*VENDOR TOTAL							
RDG PLANNING & DESIGN	COMPREHENSIVE PLAN	2,500.00	EQUIPMENT	101.106.350		56952	024430	P	831	00067
SANITATION PRODUCTS INC	PARTS	164.43	GARAGE PARTS	801.801.249		88893	024583	P	831	00071
	CONVEYOR COVER	669.18	GARAGE PARTS	801.801.249		88959	024584	P	831	00070
	SWEEPER PARTS	3,500.00	GARAGE PARTS	801.801.249		89121	024600	P	831	00068
	SWEEPER PARTS	349.14	GARAGE PARTS	801.801.249		89121	024600	P	831	00069
		4,682.75	*VENDOR TOTAL							
SECURITY SHREDDING	CONTAINERS	120.00	PROFESSIONAL SERVICES	101.111.202		21568	241530	P	831	00076
SHUR-CO	TARP	799.50	EQUIPMENT REPAIR & MAINT	637.637.221		1228941	024569	P	831	00073
SIGN SOLUTIONS	SIGNS	678.60	ROAD MATERIALS	101.123.239		410592	024601	P	831	00078

Schedule of Bills

VENDOR NAME DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P	ID	LINE
STANLEY PETROLEUM MAINTENANCE									
FUEL PUMP	4,067.60	REP. & MAINT. - BUILDING	801.801.223		2545	014576	P	831	00074
FUEL PUMP	2,328.40	REP. & MAINT. - BUILDING	801.801.223		2585	024577	P	831	00075
FUEL PUMP	359.65	REP. & MAINT. - BUILDING	801.801.223		2601	024397	P	831	00072
	6,755.65	*VENDOR TOTAL							
SUBSURFACE SOLUTIONS LLC									
REPAIRS	55.82	REP. & MAINT. - DISTRIBUTION	601.601.226		24573	240141	P	831	00077
TRANSOURCE									
PARTS	750.79	GARAGE PARTS	801.801.249		41P48031	024564	P	831	00082
TRUCK TRAILER SALES INC									
PARTS	77.50	GARAGE PARTS	801.801.249		2497-221	024586	P	831	00080
PARTS	1,378.00	GARAGE PARTS	801.801.249		4286-4	024585	P	831	00081
PARTS	1,143.93	GARAGE PARTS	801.801.249		4355-222	024587	P	831	00079
	2,599.43	*VENDOR TOTAL							
TRUIST GOVERNMENTAL FINANCE									
SALES TAX BOND	14,156.94	INTEREST	323.323.411		9941000042-2	021702	P	831	00083
WHITE CAP									
SPRAYER PART	45.57	SMALL TOOLS & HARDWARE	101.123.247		50026491909	024582	P	831	00085
SPRAYER PART	30.38	SMALL TOOLS & HARDWARE	101.123.247		50026491910	024581	P	831	00084
SPRAYER	375.96	SMALL TOOLS & HARDWARE	101.123.247		50026558488	024596	P	831	00086
	451.91	*VENDOR TOTAL							
YANKTON FIRE & SAFETY CO									
FIRE EXTINGUISHER REPAIR	45.00	PROFESSIONAL SERVICES	101.111.202		29352	241532	P	831	00087
YANKTON THRIVE									
TITLE FEE	455.00	PROFESSIONAL SERVICES	501.501.202		292	081117	P	831	00088

Schedule of Bills

VENDOR NAME	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P ID LINE
DESCRIPTION							
REPORT TOTALS:	1,377,037.25						

RECORDS PRINTED - 000113

FUND RECAP :

FUND	DESCRIPTION	DISBURSEMENTS
101	GENERAL FUND	17,218.40
201	PARKS AND RECREATION	3,618.22
202	HUETHER FAMILY AQUATICS CTR	10,468.66
203	SUMMIT ACTIVITY CENTER	24,762.70
207	BRIDGE AND STREET	16,075.88
208	911/DISPATCH	299.70
323	REVENUE REFUNDING BONDS 2019	14,156.94
501	PUBLIC IMPROVEMENT	455.00
503	PARK CAPITAL	10,244.00
506	SPECIAL CAPITAL IMPROV	7,326.00
601	WATER OPERATION	26,406.75
602	WATER RENEWAL/REPLACEMENT	133,324.01
611	WASTE WATER OPERATION	1,063,076.48
637	JOINT POWER	1,039.97
701	LIBRARY TRUST	350.00
801	CENTRAL GARAGE	48,214.54
TOTAL ALL FUNDS		1,377,037.25

BANK RECAP :

BANK	NAME	DISBURSEMENTS
1DAK	FIRST DAKOTA NAT'L BANK CORP	1,377,037.25
TOTAL ALL BANKS		1,377,037.25

THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT.

DATE ..... APPROVED BY .....

.....

.....

# 26TH ANNUAL YANKTON AREA



*Caring for Self... Caring for Community*

**NEW LOCATION!  
WEDNESDAY & THURSDAY,  
JUNE 5 & 6, 2024**

**YANKTON HIGH SCHOOL, YANKTON, SD**  
SPEAKERS: CHRISSY HODGES, BETHANY TUCKER, AXTON  
BETZ-HAMILTON, JASON FREEMAN

**REGISTER!**

## **Embracing Change**

PROFESSIONAL CREDIT WILL BE REQUESTED FOR:  
ALCOHOL & DRUG PROFESSIONALS, COUNSELORS,  
EMERGENCY MEDICAL TECHNICIANS, NURSING HOME  
ADMINISTRATORS,

REGISTERED & LICENSED CHILDCARE PROVIDERS AND SOCIAL  
WORKERS.

GENERAL CEUS WILL ALSO BE OFFERED FOR TEACHERS AND  
OTHERS.

GRADUATE COLLEGE CREDIT IS AVAILABLE FOR  
AN EXTRA FEE.

REGISTRATION FORM ON WEBSITE [YAMWI.ORG](http://YAMWI.ORG)  
AFTER APRIL 1, 2024

YANKTON AREA MENTAL WELLNESS, INC.  
1028 WALNUT, YANKTON, SD 57078  
TELEPHONE: 605-665-4606, EXT. 1018

# 26<sup>th</sup> Annual Yankton Area Mental Wellness Conference



**June 5-6, 2024**  
**Yankton High School**  
**1801 Summit St.**  
**Yankton, South Dakota**

Registration form is online at: [www.yamwi.org](http://www.yamwi.org)

Yankton Area Mental Wellness, Inc.  
1028 Walnut, Yankton, SD 57078  
Email: [yamwi.org@gmail.com](mailto:yamwi.org@gmail.com)



# PLENARY SPEAKERS EMBRACING CHANGE

## Wednesday Morning Plenary-1A

Wednesday, June 5<sup>th</sup> 8:15-9:30 a.m.

**Understanding Economic Diversity and  
Concrete Actions-**  
Bethany Tucker



## Wednesday Morning Plenary-1B

Wednesday June 5<sup>th</sup> 11:00 a.m.-12:15pm

**Financial Abuse within Families, What it is and  
What you can do-**  
Axton Betz-Hamilton



## Wednesday Afternoon Plenary-1C

Wednesday, June 5 1:00-2:15p.m.

**Our Imperfect Best: A Pathway to Wisdom-**  
Jason Freeman



## Wednesday Afternoon Plenary-1D

Wednesday, June 5<sup>th</sup> 3:30-4:45p.m.

**Overcoming Elements of Toxic leadership:  
Power and Ethics in Organizational Life-**  
Matthew R. Fairholm



## Thursday Morning Plenary-2A

Thursday, June 6<sup>th</sup> 8:15-9:30 a.m.

**The Role of Peer Support**

**Peer Support-Chrissie Hodges**



## Thursday Morning Plenary-2B

Thursday, June 6<sup>th</sup> 11:00-12:15pm

**Standing on the Shoulders of the Recovery  
Community**

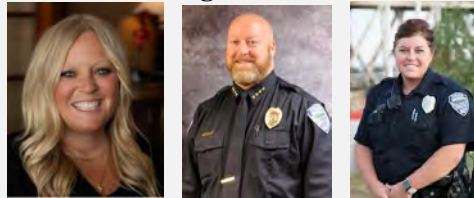
**Jon Summervold**



## Thursday Afternoon Plenary-2C

Thursday, June 6<sup>th</sup> 1:00-2:15 p.m.

**Working with Complex Populations: Creating a  
Culture of Officer and Agency Wellness-**  
Brooke Greenig, Jason Foote, Sam Bruening



## Thursday Afternoon Plenary-2D

Thursday, June 6<sup>th</sup> 3:45-4:45 p.m.

**Train to Change-It's a Moment and a Choice-**  
Mark "Coach Rozy" Roozen



7:30 a.m. - 8:00 a.m. **REGISTRATION AND WELCOME**  
Yankton High School- Auditorium Lobby

8:00 a.m.

**WELCOME AND INTRODUCTIONS**

**Dr. Wayne Kindle, Superintendent Yankton School District**  
**Jean Hunhoff, BSN, MSN, MHA, District 18 Senator**  
Yankton High School –Auditorium

**PLENARY SESSION 1A: 8:15-9:30 a.m.**

YHS Auditorium

**Understanding Economic Diversity and concrete actions that can have a positive impact on the achievement of under-resourced students.**

**Bethany Tucker**

Developing stronger relationships with students to positively impact behavior and achievement, how economic class affects behaviors and mindsets.

**BREAKOUT SESSION I – Wednesday, 9:45-10:45 A.M.**

**1. Youth Suicide Prevention SD DSS –  
Vanessa Barnes, Rachael Majeres**

While crisis cannot be planned, we can plan how we organize services to meet the needs of those who experience a mental health crisis. Learn what South Dakota is doing to meet those needs through the Crisis Now Model.

**2. Heart and Soul: Essential Life Mission –  
Linda Seger**

We will focus on self-reflection, self-determination, self-care for professionals who may benefit from developing a personal Life Mission. This process is calming, peaceful and motivating.

**3. Palliative Care: Nuts, Bolts and Transforming  
Care of the Seriously Ill -Katie Huff**

Learn about the role of Palliative Care, when care for patient with serious illness and how this interdisciplinary care impacts physical, emotional, and spiritual wellbeing.

**4. Behavioral Health Crisis Care in Rural SD -  
Madeline Miller**

An overview of crisis care services provided by Lewis and Clark Behavioral Health Services, including unique solutions to meet the needs of those experiencing crisis in rural communities.

**5. Emotional Poverty and Emotions-  
Bethany Tucker**

Tools for educators to address and reduce anger, anxiety, and avoidance, tools to motivate good behavior, differences in emotional processing.



*"Caring for Self...Caring for Community"*

**Thank You**

**2024 Conference Planning Committee**

**PLENARY SESSION 1B: 11:00-12:15PM**

YHS Auditorium

**FINANCIAL ABUSE WITHIN FAMILIES, WHAT IT IS AND WHAT YOU CAN DO**

**Axton Betz-Hamilton**

Resources and strategies for working with victims of family financial abuse. Information about the different types of financial abuse within families, the financial, emotional, and physical consequences of this abuse for victim, and characteristics of offenders.

**Lunch**

12:15-12:55

VIRTUAL WALK-THROUGH PRESENTATIONS BY DR STANAGE AND DR KINDLE

**PLENARY SESSION 1C: 1:00-2:15P.M.**

YHS Auditorium

**Our Imperfect Best-Pathway to Wisdom**

**Jason Freeman**

In a perfect world, maybe we'd be perfectly healthy and satisfied no matter what we thought or did. But we simply don't live in that world. It's tempting to long for perfection instead of accepting our imperfect best lives and doing what we can. During this workshop, we will explore how doing our imperfect best can inspire us to be more accepting of ourselves and to take consistent and courageous actions to move forward.

**BREAKOUT SESSION II – Wednesday, 2:30-3:30p.m.**

**8. Emotional Poverty, Adult Stress, Compassion Fatigue-Bethany Tucker**

Tools for adults who are stressed, compassion fatigue, secondary trauma stress, strategies for regulation of behavior. How to work with angry, emotional parents and adults.

**9. Security Threat Groups – Edward Loew**

This presenter has worked in a special investigation unit through the South Dakota Department of Corrections and has focused on gangs, in and out of the prison system, for 16 years.

**10. Crisis Now Panel SD DSS – Vanessa Barnes, Janet Kittams, Brian Erickson, Kim Hansen**

Like a physical health crisis, a mental health crisis can be devastating for individuals, families, and communities. Too often, that experience is met with delay, detainment and even denial of service that can all add to a person's trauma history. While a crisis cannot be planned, we can plan how we organize services to meet the needs of those individuals who experience a mental health crisis. Come learn what South Dakota is doing to meet the needs of our loved ones who are experiencing a behavioral health crisis through the Crisis Now Model.

**6. Taking the Emotion out of Mental Health Disabilities- Vicki Stewart**

Introducing the concept that people with mental health disabilities can perform on the job as effectively as people without mental health disabilities explore the effects of emotions reactions to mental health disabilities and provide a way for employers to consider reasonable accommodations.

**7. Eating Disorders 101- Dawn Larson, MD**

Provide a brief overview of the types of disorders, discuss associated symptoms and signs to identify, discuss treatment and recovery process.

**PLENARY SESSION 1D:** 3:45-5:00pm

**Overcoming Elements of Toxic Leadership: Power and Ethics in Organizational Life**

YHS Auditorium

Professional Ethics

**Matthew Fairholm, PhD.**

Working with others often brings out the best in us as we help others. Sometimes though the worst comes out as we interact with coworkers in those public service organizations. Toxic leadership that tends to the negative elements of organizational life has real impact on people and the work being done. This session reveals some of the elements of toxic leadership and offers some suggestion to have more ethical, productive, and meaning work.

**Day one complete!  
Thank you for attending! See you tomorrow!**



**Thank You**

for participating in the 2024 YAMWI Conference!

**7:00am Yoga for Mental Wellbeing: Stress Relief through Psoas Release and Breathwork- Amy Reyes**

Embark on a journey of the self through this rejuvenating yoga class designed to foster stress relief through the profound connection between mind and body. This class will combine psoas-releasing yoga poses and stretches with intentional breathwork, activating the parasympathetic nervous system- the body's- natural antidote to stress. Begin your day in a mindful way as we synchronize breath with movement, unlocking the gateway to deep relaxation and creating space for peace and mental clarity.

7:30 a.m. **REGISTRATION (ONLY FOR THOSE WHO DID NOT ATTEND ON WEDNESDAY)**  
Yankton High School Auditorium Lobby

8:00-8:15 a.m. **WELCOME AND INTRODUCTIONS – Jean Hunhoff, BSN, MSN, MHA, District 18 Senator**  
**YANKTON HIGH SCHOOL AUDITORIUM**

**PLENARY SESSION 2A: 08:15-9:30 a.m.**  
YHS Auditorium  
Peer Support  
Chrissy Hodges  
Implementing a H3 Culture is a great way to infuse Hope, Health, and Happiness into your work environment. If you find that you are struggling with the fear of the unknown, working remotely, or a lack of engagement, you are not alone. These issues have challenged the modern-day workplace in one way or another. H3 reinvigorates hope, health, and happiness to strengthen culture, help retention, cultivate engagement, and improve mental health. This all ultimately creates a more enjoyable place to work.

**Breakout Session III-Thursday 9:45-10:45**

**11.How Teens are Finding Connection in a Disconnected World-Yankton High School Bring Change to Mind Group** The post-pandemic world has thrust our young people into a virtual realm where technology and social networking often replaces genuine human connection. This engaging presentation explores the critical role of meaningful connections on mental well-being and emotional resilience as well as practical strategies to navigate and counteract the changes posed by our modern era. Presenters of the session will be members of the Yankton High School Bring Change to Mind Club, a group that focuses on mental health awareness and advocacy.  
**12.ADHD: What is it and How to Support Those who have it- Alex R. Hey** ADHD is a common Neurodevelopmental disorder that affects millions worldwide. However, ADHD is often misunderstood and often underdiagnosed. The effects of not properly managing ADHD are dire. This presentation by a credentialed ADHD coach will discuss ADHD and how it can be managed to help those live their best life.  
**13.Poetry as Therapy: Writing for Emotional Wellbeing-Keley Smith Keller** Poetry as therapy is the use of language, symbol and story in therapeutic educational growth and community building capacities.

**14. Understanding the Emotional Effects of Residential Burglary, A Case Approach-Axton Betz-Hamilton** Using a South Dakota based case, this session will explore the emotional effects of residential burglary, including anxiety, loss of trust, and supportive factors.  
**15. Embracing the Imperfect Best Nature of Problem Solving-Jason Freeman.**  
At times in my life, I experienced my disability as a problem for which there was no solution, which left me feeling resigned and hopeless. It took me years to realize there are so many problems that I can solve. I would ask anyone with a disability new question that would hopefully inspire them to begin creating new solutions to many problems they can solve.

**PLENARY SESSION 2B:** 11:00-12:15 p.m.

YHS Auditorium

**Standing on the Shoulders of the Recovery Community**

**Jon Sommervold, Executive Director of Tallgrass Recovery and Sober Living Homes.**

Jon will share insights about the culture, communication, fear, guilt, shame, destruction, and hope that may help create a community that is safe, kind, honest and survivable.

**Lunch**

12:15-12:55

Networking and Drawings

**PLENARY SESSION 2C:** 1:00-2:15PM

YHS Auditorium

**Working with Complex Populations: Creating a Culture of Officer and Agency Wellness**

**Brooke Greenig, LCSW-PIP**

**Jason Foote, Chief of Yankton Police Department**

**Sam Bruening, Sgt. Yankton Police Department**

This presentation will provide an empathic interactive approach to the changing culture of law enforcement. It will increase clinical understanding of law enforcement culture through real-life experiences, provide knowledge on current clinical interventions and accurately depict current trends impacting officer and agency wellness. This collaborative relationship will discuss their top-down approach to improving officer and agency wellness.

**Breakout Session IV-Thursday 2:30-3:30pm**

**16.Guiding Youth Through Survival Behavior-  
Abbott House staff, Ron Thorsen, Faith Henning**

The principles used in TBRI are intended to create space and opportunity to create change in clients. Building connection with clients creates a safe place for them to be vulnerable and look at hurts that are keeping them trapped.

**17.Gender Non-Conforming Issues within  
Department of Corrections- Meredith Rife**

Discussion about gender non-conforming issues within the Department of Corrections.

**18.All Learning is Social and Emotional-Debbi McCuin**

Watching the news or even the latest political debate will convince most people that there is an increased need for individuals in our society to develop the ability to self-regulate and more. These are among the core concepts of Social Emotional Learning and modeling and implanting opportunities to learn and practice these skills.

**19.The Healing Power of Light-Heather Swanson**

Light is important for wellness. From natural sunlight to use of devices and color, there is a growing body of evidence on the healing and regulating impact of light. This presentation discusses use of light that can augment treatment plans for mental wellness, depression, sleep, etc. Attendees will learn evidence-based tools that can be integrated immediately into their own lives and practice.

**20.Chrissy Hodges- Let’s Talk about OCD**

**PLENARY 2D**

**3:45-4:45 PM**

YHS Auditorium

**Train to Change-It's a Moment and a Choice**

**Mark “Coach Rozy” Roozen, MED, CSCS, NSCA-CPT, FNCSA, Founder/Director Coach Rozy Performance**

Coach Rozy will discuss the process they use to train to change with the teams he works with, from sport teams, military units, police, fire, and business.

**That's a wrap for this year!**



*"Caring for Self...Caring for Community"*

**THANK YOU!**

for your support and participation in the 2024 YAMWI  
Conference!

**We hope you will join us next year,  
June 4<sup>th</sup> and 5<sup>th</sup>, 2025**

## **ATTENTION!**

**The EMBRACING CHANGE 2024 Conference will be held at a**

**NEW LOCATION: Yankton High School!**  
**Use the Main Entrance Doors near the circle drive.**

**1801 Summit St.**  
**Yankton, South Dakota**

**For information about Yankton, including city map, motels, restaurants, entertainment, etc., contact Yankton Thrive at 605-665-3636 or access the website, [www.yanktonsd.com](http://www.yanktonsd.com)**

### **ACCESSIBILITY**

The conference site is primarily Americans with Disabilities Act accessible. Please note on your registration form as to special accommodations needed.

### **ANIMAL ATTENDANCE & SERVICE ANIMAL POLICY**

The YAMWI board established that personal animals are NOT allowed at our annual conference. This decision was based on concern for the safety and comfort of our animal friends and on our conference format. Personal animals include emotional support, comfort animals, and therapy animals, which are not defined as service animals under Title II and Title III of the ADA. Service animals are an exception to this policy. Service animals are defined and covered by Federal Law under the ADA. Service animals must be house-trained, and handlers are responsible for always cleaning up after the animal.

### **WAIVER OF LIABILITY**

All conference presenters and registrants and assistants understand that participation in any portion of the Yankton Area Mental Wellness, Inc. (YAMWI) Conference at Mount Marty University is purely voluntary. Those choosing to participate hereby releases YAMWI, the YAMWI Board of Directors, Mount Marty University, their successors, assigns, officers, agents, employees, and volunteers from all claims, demands, and causes of action whatsoever in any way growing out of or resulting from participation in the conference activities.





*"Caring for Self...Caring for Community"*

## **CONFERENCE GOAL**

The Yankton Area Mental Wellness logo depicts the overall conference goal. The main design resembles the sunshine, the warmth gained by caring for others, and the vitality of good health. The rays indicate how mental wellness adds brightness all around. The bold print reminds us that "wellness" is the core of this conference. The word "conference" at the bottom of the logo denotes that this training will provide a strong foundation for caregivers and professionals. The spacing of the letters indicates that there is room for everyone to support this event and a need for everyone to care about mental wellness.

## **2024 MENTAL WELLNESS CONFERENCE OBJECTIVES**

*Conference participants will:*

1. Explore different therapeutic interventions and therapeutic techniques.
2. Explore contemporary theory, research, and practice for working with people.
3. Examine the impact trauma and crisis events have on individuals.
4. Examine factors that impact ethical therapy practice.
5. Identify behaviors that may indicate chemical dependency or mental illness as experts explore the latest findings concerning intervention and treatment.
6. Address the issues involved in the practice of working with people with physical and/or mental health needs.
7. Examine the status of all generations in society, their pressures of life, and how professionals can support them.
8. Describe new methods of **"CARING FOR SELF ... CARING FOR COMMUNITY"**
9. Incorporate the 2024 conference theme: **"Embracing Change"**.

**PROFESSIONAL CREDIT FOR THIS CONFERENCE:** *It is the responsibility of each participant to ensure that professional credit meets the criteria for their discipline.* Professional credit applications for this conference have been submitted to the following:

- Board of Examiners for Nursing Home Administrators in SD
- Certification Board of Addiction and Prevention Professionals
- SD Board of Counselor Examiners – Ethics hours requested.
- SD Board of Social Work Examiners
- SD Department of Social Services Childcare Services
- SD Emergency Services Office – Emergency Medical Technicians
- SD State Board of Dentistry
- SD State Board of Pharmacy for Pharmacists & Technicians
- Credits for Licensed Nutritionists / Dietitians
- Commission on Rehabilitation Counselor Certification (CRCC)
- Continuing Education Units through the SD State Department of Education
- **Graduate Credit through Mount Marty University: 1 credit @ \$50.00 (in addition to conference registration fee) Register through the MMU Professional Development Institute:**  
<https://www.mountmarty.edu/academics/professional-development-institute/>  
or contact [llincoln@mountmarty.edu](mailto:llincoln@mountmarty.edu) if you have any questions.



"Caring for Self...Caring for Community"

### Printable Registration Form

(Registration form is also online at: [www.yamwi.org](http://www.yamwi.org))

## Yankton Area Mental Wellness Conference

**"Embracing Change"**

Wednesday, June 5<sup>th</sup> – Thursday, June 6<sup>th</sup>, 2024

#### \*REQUIRED INFORMATION

\*First Name: \_\_\_\_\_

\*Last Name: \_\_\_\_\_

Organization: \_\_\_\_\_

Title/Position: \_\_\_\_\_

\*Phone #: \_\_\_\_\_

\*Email Address: \_\_\_\_\_

\*Address: \_\_\_\_\_

\*City, State, Zip: \_\_\_\_\_

#### Breakout Session Preferences

As a courtesy to our Conference Presenters, Participants will be expected to attend the session for which they pre-registered. Participants will receive a copy of their Final Conference Itinerary upon registration check-in.

**BREAKOUT SESSION I, Wed. 9:45-10:45am** Please select your 1<sup>st</sup> & 2<sup>nd</sup> preferences: \*1<sup>st</sup> preference: \_\_\_\_ \*2<sup>nd</sup> preference: \_\_\_\_

- 1) Youth Suicide Prevention-SD DSS Vanessa Barnes, Rachael Majeres
- 2) Heart and Soul: Essential Life Mission, Linda Seger
- 3) Palliative Care: Nuts, Bolts, and Transforming Care of the Seriously Ill, Katie Huff
- 4) Behavioral Health Crisis Care, Madeline Miller
- 5) Emotional Poverty and Emotions-Bethany Tucker

**BREAKOUT SESSION II, Wed. 2:30-3:30** Please select your 1<sup>st</sup> & 2<sup>nd</sup> preferences: \*1<sup>st</sup> preference: \_\_\_\_ \*2<sup>nd</sup> preference: \_\_\_\_

- 6) Emotional Poverty Adult Stress, Compassion Fatigue- Bethany Tucker
- 7) Security Threat Groups- Edward Loew
- 8) Crisis Now Panel, SD DSS -Vanessa Barnes
- 9) Taking Emotion out of Mental Health Disabilities-Vicki Stewart
- 10) Eating Disorders 101-Dr. Dawn Larson

**BREAKOUT SESSION III, Thurs. 9:45-10:45am** Please select your 1<sup>st</sup> & 2<sup>nd</sup> preferences: \*1<sup>st</sup> preference: \_\_\_\_ \*2<sup>nd</sup> preference: \_\_\_\_

- 11) How Teens are Finding Connection in a Disconnected World-Yankton High School Bring Change to Mind Group
- 12) ADHD: What is it and How to Support Those who have it-Alex R. Hey
- 13) Poetry as Therapy: Writing for Emotional Wellbeing- Keley Smith Keller
- 14) Understanding the Emotional Effects of Residential Burglary, A Case Approach, Axton Betz Hamilton
- 15) Embracing the Imperfect Best Nature of Problem Solving-Jason Freeman

**BREAKOUT SESSION IV, Thurs. 2:30-3:30** Please select your 1<sup>st</sup> & 2<sup>nd</sup> preferences: \*1<sup>st</sup> preference: \_\_\_\_ \*2<sup>nd</sup> preference: \_\_\_\_

- 16) Guiding Youth through Survival Behavior and Into New Possibilities-Abbott House Ron Thorsen, Faith Henning
- 17) Gender Non-Conforming Issues within Department of Corrections-Meredith Rife
- 18) All Learning is Social and Emotional- Debbi McCuin
- 19) The Healing Power of Light-Heather Swanson
- 20) Let's Talk about OCD-Chrissy Hodges

### Meals

#### **\*Lunch, Wednesday, June 5<sup>th</sup>**

- I will **not** be able to attend.
- I will attend and eat provided LUNCH.

#### **\*Lunch, Thursday, June 6<sup>th</sup>**

- I will **not** be able to attend.
- I will attend and eat provided LUNCH.

## Accessibility

The conference site is primarily Americans with Disabilities Act accessible. Please list here special needs for accommodations:\_\_\_\_\_

## CONFERENCE REGISTRATION FEES:

2-Day: \$225.00 (Received after June 1st: \$250.00);

1-Day: \$200.00 (Received after June 1st: \$225.00)

\*Full-Time Student Registration Fees are half-off these rates\*

## MAIL SIGNED WAIVER OF LIABILITY AND COMPLETED REGISTRATION FORM TO:

Yankton Area Mental Wellness Inc: 1028 Walnut, Yankton, SD 57078

## Waiver of Liability

The undersigned hereby acknowledges that he/she/they understands that participation in any portion of the Yankton Area Mental Wellness, Inc. (YAMWI) Conference at Mount Marty University is purely voluntary. The undersigned hereby releases YAMWI, the YAMWI Board of Directors, Mount Marty University, their successors, assigns, officers, agents, employees, and volunteers from any and all claims, demands, and causes of action whatsoever in any way growing out of or resulting from the undersigned's participation in the conference activities.

Signature: \_\_\_\_\_ Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_

## Accommodation Statement

If you have a disability and need an accommodation to attend this event, please **contact Nancy Teachout, YAMWI Executive Director**, at least 2 weeks prior to the event. Email: [yamwi.org@hotmail.com](mailto:yamwi.org@hotmail.com). If you have questions, please call 605-665-4606 and ask for Nancy Teachout.

**On behalf of the YAMWI Board of Directors,  
We Thank You, for your attendance, support, and willingness  
to learn, grow, and share your gifts!**



*"Caring for Self...Caring for Community"*



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## OFFICE OF THE CITY MANAGER

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

VOL. 59 NUMBER 10

### Commission Information Memorandum

The Yankton City Commission meeting on Tuesday, May 28, 2024 will begin at 7:00 pm.

#### Non-Agenda Items of Interest

##### 1) Community & Economic Development Department Update

Staff from Public Works, Environmental Services, Parks and Recreation, and Community and Economic Development submitted the 2023 annual report for Yankton's Municipal Separate Storm Sewer System (MS4) permit to the South Dakota Department of Agriculture and Natural Resources. The report is a summary of the work the City has accomplished towards meeting the management goals outlined in our Storm Water Management Plan. The management plan includes "Best Management Practices" for protecting storm water runoff from potential pollutants and is implemented city-wide across departments. Most of those "best management practices" are routine actions staff do as a part of our daily work. They range from simple things like being careful where grass clippings are blown when mowing the park, to monitoring to ensure mud isn't tracked out of construction sites. Staff also responds to reports of accidents or spills that could impact storm water.

##### 2) Police Department Update

Chief Foote and Sgt. Sarah O'Farrell attended CentralSquare user group meeting in Pierre on May 15. CentralSquare is our records management software and is used by many agencies in South Dakota. This meeting focused on some on-going issues each agency has been experiencing and how other agencies have used the software to make it work for their department.

May 12-18 was Law Enforcement Week. There was an abundance of support from the community and local businesses, bringing food and snacks in to make sure staff was well fed and hydrated. The support our community gives is very impressive and appreciated.

On May 16, the YPD participated in the Law Enforcement Torch Run across the Meridian Bridge and back. Chief Foote led the run on his patrol bike.

On May 20, Ryan Duch and Rebecca Weber began their classroom training to become our next City of Yankton Police Officers. They will be sworn in on June 14th. They were also joined by our Intern Jonathan Carlstedt from Mount Marty University. Jonathan is a member of the MMU Lancer football team and has only one semester remaining at MMU.

On May 22, the Police Department participated in an active threat scenario at Mount Marty University. They were joined by Yankton Fire Department, Yankton County Emergency Management, Yankton County Sheriff's Office, South Dakota Game Fish and Parks, Sacred Heart

Hospital and the National Park Service. Trainings such as this help us all to understand our roles in a response to an active threat and to better understand where we might struggle with issues so they can be fixed.

### **3) Parks & Recreation Department Update**

An update on the various activities in the Parks & Recreation Department is included in this packet.

### **4) Information & Technology Services Department Update**

Systems monitoring has been restored for the radio site. This service was to be included in our maintenance agreement. With the arrival of the summer storm season, we are glad to have notifications if something goes wrong.

### **5) Human Resources & Employee Engagement Department Update**

Interviews for the following positions are complete and recommendations for hire will be forthcoming:

- Public Safety Administrative Assistant - Police Department
- Equipment Operator - Public Works Department
- Grounds Maintenance Worker - Parks and Recreation Department

Police Intern Jonathan Carlstedt and Engineering Technician Owen Mersch began work on May 13. Finance Generalist Kayla Giggee and Police Recruit Rebecca Weber began work on May 20.

Interviews for the Water Plant Operations Specialist in the Environmental Services Department are complete. Tanner Termansen who was a Water Distribution/Wastewater Collection Operation Specialist was selected to fill the Water Plant Operation Specialist.

With the move of Tanner Termansen to the Water Plant, the position of Water Distribution/Wastewater Collection Operation Specialist is now open. Applications are being accepted and the position is open until filled.

The City of Yankton's April presentation by Well 365 out of Sioux Falls focused on physical activity at all ages. The goal of the presentation was to help individuals get moving and try new things no matter what age.

Limited summer seasonal positions are still open. With returning employees and applicants already accepted, some positions are full. Interested applicants can visit [cityofyankton.org](http://cityofyankton.org) and click the link to our employment application.

May's wellness challenge is wrapping up. The challenge for May is "walking". Employees who are participating were asked to make 15 trips across and back over the Meridian Bridge during this month. Employees track their activities and submit their log at the end of the month to be entered into a drawing for a prize.

### **6) Fire Department Update**

Chief Linke presented Assistant Chief Brad Moser and Captains Cole Blom and Kasey Hofer with their new helmets. These officers have been serving in their new leadership roles since January; however, this is the first time we have been able to get the officers and their families together for the ceremony.

Deputy Chief Daniel Prendable is meeting with Yankton School District staff to determine what public education needs exist and how to ensure our community risk reduction efforts continue to be impactful.

Seven members of the Fire Department will be participating in a unified command exercise at Mount Marty University on May 22.

Chiefs Linke and Prendable are working with City Maintenance on rotating fire apparatus through the shop for regular preventive maintenance.

## **7) Finance Department Update**

There were no bids for the package off sale liquor license on Thursday, May 16.

The 2023 financial audit is ongoing. Auditors from Williams & Company P.C. were in-house May 20-21 to begin the auditing process which involved reviewing paperwork and interviewing staff. As it is early in the auditing process, the timeline for the final draft is unknown at this time.

Utilities has been very busy with sprinkler and snowbird accounts. We are seeing an influx in connects and disconnects due to people moving.

The Finance Office has a long-standing cooperative agreement with the Yankton County Auditor's Office to assist them during their primary and general elections in turn for their assistance during municipal elections. The Finance Officer, Deputy Finance Officer, and a Finance Generalist from the City will be helping with the tabulation of ballots during the primary election on Tuesday evening, June 4<sup>th</sup>.

The Finance Officer and Deputy Finance Officer will be attending the annual SD Governmental Finance Officers' School in Spearfish on June 12-14.

Please see the enclosed Finance Monthly Report for April 2024.

## **8) Public Works Department Update**

Street Department crews are replacing curb and gutter at various locations throughout the City. Crews are also street sweeping and mowing.

### **21<sup>st</sup> Street from West City Limits Road to Summit Street**

The installation of water main is ongoing. The presence of ground water has slowed the installation progress. Masonry Components has also been on site and has started grade work and miscellaneous curb and gutter installation.

### **Cedar Street from 2<sup>nd</sup> Street to 5<sup>th</sup> Street & Cedar Street Parking Lot**

This project is currently being advertised for bids. The bid closing date is June 4.

### **Karen Drive/Bradley Street/Valley Road Water Main Replacement**

The bid opening for this project was held May 23. Staff will review bids received and make a recommendation for acceptance on a future Commission agenda.

### **8<sup>th</sup> Street from Burleigh Street to Peninah Street**

The contractor has indicated that this project will not begin until later in the season.

### **Westside Park Pond Improvements**

The liner installation is complete. All the seams in the liner were welded together and tested to assure there will be no leaks in the seams. The contractor is now working to place the clay material and rock around the edges of the pond and retaining wall areas as well as reestablish the plantings and landscaping. During the clay and rock installation the contractor will fill the pond half full with water.

### **Gehl Drive Extension**

A preconstruction meeting was held on May 20. Clearing and grubbing also started on that day. Grading will begin soon and underground utility installation is scheduled to start in June.

### **Active Transportation**

City Engineering staff has completed surveys at the two locations at which sidewalk installation is proposed. Those two locations are the east side of Mulberry Street, from 21<sup>st</sup> Street to James Place, and on the east side of Burleigh Street at Rotary Park.

## **9) Library Update**

Our staff has put together a full summer calendar centered around the theme “Adventure Begins at Your Library”. We are excited to kick off the fun with a Party in the Park, the first event of our *Kids Summer Series*, a collaboration between Yankton Community Library and Parks and Recreation.

On June 3<sup>rd</sup> from 4:30-7:30 PM, join us in Memorial Park for a family-friendly night of fun where there is something for everyone! The 605 Magic Art Bus will have arts, crafts, and activities for kids to enjoy throughout the night. Meyer Petting Zoo will have your favorite farm friends for you to pet and interact with. The main event of the night will take place at 6:00 PM when Wildlife Encounters takes center stage with their exotic animal show.

Also at this event, you can explore the National Parks Mobile Ranger Station and Gavins Point National Fish Hatchery exhibit or learn to play disc golf and pickleball. Music throughout the night will be provided by DJ Todd Carr. Plus, get a chance to visit with a special cemetery walk reenactor and purchase a 50/50 raffle ticket from the Friends of the Library. Everyone is invited to come and register for summer reading at the event and pick up their registration packets to receive a coupon for a free sweet treat to be redeemed that night at either the Runza food truck or the Donut Department! To register for the Summer Reading Program from home, just go to [cityofyankton.beanstack.org](http://cityofyankton.beanstack.org) or download the Beanstack app.

As always, check our Facebook page for the latest info on more fun events, book recommendations, and all things library related!

## **10) Environmental Services Department Update**

The meter replacement project continues to move forward. Over 3,200 meters have been replaced. The data collectors have also been installed on each water tower. Staff has been working with Neptune to begin using the Neptune 360 software and updated reading system.

The Lewis and Clark Natural Resource District (NRD) did get approval from the Nebraska funding source for changes to the water agreement. The NRD board is planning on approving the contract May 23. If approved, staff will bring the agreement with the changes requested to the City Commission for consideration in June.

The new sewer camera was delivered May 22. Staff has been training on the new equipment. Staff will be able to utilize new software to attach the videos of the sewer inspections to our GIS database. The new equipment is mounted in a van that you will see working around town.

**11) Monthly reports**

The Joint Powers monthly report is included for your review as well as minutes from the Airport Advisory Board Meeting and the Park Advisory Board Meeting.

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 Leon  
City Manager



Commission Information Memorandum

PARKS AND RECREATION DEPARTMENT

**SUMMIT ACTIVITIES CENTER and RECREATION PROGRAMS**

**Summit Activities Center Membership Information:**

	Members			Memberships
	Current	Last	Change	Current
○ Active & Fit/Renew Active/Silver Sneakers	194	190	4	194
○ Adult Annual	86	90	-4	86
○ Adult Annual plus 1	44	44	0	22
○ Adult Annual plus 2	12	9	3	4
○ Adult Annual plus 3	4	4	0	1
○ Adult Annual plus 4	5	5	0	1
○ Adult Annual plus 5	6	6	0	1
○ Adult Annual plus 6	0	0	0	0
○ Adult EFT	25	25	0	25
○ Adult EFT plus 1	28	28	0	14
○ Adult EFT plus 2	3	3	0	1
○ Adult EFT plus 3	8	8	0	2
○ Adult EFT plus 4	0	0	0	0
○ Adult EFT plus 5	6	6	0	1
○ Adult EFT plus 6	0	0	0	0
○ Adult Monthly	133	128	5	133
○ Adult Monthly plus 1	36	56	-20	18
○ Adult Monthly plus 2	18	18	0	6
○ Adult Monthly plus 3	4	12	-8	1
○ Adult Monthly plus 4	5	0	5	1
○ Adult Monthly plus 5	0	0	0	0
○ Adult Monthly plus 6	0	0	0	0
○ City of Yankton Single	58	56	2	58
○ Firefighter Single	18	18	0	18
○ 10 Use Punch card	53	53	0	53
○ Radio	41	41	0	41
○ Youth Annual	30	33	-3	30
○ Youth EFT	0	0	0	0
○ Youth Monthly	57	55	2	57
<b>Total # of Active Memberships</b>	<b>874</b>	<b>888</b>	<b>-14</b>	<b>768</b>

- Attendance – 3,675 (2,472 SAC, 1,203 GL) for first half of May. Compared to 2,929 (2,083 SAC, 846 GL) in 2023.
- Huether Family Aquatics Center passes sold between 5/1-15/24 – 195 (157 – 2023)
- Total Cash Revenue at the SAC 5/1-15/24 – \$29,097.09 compared to \$27,680.71 in 2023.

<b><i>Additional Information for First Half of May:</i></b>
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- **Aqua Zumba**
  - Participation – 49 Participants
- **Barre**
  - Participation – 6 Participants
- **Power Abs**
  - Participation – 48 Participants
- **Power Yoga**
  - Participation – 21 Participants
- **Prime Time Senior Class**
  - Participation – 74 Participants
- **Strength & Flexibility**
  - Participation – 35 Participants
- **Tabata**
  - Participation – 48 Participants
- **Trim & Tone**
  - Participation – 27 Participants
- **Turbo Kick**
  - Participation – 0 Participants
- **Wake UP**
  - Participation – 17 Participants
- **Water Aerobics Classes**
  - Participation – 100 Participants
- **Yoga**
  - Participation – 24 Participants
- **Zumba**
  - Participation – 26 Participants

- **Zumba Gold**
  - Participation – 62 Participants
- **Zumba Toning**
  - Participation – 8 Participants
- **Birthday Party Rentals**
  - Participation – 4 Birthday Parties
- **Private Pool Party Rentals**
  - Hours Rented – 6 Hours
- **Auxiliary/Main Gym Rentals**
  - Hours Rented – 0 Hours
- **Theater Rentals**
  - Hours Rented – 40 Hours
- **Meeting Rooms**
  - Hours Rented – 0 Hours
- **City Hall Rentals**
  - Hours Rented – 4 Hours
- **Capital Building Rentals**
  - Days Rented – 7 dates
- **Park Shelters**
  - Riverside - 1 Rentals
  - Memorial – 1 Rentals
  - Westside – 0 Rental
  - Meridian Bridge – 0 Rental

## **PARKS**

The fulltime grounds maintenance position with the Department of Parks has been re-opened and advertised. Interviews are taking place as applications come in so an offer can be made shortly after the position advertisement closes.

Lisa Kortan, who has been the City of Yankton’s horticulturist and urban forester since 2010, has completed her certification from the International Society of Arborists (ISA) so she is now a certified arborist. When asked about becoming certified Lisa said, “Getting this certification has been a goal for me probably the last five years. I’m a certified arborist now with the ISA. It was a lot of studying and a lot of night classes. I really

enjoyed John Ball (SDSU Professor/SDSU Extension Forestry Specialist and State Arborist). He helped us so much. The certification is just a great thing to have in your back pocket and to have on your credentials. It was one of my top goals and I've reached it. Now, I just need to keep up my education and continue learning. No one knows everything about their field, but the continuing education will help."

Luke Youmans, Jordan Groves, and Sonya Wattier are preparing The Huether Family Aquatics Center for the 2024 summer season.

The Parks Department prepared Sertoma Park for the youth baseball tournament on Saturday, May 11, and Sunday, May 12.

The Parks Department will be dismantling two sets of bleachers at Riverside Baseball Stadium and removing them from the facility. The bleachers no longer meet safety standards. Two replacement sets of bleachers have been ordered. Staff will need to assemble the bleachers and install them at Riverside Baseball stadium once they are delivered.

The Parks Department will be digging holes and installing posts for the renovated batting cages both at Sertoma North and Sertoma 4-plex. This will take place as summer seasonal staff are added to free up full-time staff to work on projects.

The Spaces and Places team have the fountain and spray pad at the Meridian Bridge Plaza cleaned and operating for the summer season.

The Spaces and Places team have the fountain on the corner of 4<sup>th</sup> and Broadway cleaned and operating for the summer season.

The ball fields at Sertoma Park, Summit Activities Center, and Riverside Park are being dragged and prepared each weekday according to practice and game schedules submitted to the Parks Department.

The Parks Staff has been moving bleachers, benches, trash cans, and other items for youth baseball, youth softball, youth soccer, swim team, and other special community events which will be taking place in Yankton on weekends in May, June and July.

## FINANCE MONTHLY REPORT

ACTIVITY	APRIL 2024	APRIL 2023	APR 2024 YTD	APR 2023 YTD
<b>UTILITY BILLING:</b>				
<b>Water</b>				
Water Sold (in Millions of Gallons)	55,852	43,897	184,869	173,447
Water Billed	\$580,391.88	\$505,214.17	\$2,080,938.93	\$2,003,451.32
Basic Water Fee/Rate per 1000 gal.	\$27.51/6.30	\$27.51/6.30		
Number of Accounts Billed	5,538	5,472	22,126	21,911
Number of Bills Mailed	5,142	5,472	21,334	21,911
<b>Sewer</b>				
Sewer Billed	\$431,874.09	\$387,384.15	\$1,668,455.13	\$1,518,713.72
Basic Sewer Fee/Rate per 1000 gal.	\$23.84/\$6.80	\$17.53/\$6.80		
<b>Solid Waste</b>				
Solid Waste Billed	\$121,965.99	109,928.93	\$487,514.75	\$439,036.61
Basic Solid Waste Fee	\$26.00	\$23.61		
Tax Billed	\$7,535.01	\$7,109.24	\$30,119.96	\$28,392.94
Misc. Billed	\$660.00	\$420.00	\$1,890.00	\$1,985.00
<b>Total Utility Billing:</b>	<b>\$1,142,426.97</b>	<b>\$1,010,056.49</b>	<b>\$4,268,918.77</b>	<b>\$3,991,579.59</b>
<b>Adjustment Total:</b>	<b>(\$210.00)</b>	<b>(\$160.08)</b>	<b>(\$501.61)</b>	<b>(\$509.78)</b>
Misread Adjustments	\$0.00	\$0.00	\$0.00	\$0.00
Other Adjustments	\$0.00	\$0.00	(\$1.61)	(\$419.78)
Penalty Adjustments OFF	(\$80.00)	(\$120.00)	(\$680.00)	(\$360.00)
Penalty Adjustments ON	\$30.00	\$90.00	\$130.00	\$240.00
Delinquent Notices	410	371	1,672	1,452
Doorknockers	142	154	645	550
Delinquent Notice Penalties	\$4,100.00	\$3,710.00	\$16,720.00	\$14,520.00
Doorknocker Penalties	\$1,420.00	\$1,540.00	\$6,450.00	\$5,500.00
<b>Other Office Functions:</b>				
Interest Income	\$242,821.51	\$211,605.40	\$986,912.04	\$839,898.58
Interest Rate-Checking Account	5.73%	5.23%		
Interest Rate-CDs	N/A	N/A		
# of Monthly Vendor Checks	102	101		
Payments Issued to Vendors	\$1,573,573.24	\$2,221,379.57	\$9,231,633.22	\$9,243,132.60
# of Employees on Payroll	195	190		
Monthly Payroll	\$555,552.76	\$530,126.70	\$2,582,867.29	\$2,458,764.90

Description	Yankton Transfer	Vermillion Landfill	Total Joint	4 Month Budget	Legal 2024 Budget
<b>Joint Power Transfer/Landfill</b>					
<i>Total Revenue</i>	\$578,533.75	\$319,000.97	\$897,534.72	\$792,733.33	\$2,378,200.00
<i>Expenses:</i>					
Personal Services	129,074.69	146,266.89	275,341.58	293,956.67	881,870.00
Operating Expenses	113,696.25	199,274.42	312,970.67	336,128.67	1,008,386.00
Depreciation (est)	66,183.16	93,952.00	160,135.16	152,065.33	456,196.00
Trench Depletion	0.00	73,280.85	73,280.85	76,666.67	230,000.00
Closure/Postclosure Resrv	0.00	4,094.39	4,094.39	9,333.33	28,000.00
Amortization of Permit	0.00	658.83	658.83	666.67	2,000.00
<i>Total Operating Expenses</i>	308,954.10	517,527.38	826,481.48	868,817.33	2,606,452.00
<i>Non Operating Expense-Interest</i>	2,433.01	13,584.18	16,017.19	24,487.00	73,461.00
<i>Landfill Operating Income</i>	267,146.64	(212,110.59)	55,036.05	(100,571.00)	(301,713.00)
<b>Joint Recycling Center</b>					
<i>Total Revenue</i>	0.00	36,008.77	36,008.77	31,333.33	94,000.00
<i>Expenses:</i>					
Personal Services	0.00	90,185.41	90,185.41	92,342.67	277,028.00
Operating Expenses	0.00	22,213.00	22,213.00	50,250.00	150,750.00
Depreciation (est)	0.00	16,688.00	16,688.00	17,000.00	51,000.00
<i>Total Operating Expenses</i>	0.00	129,086.41	129,086.41	159,592.67	478,778.00
<i>Non Operating Expense-Interest</i>	0.00	0.00	0.00	0.00	0.00
<i>Recycling Operating Income</i>	0.00	(93,077.64)	(93,077.64)	(128,259.33)	(384,778.00)
<i>Total Operating Income</i>	\$267,146.64	(\$305,188.23)	(\$38,041.59)	(\$228,830.33)	(\$686,491.00)
<b>Tonage in Trench:</b>	<u>4/30/2023</u>	<u>4/30/2024</u>			
Asbestos	15.71	70.75	70.75	16.67	50.00
Centerville	129.52	93.31	93.31	366.67	1,100.00
Clay County Garbage	4,779.23	4,724.40	4,724.40	4,833.33	14,500.00
Elk Point	356.63	362.88	362.88	86.67	260.00
Yankton County Garbage	7,413.59	8,396.63	8,396.63	7,966.67	23,900.00
<i>Total Tonage in Trench</i>	12,694.68	13,647.97	13,647.97	13,270.00	39,810.00
Operating Cost per ton			\$60.56	\$67.32	\$67.32

This report is based on the following:

- Revenue accrual thru April 30, 2024
- Expenses cash thru April 30, 2024 with May bills

Joint Powers Solid Waste Authority  
Financial Report Thru April 30, 2024

Description	Yankton Transfer	Vermillion Landfill	Total Joint	4 Month Budget	Legal 2024 Budget
<b>Source of Funds</b>					
<i>Beginning Balance</i>	(\$501,467.00)	\$3,438,598.00	\$2,937,131.00	\$2,937,131.00	\$2,937,131.00
<i>Operating Revenue:</i>					
Net Income	267,146.64	(305,188.23)	(38,041.59)	(228,830.33)	(686,491.00)
Depreciation	66,183.16	110,640.00	176,823.16	169,065.33	507,196.00
Trench Depletion	0.00	73,280.85	73,280.85	76,666.67	230,000.00
Amortization of Permit	0.00	658.83	658.83	666.67	2,000.00
<i>Non Operating Revenue:</i>					
Grant	0.00	0.00	0.00	0.00	0.00
Loan Proceeds	0.00	0.00	0.00	0.00	0.00
Contributed Capital	0.00	780.00	780.00	1,666.67	5,000.00
Sale Proceeds	0.00	0.00	0.00	0.00	0.00
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	0.00	39,680.61	39,680.61	8,333.33	25,000.00
<i>Cash Flow Transfer:</i>					
Joint Power Transfer/Landfill	(277,406.34)	277,406.34	0.00	580,000.00	1,740,000.00
Joint Recycling Center	0.00	0.00	0.00	0.00	0.00
<b>Total Funds Available</b>	<b>(445,543.54)</b>	<b>3,635,856.40</b>	<b>3,190,312.86</b>	<b>3,544,699.33</b>	<b>4,759,836.00</b>
<b>Application of Funds Available</b>					
<i>Joint Power Transfer/Landfill</i>					
Equipment	0.00	7,419.00	7,419.00	349,666.67	1,049,000.00
Trench	0.00	0.00	0.00	0.00	0.00
Closure/Postclosure Cash Res.	0.00	4,094.39	4,094.39	9,333.33	28,000.00
<i>Joint Recycling Center</i>					
Equipment	0.00	0.00	0.00	19,000.00	57,000.00
<i>Payment Principal</i>	34,054.80	49,255.41	83,310.21	86,257.00	258,771.00
<i>Appropriation to Reserve</i>	0.00	0.00	0.00	0.00	0.00
<b>Total Applied</b>	<b>34,054.80</b>	<b>60,768.80</b>	<b>94,823.60</b>	<b>464,257.00</b>	<b>1,392,771.00</b>
<b>Ending Balance</b>	<b>(\$479,598.34)</b>	<b>\$3,575,087.60</b>	<b>\$3,095,489.26</b>	<b>\$3,080,442.33</b>	<b>\$3,367,065.00</b>

<b>Joint Power Transfer/Landfill Description</b>	<b>Yankton Transfer</b>	<b>Vermillion Landfill</b>	<b>Total Joint</b>	<b>4 Month Budget</b>	<b>Legal 2024 Budget</b>
<i>Revenue: (accrual)</i>					
Asbestos	\$0.00	\$4,589.00	\$4,589.00	\$2,000.00	\$6,000.00
Elk Point	0.00	20,139.93	20,139.93	20,000.00	\$60,000.00
Centerville	0.00	5,178.77	5,178.77	4,666.67	14,000.00
Beresford	0.00	0.00	0.00	0.00	0.00
Clay County Garbage	0.00	271,267.44	271,267.44	281,666.67	845,000.00
Compost-Yd Waste-Wood	0.00	5,065.68	5,065.68	3,166.67	9,500.00
Contaminated Soil	0.00	241.70	241.70	2,500.00	7,500.00
White Goods	0.00	411.76	411.76	2,000.00	6,000.00
Tires	0.00	4,345.29	4,345.29	4,000.00	12,000.00
Electronics	0.00	261.40	261.40	2,000.00	6,000.00
Other Revenue	2,553.90	7,500.00	10,053.90	1,700.00	5,100.00
Cash long	0.00	0.00	0.00	0.00	0.00
Rubble	18,536.56	0.00	18,536.56	17,333.33	52,000.00
Transfer Fees	551,893.32	0.00	551,893.32	450,000.00	1,350,000.00
Metal	5,552.95	0.00	5,552.95	1,666.67	5,000.00
Other Operational - Solid Waste	(2.98)	0.00	(2.98)	33.33	100.00
<b>Total Revenue</b>	<b>578,533.75</b>	<b>319,000.97</b>	<b>897,534.72</b>	<b>792,733.33</b>	<b>2,378,200.00</b>
<i>Expenses: (cash)</i>					
Personal Services	129,074.69	146,266.89	275,341.58	293,956.67	881,870.00
Insurance	19,243.08	0.00	19,243.08	11,953.67	35,861.00
Professional Service/Fees	23,443.23	13,925.76	37,368.99	38,333.33	115,000.00
Non Professional Fees	0.00	0.00	0.00	0.00	0.00
Processing- Reduction	0.00	7,725.70	7,725.70	6,666.67	20,000.00
State Fees	0.00	13,647.97	13,647.97	15,666.67	47,000.00
Professional - Legal/Audit	1,287.90	0.00	1,287.90	916.67	2,750.00
Publishing & Advertising	0.00	24.83	24.83	933.33	2,800.00
Rental	0.00	0.00	0.00	166.67	500.00
Hauling fee	0.00	0.00	0.00	0.00	0.00
Equipment repair	976.79	64,607.06	65,583.85	23,666.67	71,000.00
Motor vehicle repair	0.00	(435.91)	(435.91)	8,333.33	25,000.00
Vehicle fuel & maintenance	30,141.88	15,828.18	45,970.06	91,666.67	275,000.00
Equip, Mat'l & Labor	20,082.66	0.00	20,082.66	21,666.67	65,000.00
Building repair	5,368.04	105.20	5,473.24	8,000.00	24,000.00
Facility repair & maintenance	0.00	19,121.05	19,121.05	11,666.67	35,000.00
Postage	200.99	4.64	205.63	283.33	850.00
Office supplies	121.81	170.70	292.51	1,166.67	3,500.00
Copy supplies	0.00	69.49	69.49	125.00	375.00
Uniforms	288.17	725.57	1,013.74	2,500.00	7,500.00
Small Tools & Hardware	368.51	0.00	368.51	83.33	250.00
Travel & Training	0.00	999.48	999.48	1,500.00	4,500.00
Operating supply	1,160.95	44,887.66	46,048.61	60,866.67	182,600.00
Electricity	3,202.62	5,565.74	8,768.36	10,333.33	31,000.00
Heating Fuel - Gas	6,648.69	10,842.13	17,490.82	16,333.33	49,000.00
Water	608.38	282.50	890.88	1,366.67	4,100.00
WW service	251.92	0.00	251.92	566.67	1,700.00
Landfill	104.00	0.00	104.00	133.33	400.00
Telephone	196.63	1,176.67	1,373.30	1,233.33	3,700.00
Depreciation (est)	66,183.16	93,952.00	160,135.16	152,065.33	456,196.00
Trench Depletion		73,280.85	73,280.85	76,666.67	230,000.00
Closure/Postclosure Resrv		4,094.39	4,094.39	9,333.33	28,000.00
Amortization of Permit		658.83	658.83	666.67	2,000.00
<b>Total Op Expenses</b>	<b>308,954.10</b>	<b>517,527.38</b>	<b>826,481.48</b>	<b>868,817.33</b>	<b>2,606,452.00</b>



Joint Power Transfer/Landfill Description	Yankton Transfer	Vermillion Landfill	Total Joint	4 Month Budget	Legal 2024 Budget
<i>Non Operating Expense-Interest</i>	2,433.01	13,584.18	16,017.19	24,487.00	73,461.00
<i>Bond Issuance Costs</i>	0.00	0.00	\$0.00	0.00	0.00
<i>Operating Income (Loss)</i>	\$267,146.64	(\$212,110.59)	\$55,036.05	(\$100,571.00)	(\$301,713.00)
<i>Capital:</i>					
Capital Outlay	\$0.00	\$7,419.00	\$7,419.00	\$349,666.67	\$1,049,000.00
Landfill Development	0.00	65,730.33	65,730.33	24,666.67	\$74,000.00
Capital Lease	0.00	0.00	0.00	0.00	\$0.00
<i>Total Capital Expenditures</i>	\$0.00	\$73,149.33	\$73,149.33	\$374,333.33	\$1,123,000.00
<i>Grant Reimbursement</i>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<i>Federal Grant thru State</i>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<i>Equipment Sale Proceeds</i>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<i>Cash Flow Transfer</i>	(\$277,406.34)	\$277,406.34	\$0.00	\$0.00	\$0.00
<i>Tonage in Trench:</i>					
Asbestos		70.75	70.75	16.67	50.00
Centerville Garbage		93.31	93.31	366.67	1,100.00
Clay County Garbage		4,724.40	4,724.40	4,833.33	14,500.00
Elk Point		362.88	362.88	86.67	260.00
Yankton County Garbage		8,396.63	8,396.63	7,966.67	23,900.00
<i>Total Tonage in Trench</i>		13,647.97	13,647.97	13,270.00	39,810.00
Operating Cost per ton			\$60.56	\$67.32	\$67.32

<b>Joint Recycling Center</b>	Yankton	Vermillion	Total	4 Month	Legal
Description	Transfer	Center	Joint	Budget	2024 Budget
<i>Revenue:</i>					
Tipping Fees	\$0.00	0.00	\$0.00	0.00	0.00
Metal/Tin	0.00	0.00	0.00	1,333.33	4,000.00
Plastic	0.00	0.00	0.00	5,000.00	15,000.00
Aluminum	0.00	13,086.45	13,086.45	5,333.33	16,000.00
Newsprint	0.00	2,024.00	2,024.00	3,000.00	9,000.00
Cardboard	0.00	20,328.92	20,328.92	15,000.00	45,000.00
High Grade Paper	0.00	569.40	569.40	1,000.00	3,000.00
Other Material	0.00	0.00	0.00	666.67	2,000.00
Contributions/Operating Grants	0.00	0.00	0.00	0.00	0.00
<b>Total Revenue</b>	<b>0.00</b>	<b>36,008.77</b>	<b>36,008.77</b>	<b>31,333.33</b>	<b>94,000.00</b>
<i>Expenses:</i>					
Personal Services	0.00	90,185.41	90,185.41	92,342.67	277,028.00
Insurance	0.00	0.00	0.00	800.00	2,400.00
Professional Service/Fees	0.00	895.58	895.58	166.67	500.00
Hazardous Waste Collection	0.00	0.00	0.00	20,000.00	60,000.00
Professional-Legal	0.00	0.00	0.00	0.00	0.00
Publishing & Advertising	0.00	35.95	35.95	500.00	1,500.00
Rental	0.00	0.00	0.00	0.00	0.00
Equipment repair	0.00	5,681.34	5,681.34	3,166.67	9,500.00
Vehicle repair & maintenance	0.00	0.00	0.00	266.67	800.00
Vehicle fuel	0.00	1,099.44	1,099.44	2,000.00	6,000.00
Building repair & maintenance	0.00	1,902.40	1,902.40	2,666.67	8,000.00
Postage	0.00	1.16	1.16	16.67	50.00
Freight	0.00	37.97	37.97	6,166.67	18,500.00
Office supplies	0.00	0.00	0.00	333.33	1,000.00
Uniforms	0.00	267.00	267.00	250.00	750.00
Materials Purchases	0.00	3,790.00	3,790.00	1,500.00	4,500.00
Travel & Training	0.00	1,332.64	1,332.64	666.67	2,000.00
Operating Supplies	0.00	0.00	0.00	3,333.33	10,000.00
Copy Supply	0.00	94.14	94.14	66.67	200.00
Electricity	0.00	1,652.58	1,652.58	2,166.67	6,500.00
Heating Fuel-Gas	0.00	2,974.06	2,974.06	2,333.33	7,000.00
Water	0.00	126.34	126.34	216.67	650.00
WW service	0.00	639.51	639.51	400.00	1,200.00
Telephone	0.00	40.00	40.00	333.33	1,000.00
Revenue Sharing	0.00	1,642.89	1,642.89	2,900.00	8,700.00
Depreciation (est)	0.00	16,688.00	16,688.00	17,000.00	51,000.00
<b>Total Op Expenses</b>	<b>0.00</b>	<b>129,086.41</b>	<b>129,086.41</b>	<b>159,592.67</b>	<b>478,778.00</b>
<i>Non Operating Expense-Interest</i>	0.00	0.00	0.00	0.00	0.00
<b>Operating Income (Loss)</b>	<b>\$0.00</b>	<b>(\$93,077.64)</b>	<b>(\$93,077.64)</b>	<b>(\$128,259.33)</b>	<b>(\$384,778.00)</b>
Capital Outlay	\$0.00	\$0.00	\$0.00	\$19,000.00	\$57,000.00
Grant Reimbursement/Donations	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Cash Flow Transfer	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

This report is based on the following:

Revenue accrual thru April 30, 2024

Expenses cash thru April 30, 2024 with May bills

2024 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	71,055.23	(26,723.94)	44,331.29	3,090.11	45.93	0.00	(20,089.59)	(20,089.59)	71,055.23	(46,813.53)	24,241.70
February	64,243.92	(19,938.97)	44,304.95	3,068.87	53.57	0.00	(25,079.89)	(25,079.89)	64,243.92	(45,018.86)	19,225.06
Subtotal	135,299.15	(46,662.91)	88,636.24	6,158.98	49.74	0.00	(45,169.48)	(45,169.48)	135,299.15	(91,832.39)	43,466.76
March	19,675.56	(118,222.42)	(98,546.86)	3,280.82	97.61	0.00	(37,400.72)	(37,400.72)	19,675.56	(155,623.14)	(135,947.58)
Subtotal	154,974.71	(164,885.33)	(9,910.62)	9,439.80	66.38	0.00	(82,570.20)	(82,570.20)	154,974.71	(247,455.53)	(92,480.82)
April	112,051.04	(33,641.08)	78,409.96	4,208.17	47.50	0.00	(10,507.44)	(10,507.44)	112,051.04	(44,148.52)	67,902.52
Subtotal	267,025.75	(198,526.41)	68,499.34	13,647.97	60.56	0.00	(93,077.64)	(93,077.64)	267,025.75	(291,604.05)	(24,578.30)

City of Yankton Transfer Station  
Landfill Tons

Date	City					Sub-Total	All Other	Total Transfer
	Compactors (577)	Janssen (547)	Arts (586)	Loren Fischer (648)	Kortan (673)			
January 2024	259.05	536.20	507.47	45.40	33.92	1,122.99	423.35	1,805.39
February 2024	248.79	530.49	498.62	47.22	38.26	1,114.59	467.17	1,830.55
March 2024	245.70	583.40	536.51	60.61	39.21	1,219.73	529.84	1,995.27
April 2024	289.80	670.62	594.52	33.76	36.27	1,335.17	902.83	2,527.80
May 2024	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
June 2024	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
July 2024	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
August 2024	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
September 2024	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
October 2024	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
November 2024	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
December 2024	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2024 Total	1,043.34	2,320.71	2,137.12	186.99	147.66	4,792.48	2,323.19	8,159.01
January 2023	254.54	529.24	417.71	71.17	30.29	1,048.41	423.28	1,726.23
February 2023	215.76	507.35	405.54	55.01	29.26	997.16	375.85	1,588.77
March 2023	261.67	572.16	479.40	65.48	41.13	1,158.17	535.73	1,955.57
April 2023	257.22	574.36	540.02	58.16	34.50	1,207.04	855.06	2,319.32
May 2023	307.89	707.72	605.55	54.83	37.61	1,405.71	704.99	2,418.59
June 2023	289.17	725.31	588.72	73.13	51.19	1,438.35	672.85	2,400.37
July 2023	282.21	697.94	570.56	60.35	40.04	1,368.89	787.30	2,438.40
August 2023	317.79	709.74	626.74	82.60	44.69	1,463.77	678.89	2,460.45
September 2023	273.80	616.92	557.81	68.98	44.28	1,287.99	722.76	2,284.55
October 2023	278.15	669.66	623.57	50.45	38.01	1,381.69	656.53	2,316.37
November 2023	284.20	599.96	555.12	63.61	43.48	1,262.17	555.90	2,102.27
December 2023	256.60	546.69	469.17	87.12	42.60	1,145.58	472.11	1,874.29
2023 Total	3,279.00	7,457.05	6,439.91	790.89	477.08	15,164.93	7,441.25	25,885.18



**City of Yankton**  
**Airport Advisory Board Meeting Minutes**  
**For**  
**March 20<sup>th</sup>, 2024**

The March 20<sup>th</sup>, 2024 Airport Advisory Board Meeting was called to order at 8:01AM by Chairman Jim Cox.

**Roll call:**

Present from the Airport Advisory Board: Jim Cox, Rick Daugherty, Steve Hamilton, Dan Specht, Jake Hoffner, and City Commission Representative Amy Miner.

Unable to attend: Mary Boyer

Present from the City of Yankton: Adam Haberman, Brad Moser, Mike Roinstad, and Brooke Goeden.

**24-02 Minutes from February 21<sup>st</sup>, 2024**

**MOTION** – A motion was made by Daugherty and seconded by Hamilton to approve the minutes of the February 21<sup>st</sup>, 2024 Airport Advisory Board Meeting.

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

**MOTION – PASSED**

**Monthly Fuel Report:**

Mike Roinstad provided the monthly fuel report for February 2024. In February 2024, there were 40 transactions, totaling 4,393.10 gallons sold. For comparison, in February 2023, there were 37 transactions, totaling 3,305.00 gallons sold.

**Staff Report:**

Adam Haberman stated we’ve hired a second seasonal staff member to work over the summer. Haberman continued by saying staff is gearing up for summer operations, but we’re not putting away snow plows just yet!

**YKN Apron Replacement:**

Adam Haberman gave an update on the project: the design phase will be in 2024; followed by pre-grant application in 2025. Additionally, we recently signed an engineering agreement with KLJ to get the design phase underway. As part of this effort, the FAA requires an apron use plan. Haberman distributed hard copies of the project sketch map. Haberman pointed out a section of the project that is ineligible for FAA funding. Discussion continued regarding new parking layout.

**Other Business:**

Daugherty requested the most recent version of the airport layout plan and asked if there’s a forecasted project list somewhere. Haberman replied that there is an existing and current 20-year CIP plan with KLJ.

Daugherty moved on to the topic of potentially considering a second corporate hangar at some point. More discussion is needed on this topic.

**Adjournment:**

**24-03 MOTION** –It was moved by Daugherty and seconded by Cox to adjourn the meeting.

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

Meeting adjourned at 8:37AM

Respectfully Submitted,

Adam Haberman, Secretary



The MISSION of the City of Yankton is to provide exemplary experiences, services & spaces that create opportunities for everyone to learn, engage, and thrive.

**MINUTES**  
**YANKTON PARK ADVISORY BOARD**  
**Monday, March 18, 2024, 5:30PM, in the Community Room**  
**CMTEA Building, 1200 W. 21<sup>st</sup> Street**

**I. ROUTINE BUSINESS**

Roll Call:

Present: Jason Tellus, Brian Bertsch, Nick Severson, Elizabeth Healy, and City Commissioner Brian Hunhoff.

Absent: Jeannine Economy-List and Tom Bixler.

Also present Director of Parks and Recreation Todd Larson, and Parks Secretary Chasity McHenry.

Public Appearances: None.

Minutes: January 16, 2024 minutes approved. Bertsch motioned. Tellus second. Motion passed 4-0.

**II. OLD BUSINESS**

A. None.

**III. NEW BUSINESS**

- A. The Westside Park Pond Project- a synthetic liner will be installed in the pond. Work started the week of March 4. As of now they are pumping out water to dry out the non-performing clay liner.
- B. Westside Park Pickle Ball court conversion- waiting to have the LWCF grant paperwork signed by the National Park Service. Hopefully application will see a signature in the upcoming months.
- C. Meridian Bridge's Centennial Celebrations. Upcoming events to take note of: Tuesday night March 19, Kathy Grow will do a presentation on the book "The Bridge We Built: The story of the Meridian Bridge, at Ben's Brew Station from 7:00pm to 9:00pm. Doors open at 6:00pm. Saturday, April 27, Celebrate Trails Day across the United States. From 10:00am to Noon, the Capitol Building will be staffed. The NPS will have four stations on the Meridian Bridge talking to those out walking. There will be two sets of paper people can pick up at the Capitol Building to do self-guided tours in Riverside Park and on the Bridge.
- D. 2024 – 2028 Capital improvement Plan. Remember, the only year that has actual values are the year we are in, 2024. The out-years are just place holders for ideas and items that may need to be addressed.
- E. The City of Yankton Comprehensive Plan effort begins in 2024. The last plan was from 2002.





The MISSION of the City of Yankton is to provide exemplary experiences, services & spaces that create opportunities for everyone to learn, engage, and thrive.

#### **IV. OTHER BUSINESS**

##### **A. General discussion items.**

- Graffiti on the Meridian Bridge that could be painted over.
- Commission information Memorandums (4 CIMs). The items were sent out after the meeting as they were not attached to the agenda packet.
  - Other completed work projects for the department are noted in the CIMs.
- Next Meeting: Monday, May 20, 2024.

#### **V. ADJOURN**

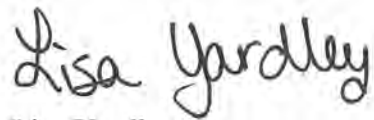
Bertsch motioned, Healy second. Motion carried 4-0.

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 a Special On-sale Malt Beverage Retailers License and a Special On-sale Wine Retailers License for 1 day, July 27, 2024, from The Center, 900 Whiting Drive.

NOTICE IS FURTHER GIVEN that a public hearing on the application will be held on Monday, June 10, 2024 at 7:00 p.m. in the City of Yankton Community Meeting Room at the Career Manufacturing Technical Education Academy, 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 28th day of May, 2024.



Lisa Yardley  
FINANCE OFFICER

**Memorandum #24-114**

To: City Manager  
From: Finance Department  
Date: May 28, 2024  
Subject: Special Events Alcoholic Beverage License  
**Applicant: The Center**

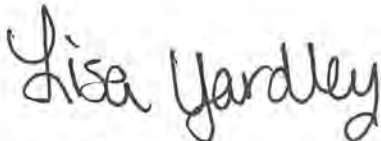
Type of License:

- Special On-sale Malt Beverage Retailers License
- Special On-sale Wine Retailers License
- Special On-sale Liquor License

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The Finance Department has received a Special Events Alcoholic Beverage License Application for a Special On-sale Malt Beverage Retailers License and a Special On-sale Wine Retailers License for one day, June 29, 2024, from The Center, 900 Whiting Drive, Yankton, South Dakota. The event will take place at The Center, 900 Whiting Drive, Yankton, South Dakota.

The Finance Department has provided the above referenced application to the Community and Economic Development Department, the Fire Department and the Police Department to ensure that the premises and the applicant conform to the provisions of the City of Yankton Municipal Code of Ordinances. An inspection by the Fire Marshal and the Building Inspector revealed that the event premises is in compliance with all building and fire codes. A police check on the applicant revealed no felony convictions or warrants in South Dakota. After reviewing said information, it appears to the Finance Department that the above applicant is in compliance with the City of Yankton Municipal Code of Ordinances as relates to the submitted application.



Lisa Yardley  
Finance Officer

Roll Call

**Memorandum #24-115**

To: City Manager  
From: Finance Department  
Date: May 28, 2024  
Subject: Special Events Alcoholic Beverage License  
**Applicant: Ben's Brew Station**

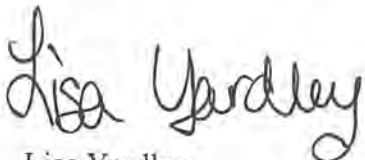
Type of License:

- Special On-sale Malt Beverage Retailers License
- Special On-sale Wine Retailers License
- Special On-sale Liquor License

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The Finance Department has received a Special Events Alcoholic Beverage License Application for a Special On-sale Malt Beverage Retailers License and a Special On-sale Wine Retailers License for July 4, 2024, July 5, 2024 and August 8, 2024 from Ben's Brew Station, 719 Walnut, Yankton, South Dakota. The events will take place at Riverside Park.

The Finance Department has provided the above referenced application to the Community and Economic Development Department, the Fire Department and the Police Department to ensure that the premises and the applicant conform to the provisions of the City of Yankton Municipal Code of Ordinances. An inspection by the Fire Marshal and the Building Inspector revealed that the event premises is in compliance with all building and fire codes. A police check on the applicant revealed no felony convictions or warrants in South Dakota. After reviewing said information, it appears to the Finance Department that the above applicant is in compliance with the City of Yankton Municipal Code of Ordinances as relates to the submitted application.



Lisa Yardley  
Finance Officer

**Memorandum #24-116**

To: City Manager  
From: Finance Department  
Date: May 28, 2024  
Subject: Special Events Alcoholic Beverage License  
**Applicant: Ben's Brew Station**

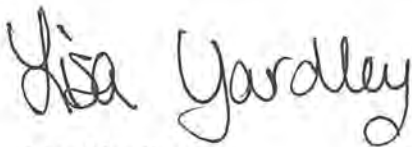
Type of License:

- Special On-sale Malt Beverage Retailers License
- Special On-sale Wine Retailers License
- Special On-sale Liquor License

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The Finance Department has received a Special Events Alcoholic Beverage License Application for a Special On-sale Malt Beverage Retailers License and a Special On-sale Wine Retailers License for July 11, 2024, July 18, 2024, July 25, 2024 and August 1, 2024 from Ben's Brew Station, 719 Walnut, Yankton, South Dakota, for Music at the Meridian. The events will take place at The Lawn - Parking Lot and Green Space Westside of Meridian Bridge & the enclosed area of Levee Street.

The Finance Department has provided the above referenced application to the Community and Economic Development Department, the Fire Department and the Police Department to ensure that the premises and the applicant conform to the provisions of the City of Yankton Municipal Code of Ordinances. An inspection by the Fire Marshal and the Building Inspector revealed that the event premises is in compliance with all building and fire codes. A police check on the applicant revealed no felony convictions or warrants in South Dakota. After reviewing said information, it appears to the Finance Department that the above applicant is in compliance with the City of Yankton Municipal Code of Ordinances as relates to the submitted application.



Lisa Yardley  
Finance Officer

Roll Call

**Memorandum #24-117**

To: City Manager  
From: Finance Department  
Date: May 28, 2024  
Subject: Special Events Alcoholic Beverage License  
**Applicant: O'Malley's Irish Pub**

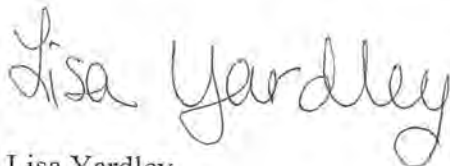
Type of License:

- Special On-sale Malt Beverage Retailers License
- Special On-sale Wine Retailers License
- Special On-sale Liquor License

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The Finance Department has received a Special Events Alcoholic Beverage License Application for a Special On-sale Liquor License for one day, June 7, 2024, from O'Malley's Irish Pub, 204 W. 3<sup>rd</sup> Street, Yankton, South Dakota. This is an NRA Banquet, and the event will take place at the NFAA Easton Yankton Archery Center, 800 Archery Lane, Yankton, South Dakota.

The Finance Department has provided the above referenced application to the Community and Economic Development Department, the Fire Department and the Police Department to ensure that the premises and the applicant conform to the provisions of the City of Yankton Municipal Code of Ordinances. An inspection by the Fire Marshal and the Building Inspector revealed that the event premises is in compliance with all building and fire codes. A police check on the applicant revealed no felony convictions or warrants in South Dakota. After reviewing said information, it appears to the Finance Department that the above applicant is in compliance with the City of Yankton Municipal Code of Ordinances as relates to the submitted application.



Lisa Yardley  
Finance Officer

## *Memorandum #24-118*

To: City Manager  
 From: Finance Department  
 Date: May 28, 2024  
 Subject: Transfer Restaurant Retail (On-sale) Liquor license and Retail (On-sale) Liquor license from Bernard Properties, LLC to Riverfront Brewery, Inc

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The Finance Department has received two applications for transfer of ownership of a Restaurant Retail (On-sale) Liquor and a Retail (On-sale) Liquor License.

**Restaurant Retail (On-sale) Liquor License RR-21857** located at 113-121 West 3<sup>rd</sup> Street has applied to transfer ownership from Bernard Properties, LLC dba Riverfront Event Center (Curt Bernard, owner) to Riverfront Brewery Inc. dba Riverfront Event Center (Joshua Blom, president). This license must comply with requirements set forth in Sec 3-16 of the City of Yankton Code of Ordinances, including but not limited to submission of an annual report to the Finance office verifying at least sixty percent of gross revenue is derived from the sale of food and nonalcoholic beverages. Per State law, this type of license is not eligible for video lottery.

**Retail (On-sale) Liquor License RL-6106** located at 204 Walnut Street has applied to transfer ownership from Bernard Properties, LLC dba The Brewery (Curt Bernard, owner) to Riverfront Brewery Inc. dba Brewery (Joshua Blom, president). Historically, this license split the video lottery component in 2019 per memo #19-100. The potential new owners of RL-6106 have signed a video lottery restriction agreement and understand video lottery cannot be utilized under this liquor license.

The Finance Department has provided the above-referenced applications to the Community and Economic Development Department, Fire Department, and Police Department to ensure that the premises and the applicant conform to the provisions of the City of Yankton Municipal Code of Ordinances. An inspection by the Fire Marshal and the Building Inspector has shown no issues. A police check on the applicant revealed no felony convictions or warrants in South Dakota. After reviewing said information, it appears to the Finance Department that the above applicant is in compliance with the City of Yankton Municipal Code of Ordinances as relates to the submitted application.

Respectfully submitted,



Lisa Yardley  
 Finance Officer

**Recommendation:** It is recommended that the City Commission approve to transfer the Restaurant Retail (On-sale) Liquor and Retail (On-sale) Liquor licenses from Bernard Properties, LLC to Riverfront Brewery, Inc. as presented in Memo #24-118.



## City of Yankton

### License RR-21857

W1/3 LT 1 & 2, PART LT 3, ALL LT 4 & N10' LT 5 BLK 11 TODD'S; M3 LTS 1, 2 & N13.2' W30' M3 LT 3;  
N19' E20' M3 LT 3 BLK 11 TODD'S ; E3 LTS 1 & 2 & N19' E3 LT 3 BLK 11 TODD'S





# City of Yankton

License RL-6106

LTS 8 & 9 BLK 11 TODD'S ADDN

**VIDEO LOTTERY LICENSE  
RESTRICTION ACKNOWLEDGMENT & AGREEMENT**

This Agreement is made and entered into by and between the CITY OF YANKTON (hereafter "City), a South Dakota municipal corporation, and RIVERFRONT BREWERY, INC. (hereafter, the "CORPORATION"), a South Dakota limited liability company.

**WHEREAS**, the City regulates the number of video lottery licenses attached to alcohol licenses and does not wish to see the number of video lottery licenses expanded within its jurisdiction.

**WHEREAS** the City regulates the transfer of alcohol licenses to which video lottery licenses are attached.

**WHEREAS**, the CORPORATION wishes to have the City approve the transfer of the retail on-sale retail liquor license #RL-6106 (the "Liquor License") from BERNARD PROPERTIES, LLC to CORPORATION.

**WHEREAS**, the City entered into a written agreement with Bernard Properties, LLC dated April 22, 2019, which prevent the holder and all subsequent transferees of the Liquor License from applying for and obtaining a new video lottery license from the State of South Dakota (the "Restriction Agreement").

**WHEREAS**, the City will not consent to the transfer of the Liquor License without CORPORATION's agreement to bind itself to the terms of the Restriction Agreement relinquishing its right to obtain a new video lottery license from the State of South Dakota attendant to the Liquor License.

**NOW, THEREFOR, THE PARTIES AGREE AS FOLLOWS:**

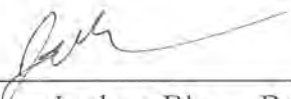
- (1) CORPORATION agrees that as a condition of the City's approval of the license transfer contemplated herein, CORPORATION (and all subsequent holders of Liquor License) shall not apply for a new video lottery license from the State of South Dakota, or take any other action that would result in an increase in the current number of existing video lottery licenses within the City's jurisdictional limits.
- (2) An application for a new video lottery license by the holder of the Liquor License in violation of this Agreement shall be considered a violation of the conditions applicable to the holder of an on-sale retail

liquor license and may be grounds for revocation of the liquor license by the City.

- (2) Nothing herein prevents the CORPORATION (or any subsequent holder of the Liquor License) from receiving as transferee any video lottery license in a manner that does not increase the then-current number of existing video lottery licenses within the City's jurisdictional limits.
- (3) This agreement shall be binding upon the CORPORATION and all subsequent holders of the Liquor License. As a condition of transferring the Liquor License, the holder shall be required to disclose this agreement to any proposed transferee, who shall be required to sign an acknowledgment agreeing to adhere to the restrictions set forth in this Agreement as a precondition for receiving the City's approval of such transfer.

Dated this 15 day of May, 2024.

**RIVERFRONT BREWERY, INC.**

  
\_\_\_\_\_  
By: Joshua Blom, President

Dated this 15 day of May, 2024.

**CITY OF YANKTON**

  
\_\_\_\_\_  
By: Amy Leon, City Manager

## *Second Reading and Public Hearing*

### **MEMORANDUM #24-121**

To: Yankton City Commission  
From: Ross K. Den Herder, City Attorney & Lisa Yardley, Finance Officer  
Date: May 21, 2024  
Re: Ordinance #1079 – An ordinance amending the licensing structure for “Amusement” businesses regulated by the City of Yankton and moving applicable licensing ordinances to Chapter Thirteen (13) of the Yankton Municipal Code of Ordinances

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This proposed Ordinance addresses Amusement-type licenses currently found in Chapter 4 of the Municipal Code of Ordinances, including billiard parlors, bowling alleys, circus/carnivals, type A & B dance halls, mechanical riding devices, motion picture theatre, roller skating rinks, and special event dances.

The regulation of billiard parlor, bowling alley, roller skating rink, and motion picture theatre licenses originate back to a 1949 Ordinance. The ordinance sections involving licensing of circus/carnivals and mechanical riding devices were last reviewed in 1984. Public dances and dance hall licenses were last updated in 1997 (over 27 years ago). Currently, none of these licenses have a limit and are approved by the City Manager, level except for dance licenses which require approval at one commission meeting. Review and approval of each license can take anywhere from 30 minutes to an hour of City staff time. In 2023, these licenses generated \$1,020 of revenue with an estimated 16 hours of staff time costing \$900. When you adjust for the much higher hourly rate for dance hall fire inspections, plus staff time answering extra questions from the public and law enforcement, these licenses barely break even.

What do other South Dakota cities do? Mitchell, Brookings, Vermillion, or Watertown do not regulate or license billiard parlors, bowling alleys, dance halls, skating rinks, special events dances, or mechanical riding devices. None of them licensed a movie theatre except Mitchell, which charges \$25 per screen. Carnivals and circuses are treated like transient merchants in Watertown at \$100/day. Mitchell charges \$100/day for carnivals and \$30/day for circuses. Brookings charges \$25/day for carnivals and \$75/day for circuses. Vermillion does not license circuses/carnivals.

At the February 26, 2024 work session, the City Commission and City staff reviewed City business licenses and questioned “What is the public purpose of a given license?” Historical references point to concerns of businesses submitting sales tax or following prohibition-era laws. Yankton’s current Sec. 4-19 and 4-20 address hours of operation or minors in violation of curfew. However, such things are already addressed in other alcohol licensing requirements and City Ordinances. Police supervision (See Sec. 4-57) can be more practically addressed or covered under the City of Yankton Special Events Application Handbook. Instead of aiming at brick-and-mortar small businesses, we came to the practical conclusion that “amusement” licenses may serve the public more effectively by focusing specifically on non-local temporary vendors and/or mature-rated “adult” establishments.

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


To that end, the proposed ordinance repeals license requirements for motion picture theaters, billiard halls, bowling alleys, skating rinks, similar amusements, type B dance halls (non-adult dance halls/clubs), and special event dances. This leaves licensing under Article III regarding circuses and carnivals and Article IV regarding public dance halls with exotic dancers and nudity. These sections reworked and moved from Chapter 4 to Chapter 13 Article III, which governs "Specific Businesses and Occupations." Essentially, Chapter 4 would be recodified as "Reserved" for future use.

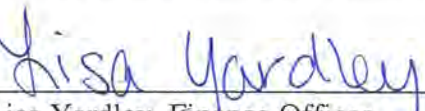
Given that these changes affect current licensees, we determined the least disruptive way to implement these changes is to delay the effective date until the current licenses expire. Accordingly, the proposed effective date is January 1, 2025 to maintain consistency amongst those who have already licensed for the 2024 calendar year.

The license fees to be set by City resolution will be presented at a future City Commission meeting. Staff has discussed raising the carnival/circus fee from \$25/day to \$100/day and adult oriented businesses from \$50/year to \$250/year. If the Commission wishes to deny this ordinance and keep all licenses, City staff would still recommend raising all fees effective January 1, 2025.

**Recommendation: Staff recommends approval of the attached Ordinance #1079.**

Respectfully submitted,

  
\_\_\_\_\_  
Ross K. Den Herder, City Attorney

  
\_\_\_\_\_  
Lisa Yardley, Finance Officer

I concur with this recommendation.

I do not concur with this recommendation.

  
\_\_\_\_\_  
Amy Leon, City Manager

\_\_\_\_ Roll Call

**ORDINANCE NO. 1079**

**AN ORDINANCE AMENDING THE LICENSING STRUCTURE FOR “AMUSEMENT” BUSINESSES REGULATED BY THE CITY OF YANKTON AND MOVING TWO APPLICABLE LICENSING SCHEMES TO CHAPTER THIRTEEN (13) OF THE YANKTON MUNICIPAL CODE OF ORDINANCES.**

**WHEREAS**, the Yankton Board of City Commissioners and City Staff have determined that the City’s licensing regulatory structure for “amusement” businesses currently codified in Chapter Four (4) of the Yankton Municipal Code of Ordinances is outdated should be revised and improved as set forth herein, to be effective beginning January 1, 2025;

**WHEREAS**, the Yankton Board of City Commissioners and City Staff have deemed it prudent and appropriate to relocate the new “amusement” business licensing regulations from Chapter Four (4) to Chapter Thirteen (13) of the Yankton Municipal Code of Ordinances, which chapter regulates business licensing within the City of Yankton.

**NOW THEREFORE, BE IT ORDAINED**, by the Board of City Commissioners of the City of Yankton that:

1. **Beginning January 1, 2025, Article Four of the Yankton Code of Ordinances shall be deemed repealed in its entirety, and shall be replaced by a new Division Nine (9) and Division Ten (10) of Article III of Chapter Thirteen (13) of the Yankton Code of Ordinances which shall similarly take effect on January 1, 2025, and which shall read as follows:**

**Chapter 13 - LICENSES AND BUSINESS REGULATIONS**

**ARTICLE III. - SPECIFIC BUSINESSES AND OCCUPATIONS**

**DIVISION 9. – CIRCUSES AND CARNIVALS**

**Sec. 13-201. License required.**

It shall be unlawful for any person or business entity to host, show, or exhibit within the city or within one (1) mile thereof, any circus or carnival without first obtaining a license therefor. A circus is defined as a transient or traveling circus, menagerie, side show, tent show, or any combination thereof with admission for a fee. A carnival is defined as a transient or traveling carnival or other similar exhibition providing mechanical riding amusement devices and games of skill or chance, or any combination thereof with participation for a fee.

### **Sec. 13-202. License Requirements.**

To obtain a Circus or Carnival License, the applicant shall file in the office of the finance officer an application on a form furnished by the finance officer or the finance officer's designee, which shall comply with Yankton Ordinance section 13-17 and shall contain any other additional information as the City Manager or Finance Officer may deem necessary to evaluate the applicant's compliance with this Municipal Code of Ordinances and with applicable law, and the applicant shall also:

- (a) Tender the applicable license fee upon submission of the license application before the event occurs. The fees for a license required by this article shall be as follows:
  - (1) *Circuses.* The license fee for a circus shall be set by Resolution of the City Commission.
  - (2) *Carnivals.* The license fee for a carnival shall be set by Resolution of the City Commission.
- (b) Present proof of a valid sales tax license (or proof of exemption therefrom) issued by the State of South Dakota; and
- (c) Present a certificate of liability insurance showing coverage limits no less than the amount of one million dollars (\$1,000,000) per occurrence and aggregate limits no less than two million dollars (\$2,000,000), indemnifying the public against damage to persons or property arising from the applicant's licensed operation.

### **Sec. 13-203. Review and Issuance of License.**

The City Finance Officer or the Finance Officer's designee shall deny an application that does not meet the requirements or limitations of this Division. The Finance Officer or the Finance Officer's designee shall deny any application that contains any false, misleading, or incomplete information. After receiving a properly conforming application, the requisite fee, and having confirmed all requirements are met, the Finance Officer or the Finance Officer's designee shall issue the license.

### **Sec. 13-203 – 13-225. – RESERVED.**

## **DIVISION 10. – ADULT ORIENTED BUSINESSES**

### **Sec. 13-226. License required.**

It shall be unlawful for any person or business entity to conduct, operate or maintain an Adult Oriented Business within the city limits without first obtaining a license therefor. For purposes of this Chapter, an Adult Oriented Business shall mean (and shall be limited to) an "adult cabaret" as defined in SDCL § 11-12-1(3), an "adult motion picture theater" as defined in SDCL § 11-12-1 (4), and an "adult theater" as defined in SDCL § 11-12-1(7). Any violation of this Division shall be deemed a class 2 misdemeanor and a public nuisance.

**Sec. 13-227. Location Limitations.**

- (a) No person or business entity shall be allowed to receive or utilize an Adult Oriented Business license if the property line of the Adult Oriented Business is within one thousand (1,000) feet of the property line of a school, church, or other place of worship. However, a licensed Adult Oriented Business continuously and lawfully operating in conformity with State law and applicable Ordinance does not violate this section and shall not be denied license renewal if a school or church subsequently locates within a shorter distance.
- (b) No person or business entity shall be allowed to receive or utilize an Adult Oriented Business license if the property line of the Adult Oriented Business is within three hundred (300) feet of another licensed Adult Oriented Business.

**Sec. 13-228. License Application Requirements.**

To request an Adult Oriented Business License, the applicant shall file in the office of the Finance Officer an application on a form furnished by the finance officer or the finance officer's designee, which shall comply with Yankton Ordinance section 13-17, and shall contain any other additional information as the City Manager or Finance Officer may deem necessary to evaluate the applicant's compliance with this Municipal Code of Ordinances and with applicable law. The applicant shall also:

- (a) Tender the applicable license fee upon submission of the license application. The fee for a license required by this Division shall be established by Resolution of the Board of City Commissioner to defray the costs incurred by the city for review of the application, inspection of the proposed premises, and any other costs and labor associated with processing the application; and
- (b) Present a certificate of liability insurance showing coverage limits no less than the amount of one million dollars (\$1,000,000) per occurrence and aggregate limits no less than two million dollars (\$2,000,000), indemnifying the public against damage to persons or property arising from the applicant's licensed operation.

**Sec. 13-229. Review and Issuance of License.**

The City Manager or the City Manager's designee shall deny any application that does not meet the requirements or limitations of this Division. The City Manager or the City Manager's designee shall deny any application that contains any false, misleading, or incomplete information.

After receiving a properly conforming application and all required submissions, the City Manager shall cause the applicant's intended business location to be inspected to ensure that the premises conforms to applicable statutory location restrictions, building codes, and the provisions of this Code of Ordinances. If the City Manager or the City Manager's designee has determined that all application requirements for an Adult Oriented Business are met and that the proposed location has passed inspection, the application shall be submitted to the Board of City Commissioners for review and approval.



The Yankton Board of City Commissioners shall review the application materials and any evidence and testimony presented to evaluate whether the applicant for an Adult Oriented Business License has proper character to operate an Adult Oriented Business as set forth herein and that the location is a proper place at which to conduct its intended Adult Oriented Business, and if so satisfied, it shall approve the issuance of the license by majority vote.

**Sec. 13-230. - Licensee's duty to prevent indecent exposure or simulation thereof.**

No person or business entity operating an Adult Oriented Business shall permit any person on premises of an Adult Oriented Business while in the presence of any other person:

- (1) To expose himself or herself, or fail to conceal, with a fully opaque covering, the sexual parts of his or her body, to include the genitals, pubic area and anus of any person, excluding the nipple and areola of the female breast; or
- (2) To expose any device, costume or covering which gives the appearance of, or simulates, the genitals or pubic area and anus of the male or female body, excluding the nipple or areola of the female breast.

**Sec. 13-231. Indecent exposure prohibited on premises.**

No person in an Adult Oriented Business may expose himself or herself as defined in section 3-8 of the Yankton City Code of Ordinances.

**Sec. 13-232. Minors.**

No minor shall enter or remain within an Adult Oriented Business. No person or business entity operating an Adult Oriented Business shall permit any minor to enter or remain at an Adult Oriented Business.

**Sec. 13-233. Authority.**

The City receives its authority to regulate Adult Oriented Businesses from SDCL Chap. 11-12.

**Sec. 13-233-250. – Reserved.**

**2. Any establishment which holds a current, unrevoked Type A Dance Hall license upon the effective date of this ordinance shall be deemed previously and continuously to have held an Adult Oriented Business license under this Ordinance.**

3. Upon the effective date of this Ordinance on January 1, 2025, Article Four of the Yankton Municipal Code of Ordinances shall be untitled and recodified by Municode as “Reserved” for future use.

4. *Savings Clause.* Should any section, subsection, clause, term, or provision of this Ordinance be declared by the Court to be invalid, such invalidity shall not effect the validity of the remainder of the Ordinance as a whole, or any other part thereof, other than the part so declared to be invalid.

Dated this \_\_\_\_ day of May, 2024.

CITY OF YANKTON

ATTEST:

\_\_\_\_\_  
Mason Schramm, Mayor

\_\_\_\_\_  
Lisa Yardley, Finance Officer  
(SEAL)

First Reading:  
Second Reading:  
Published:  
Effective:

## **Chapter 4** **AMUSEMENTS<sup>1</sup>**

### **ARTICLE I. IN GENERAL**

#### **~~Sec. 4-1. Licensing procedure generally.~~**

~~Except as otherwise provided in this chapter, whenever any license is required by any provision of this chapter, such license shall be obtained as provided in section 13-16, et seq.~~

#### **~~Sec. 4-2. Motion picture theaters: License required; annual fee.~~**

~~(a) No person shall operate a motion picture theater in the city without first obtaining a license therefor.~~

~~(b) The annual fee for a license required by subsection (a) shall be fifty dollars (\$50.00).~~

~~(Rev. Ords. 1949, § 6.0601)~~

#### **~~Secs. 4-3—4-15. Reserved.~~**

### **~~ARTICLE II. BILLIARD HALLS, BOWLING ALLEYS, SKATING RINKS AND SIMILAR~~** **~~AMUSEMENTS<sup>2</sup>~~**

#### **~~Sec. 4-16. License required.~~**

~~It shall be unlawful for any person to engage in the business of operating a pool hall, billiard hall, bowling alley, roller skating rink and other similar places of amusement without first obtaining a license therefor.~~

#### **~~Sec. 4-17. License fee.~~**

~~The fee for a license required by this article shall be as follows:~~

~~(a) *Pool or billiard hall or bowling alley.* The license fee for each pool hall or billiard hall or bowling alley shall be ten dollars (\$10.00) per year for the first table or alley, and five dollars (\$5.00) per year for each additional table or alley.~~

~~(b) *Roller skating rink.* The license fee for each roller skating rink shall be ten dollars (\$10.00) per month, or one hundred dollars (\$100.00) per year.~~

~~(c) *Other similar places of amusement.* The license fee for each similar place of amusement licensed under this article shall be ten dollars (\$10.00) per year.~~

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<sup>1</sup>Cross reference(s) — Coin operated amusement devices, § 13-63 et seq.

State law reference(s) — Authority to license, tax and regulate shows, exhibitions and amusements, SDCL 1967, § 9-34-13.

<sup>2</sup>State law reference(s) — Authority to license, regulate or prohibit pool and billiard rooms and bowling alleys; SDCL 1967, § 9-34-14; authority to license, tax, regulate or prohibit skating rink, SDCL 1967, § 9-34-15.

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(Rev. Ords. 1949, § 6.0701)

**~~Sec. 4-18. Approval of license application.~~**

If the granting of the license required by this article is recommended by the city manager or a person he shall designate in writing, the finance officer shall issue said license.

(Rev. Ords. 1948, § 6.0702; Ord. No. 577, § 1, 12-22-86)

**~~Sec. 4-19. Hours of operation.~~**

The hours of operation of businesses licensed pursuant to this article shall be as follows:

(a) ~~Pool hall or billiard hall.~~ No pool hall or billiard hall licensed to sell or dispense intoxicating liquor or wine shall be open or operated on Sundays or between the hours of 12:00 midnight and 6:00 a.m. on weekdays.

All other pool or billiard halls shall be entitled to be open on Sundays, and shall be closed between the hours of 1:00 a.m. and 6:00 a.m.

(b) ~~Bowling alleys.~~ No bowling alley shall be open or operated between the hours of 1:00 a.m. and 6:00 a.m.

(c) ~~Roller skating rinks.~~ No roller skating rink shall be open or operated between the hours of 12:00 midnight and 7:30 a.m.

(Rev. Ords. 1949, § 6.0703; Ord. No. 293, § 1, 5-9-66)

**~~Sec. 4-20. Minors not to be allowed on premises in violation of curfew.~~**

The owner or person in charge of any business licensed under the provisions of this article shall not allow or permit any minor to enter or remain in his place of business in violation of section 16-3.

(Rev. Ords. 1949, § 6.0704)

**~~Sec. 4-21. Supervision of roller skating rinks.~~**

(a) The person conducting or operating a public roller skating rink shall, when requested to do so by the chief of police, employ one (1) or more matrons to supervise the conduct of the participants therein. The matron shall be appointed, as necessary, by the chief of police and be paid directly by the person conducting or operating the skating rink at a rate agreed upon with the chief of police.

(b) In addition to the requirements of subsection (a), a public roller skating rink shall be subject to the supervision of the police department and, in case of necessity, the chief of police shall appoint a police officer to assist in supervising the public roller skating rink, who shall be paid a salary directly by the person conducting or operating the skating rink at a rate agreed upon with the chief of police.

(Rev. Ords. 1949, § 6.0705)

**~~Secs. 4-22—4-32. Reserved.~~**

**~~ARTICLE III. CIRCUSES, CARNIVALS AND SIMILAR ENTERTAINMENTS~~**

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**~~Sec. 4-33. License required.~~**

~~It shall be unlawful for any person to show or exhibit within the city or within one (1) mile thereof, any circus, menagerie, wild west show, carnival, or any show or exhibition of a similar character given under a canvas or within an enclosure, including mechanical riding amusement devices and games of skill or chance operated in connection therewith, without first obtaining a license therefor.~~

**~~Sec. 4-34. License fee.~~**

~~(a) The fees for a license required by this article shall be as follows:~~

- ~~(1) *Circuses.* The license fee for a circus, menagerie, combination circus and menagerie or wild West show shall be twenty five dollars (\$25.00) per day.~~
- ~~(2) *Carnivals.* The license fee for a carnival, show or other similar exhibition given under canvas or within an enclosure shall be twenty five dollars (\$25.00) per day.~~
- ~~(3) *Shows.* The license fee for all other shows, entertainment, exhibitions or performances given for a project as a commercial enterprise and not primarily for civic, cultural, educational or religious purposes or benefit shall be ten dollars (\$10.00) per day.~~
- ~~(4) *Mechanical riding amusement devices and games of skill or chance.* The license fee for operating mechanical riding amusement devices, such as merry go round or Ferris wheel or for operating games of skill or chance other than in connection with a circus, carnival or show shall be five dollars (\$5.00) per day for each such device or game operated.~~

~~(b) All license fees imposed by this section are payable in advance in cash.~~

~~(Rev. Ords. 1949, § 6.0801; Ord. No. 546, § 1, 4-23-84)~~

**~~Sec. 4-35. Regulation of location.~~**

~~The city reserves the right to designate the place of holding shows and amusements licensed under this article.~~

~~(Rev. Ords. 1949, § 6.0802)~~

**~~Secs. 4-36—4-46. Reserved.~~**

**~~ARTICLE IV. PUBLIC DANCES AND DANCE HALLS<sup>3</sup>~~**

**~~Sec. 4-47. Purpose.~~**

~~The board of city commissioners of the city specifically finds that establishments which serve alcoholic beverages and which also have dancing as defined in subsection 4-48(b)(1) have higher incidents of law infractions than establishments without dancing as defined in subsection 4-48(b)(1). As a result of these findings, there is a~~

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<sup>3</sup>Editor's note(s)—Ord. No. 754, adopted May 12, 1997, repealed §§ 4-47—4-55 in their entirety. Formerly, §§ 4-47—4-55 pertained to public dances and dance halls and derived from §§ 6.1001—6.1008 of the Revised Ordinances; Ord. No. 467, adopted Jan. 9, 1978 and § 1 of Ord. No. 578, adopted Dec. 22, 1986. Sections 1—13 reenacted new provisions as herein set out.

State law reference(s)—Authority to license, tax, regulate or prohibit public dances and dance halls, SDCL 1967, § 9-34-15.

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greater need to license and regulate the prior establishments in order to protect the natural character of neighborhoods and businesses from such secondary effects as crime or reduction of property values.

{Ord. No. 754, § 1, 5-12-97}

#### **Sec. 4-48. Definitions.**

- (a) A "dance hall," as defined at SDCL 42-4-1, is any place open to the public patronage in which dancing is carried on and to which admission may be had by the public, by payment of an admission fee or price for dancing, for the personal gain or profit of the person or entity operating such public dance hall.
- (b) "Dancing" is either (1) men or women intentionally exposing their genitals less than completely or opaquely in a state of sexual stimulation or arousal, simulating acts of human masturbation, sexual intercourse, or sodomy, or fondling or other erotic touching of human genitals, pubic region, buttock or female breast or (2) to move rhythmically to music but not including acts described in (1) of this paragraph.
- (c) A "church" is a private-owned building whose primary purpose is public worship, and whose membership has obtained a tax exempt status from the Internal Revenue Service.
- (d) "School" is a building whose primary purpose is the instruction of children or a group of buildings, commonly referred to as a campus, whose primary purpose is to provide higher learning and grant degrees in liberal arts or sciences.

{Ord. No. 754, § 2, 5-12-97}

#### **Sec. 4-49. License required.**

It shall be unlawful for any person, partnership, corporation, or limited liability partnership or business to conduct, operate or maintain a dance hall within the city limits without first obtaining a dance hall license therefor.

There shall be two (2) types of dance hall licenses. A type "A" license is for establishments which permit men or women to intentionally expose their genitals less than completely or opaquely in a state of sexual stimulation or arousal or to simulate acts of human masturbation, sexual intercourse, or sodomy, or fondling or other erotic touching of human genitals, the pubic region, buttock or female breast. A type "B" license is for establishments which will not permit the acts mentioned in type "A" license mentioned above.

{Ord. No. 754, § 3, 5-12-97}

#### **Sec. 4-50. License fee.**

The fee for either a type "A" or "B" dance hall license required in section 4-49 shall be five dollars (\$5.00) for each dance; however, an annual license may be granted upon the payment of a license fee of fifty dollars (\$50.00) in advance.

{Ord. No. 754, § 4, 5-12-97}

#### **Sec. 4-51. Bond or insurance.**

Prior to the issuance of any license pursuant to section 4-49, the applicant shall file with the finance officer a bond in the penal sum of one thousand dollars (\$1,000.00) or evidence of insurance in the amount of no less than one hundred thousand dollars (\$100,000.00) conditioned that the applicant will promptly pay any fine or damage the city may suffer by reason of any negligent, disorderly or unlawful conduct on the part of the applicant or his agents or servants.

{Ord. No. 754, § 5, 5-12-97}

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#### **~~Sec. 4-52. Approval of license applicant and premises.~~**

~~If the board of city commissioners of the city is satisfied that the applicant for a dance hall license has property character to operate a dance hall and the location is a proper place at which to conduct public dances, it shall approve the issuance of the license after having the premises inspected by the proper officers of the city in order to ensure that the premises conform to the provisions of this Code and other ordinances of the city and the laws of the state.~~

~~(Ord. No. 754, § 6, 5-12-97)~~

#### **~~Sec. 4-53. Location.~~**

- ~~(a) No person, partnership, corporation, or limited liability partnership or business shall be allowed to utilize a type "A" dance license within one thousand (1,000) feet of the property line of a school or church.~~
- ~~(b) The property lines between establishments utilizing a type "A" dance license shall not be within three hundred (300) feet of one another.~~
- ~~(c) A type "B" dance license may be utilized in any location without restriction if it meets the other requirements of sections 4-47 through 4-59.~~

~~(Ord. No. 754, § 7, 5-12-97)~~

#### **~~Sec. 4-54. Conduct prohibited on premises.~~**

~~No person in a dance hall may expose himself or herself as defined in section 3-8 of the Yankton City Code of Ordinances.~~

~~(Ord. No. 754, § 8, 5-12-97)~~

#### **~~Sec. 4-55. Hours of operation.~~**

~~The person, partnership, corporation, or limited liability partnership or business owning, controlling or operating a public dance or public dance hall shall not permit it to be open for dancing or dancing allowed therein between the hours of 2:00 a.m. and 7:00 a.m. on any day of the week, and it shall be closed for dancing at the hour of 12:00 midnight Sunday and remain closed for dancing until 7:00 a.m. on the following Monday.~~

~~(Ord. No. 754, § 9, 5-12-97)~~

#### **~~Sec. 4-56. Minors.~~**

~~No person, partnership, corporation, or limited liability partnership or business engaged in conducting a public dance hall shall permit any minor to enter or remain at said dance in violation of section 16-3 of the Code. No minor shall be allowed in an establishment which has a type "A" dance license.~~

~~(Ord. No. 754, § 10, 5-12-97)~~

#### **~~Sec. 4-57. Police supervision.~~**

~~The person, partnership, corporation, or limited liability partnership or business conducting a public dance or public dance hall, when requested to do so by the chief of police, shall have a member of the police department in attendance at all times when dancing is permitted. The police officer shall be selected by the chief of police and be under his control. The person, partnership, corporation, or limited liability partnership or business conducting the public dance or public dance hall shall pay for the supervision direct to the officer at a rate agreed upon with the chief of police.~~

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(Ord. No. 754, § 11, 5-12-97)

**~~Sec. 4-58. Authority.~~**

The city receives its authority to regulate establishments which serve alcoholic beverages from SDCL 9-29-7 to which the state receives its broad power from the Twenty-First Amendment. The city also receives its authority from SDCL 9-34-15.

(Ord. No. 754, § 12, 5-12-97)

**~~Sec. 4-59. Grandfather clause.~~**

Any establishment which has a type "A" license at the time this article is given effect may continue to have said licenses so long as they comply with all local, state, and federal laws even if the location of said establishment violates section 4-53.

(Ord. No. 754, § 13, 5-12-97)



## Second Reading and Public Hearing

### MEMORANDUM #24-122

To: Yankton City Commission  
 From: Ross K. Den Herder, City Attorney & Lisa Yardley, Finance Officer  
 Date: May 21, 2024  
 Re: Ordinance #1080 – An ordinance updating Chapter Three (3) of the Yankton Municipal Code of Ordinances

This proposed Ordinance addresses alcoholic beverage regulations and alcohol licenses found in Chapter 3 of the Municipal Code of Ordinances.

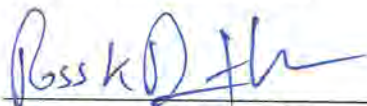
While reviewing Amusement licenses in Chapter 4, there was an update required that tied to Section 3-8 on indecent exposure. In turn, this led to staff’s decision to review and update Chapter 3 as needed. The City’s general rule of thumb regarding alcohol is to follow State Law Chapter 35 so the flexibility in what the City can and cannot do is rather limited. The following changes are recommended:

- Updating Section 3-8 on indecent exposure to align with Adult Oriented Businesses
- Repealing former Section 3-9 on underage persons
- Adding new Section 3-9 on special alcohol licenses
- Updating Section 3-14 with the new Trailhead Learning Center’s name
- Clarifying Section 3-15 regarding sidewalk café permits

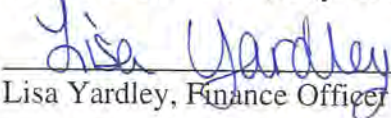
On February 26, 2024 work session, special event licenses were discussed as an area of concern. There is currently no specific City Ordinance on special events. Per SDCL 35-4-124, “The local governing body shall establish rules to regulate and restrict the operation of the special license, including rules limiting the number of licenses that may be issued to any person within any calendar year.” In 2023, fifty-nine (59) special event alcoholic licenses were issued at \$5/day. The license fees to be set by City resolution will be presented at a future City Commission meeting. Staff has discussed raising the fee to \$50/day for special beer and wine licenses and to \$100/day for special liquor licenses plus update the application form.

**Recommendation: Staff recommends approval of the attached Ordinance #1080.**

Respectfully submitted,



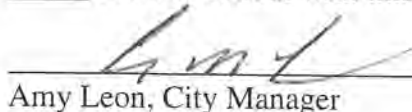
Ross K. Den Herder, City Attorney



Lisa Yardley, Finance Officer

I concur with this recommendation.

I do not concur with this recommendation.



Amy Leon, City Manager

\_\_\_\_ Roll Call

**ORDINANCE NO. 1080**

**AN ORDINANCE AMENDING CHAPTER 3 OF THE YANKTON MUNICIPAL CODE OF ORDINANCES.**

**WHEREAS**, the Yankton Board of City Commissioners and City Staff have determined that the City's municipal alcohol regulations codified in Chapter Three (3) of the Yankton Municipal Code of Ordinances is outdated should be revised and improved as set forth herein;

**NOW THEREFORE, BE IT ORDAINED**, by the Board of City Commissioners of the City of Yankton that:

**We hereby revise Sec. 3-8 to read as follows:**

**Sec. 3-8. - Indecent exposure or simulation thereof prohibited; licensee's duty to prevent.**

It is unlawful for any person on premises licensed for the sale of alcoholic beverages while in the presence of any other person:

- (1) To fail to conceal, with a fully opaque covering, the sexual parts of his or her body, to include the genitals, pubic area and anus of any person, or the nipple and areola of the female breast, excepting such failure to conceal within a premises operating under an Adult Oriented Business license, but only to the extent permitted under Chapter 13, Article III, Division 9 of the Municipal Code of Ordinances;
- (2) To expose any device, costume or covering which gives the appearance of, or simulates, the genitals or pubic area of the male or female body, or the nipple or areola of the female breast, excepting such exposure within a premises operating under an Adult Oriented Business license, but only to the extent permitted under Chapter 13, Article III, Division 9 of the Municipal Code of Ordinances;
- (3) It is unlawful for any licensee in alcoholic beverages to cause, allow or permit any person on said licensed premises to violate the provisions of subsection (a) or (b) of this section.

**We hereby repeal former Sec. 3-9 and replace it with a new Sec. 3-9 to read as follows:**

**Section 3-9. - Special Event Alcoholic Beverage Licenses**

- (a) Special event alcoholic beverage licenses, under South Dakota Codified Laws 35-4-124, may be issued by the Yankton Board of City Commission in conjunction with special events held within the City of Yankton.
- (b) Types of special event alcoholic beverage licenses and classes of eligibility:

The following types of special event alcoholic beverage licenses are available to the corresponding classes of applicants for use in conjunction with a special event in the City of Yankton:

1. Special Malt Beverage Retailer's License: Available to any civic, charitable, educational, fraternal, or veterans' organization or any existing malt beverage alcohol licensee licensed pursuant to South Dakota Codified Laws 35-4-2(4), (6), or (16).
  2. Special On-Sale Wine Retailer's License: Available to any civic, charitable, educational, fraternal, or veterans' organization or any existing wine retailer licensee licensed pursuant to South Dakota Codified Laws 35-4-2(4), (6), or (12) or any farm winery license.
  3. Special On-Sale Liquor License: Available to any civic, charitable, educational, fraternal, or veterans' organization or any existing on-sale liquor licensee licensed pursuant to South Dakota Codified Laws 35-4-2(4) or (6).
  4. Special Off-Sale Package Wine Dealer's License: Special off- sale package wine dealer's licenses are available to any civic, charitable, educational, fraternal, or veterans' organization or any existing off-sale package wine dealer's licensee licensed pursuant to South Dakota Codified Laws 35-4-2(3), (5), or (12), or any farm winery license.  
A special off-sale package wine dealer's licensee may only sell wine manufactured by a farm winery license for off premises consumption only.
- (c) To request a special event alcoholic beverage license, the applicant file in the office of the finance officer an application on a form furnished by the finance officer or the finance officer's designee, which shall comply with SDCL 35-4-124, and shall require the applicant to provide any other additional information as the City Manager or City Finance Officer may deem necessary to evaluate the applicant's compliance with this Municipal Code of Ordinances and with applicable law, and ascertain whether the applicant, location, date(s) and time(s) for which the license is requested is suitable. Upon submission of the application, the applicant shall also tender the license application fee in an amount established by Resolution of the Yankton Board of City Commissioners.
- (d) The City Finance Officer or the City Finance Officer's designee shall deny any application that does not meet the requirements or limitations of this Ordinance. The City Finance Officer or the City Finance Officer's designee shall deny any application that contains any false, misleading, or incomplete information.
- (e) If the City Finance Officer or the Finance Officer's designee has determined that all application requirements for a special event alcoholic beverage license are met, the license shall be set for hearing and considered by the Board of City Commissioners using the same procedures prescribed by law for City's approval and issuance of other alcohol licenses, including the publication requirements providing public notice of the application and hearing. At the public hearing, upon evaluation of the application and all submissions, and any testimony of the applicant or the public, the Yankton Board of City Commissioners shall vote to approve or deny the application based upon a determination of whether the applicant, location, date(s) and time(s) are suitable for the issuance of a special event alcoholic beverage license.

1. *Public Hearing Requirement.* The Board of City Commissioners shall be required to set and publish notice of a public hearing to consider the application for a special event alcoholic beverage license in the same manner as for other alcohol licenses. However, no public hearing shall be required for an event held on publicly owned property or if the applicant for a special event alcoholic beverage license already holds the corresponding class of permanent alcohol license issued by the City of Yankton, and for such event, the Board of City Commissioners shall evaluate the application, all submissions, and testimony and vote to approve or deny the application as part of a standard published agenda item at a regular or special meeting of the Board of City Commissioners without first setting and publishing notice of a public hearing.
  2. *Number of Consecutive Days.* A single special event alcoholic beverage license may be approved and effective for more than one (1) consecutive days, but no more than fifteen (15) consecutive days. When voting to approve a special event alcoholic beverage license, the Board of City Commissioners may reduce or limit the total number of consecutive days a license shall be effective.
  3. *Hours of Effect.* When voting to approve a special event alcoholic beverage license, the Board of City Commissioners may reduce or limit the hours or time during which the special event alcoholic beverage license shall be effective during any given day covered by such license with such time or hours never to exceed those lawfully permitted for an on-sale alcoholic beverage dealer.
  4. *Security.* When voting to approve a special event alcoholic beverage license for street dances, concerts, or events likely to draw a large crowd, the Board of City Commissioners may require as a condition of approval that the applicant provide security personnel as deemed necessary by the Board of City Commissioners to maintain order during the event.
- (f) No applicant may be issued more than twenty (20) special event alcoholic beverage licenses per calendar year.

**We hereby revise Sec. 3-14 to read as follows:**

**Sec. 3-14. - Minimum distance from public and private schools for the issuance of new alcoholic beverages, wine, or malt beverage licenses.**

There is hereby established a minimum distance of one hundred fifty (150) feet between the property line of any public or private school, including property jointly owned by the city and the Yankton Public School District and utilized as a public school, and any location for a new alcoholic beverage, wine or malt beverage license, excluding a temporary special event alcohol license for a location that is more than one hundred fifty (150) feet from the property line of any public school. The following public and private schools shall be considered schools for the purposes of this section: Stewart Elementary School, Lincoln Elementary School, Beadle Elementary School, Webster Elementary School, Sacred Heart School, Yankton Middle School, Yankton Senior High School, and the Trailhead Learning Center. Any application for a new alcoholic beverage, wine or malt beverage license which shall fall within one hundred fifty (150) feet of the property line of

any public or private school shall be deemed to be an inappropriate location under the provisions of applicable state law and a license may not be issued within this distance. Said distance shall not include any dedicated street right-of-way. Said distance shall be measured at a point parallel to the boundaries of the school property projected to intersecting points. This standard shall not apply to the renewal of any existing alcoholic beverage, wine or malt beverage license, or to the issuance of a temporary special event alcohol license for a location that is more than one hundred fifty (150) feet from the property line of any public school. Notwithstanding the foregoing, no alcohol shall be allowed within and no special event alcohol license shall be issued for the Summit Activities Center or the Career and Manufacturing Technical Education Academy.

**We hereby revise Sec. 3-15 to read as follows:**

**Sec. 3-15. - Sale or consumption of alcoholic beverages on public sidewalk or roadway.**

No person may sell or consume alcoholic beverages upon the public sidewalk or roadway of any federal-aid eligible highway.

No person may sell or consume alcoholic beverages upon any other public sidewalk or roadway excepting consumption as may be authorized by the City Manager or his or her designee acting pursuant to Ordinance Sec. 3-19, and further excepting consumption in the "Pedestrian Zone" and sale and consumption in the "Sidewalk Café Permit Zone" areas of a Sidewalk Café Permit issued by the Yankton Board of City Commissioners pursuant to Ordinance Sec. 13-2, but only to the extent so permitted under the issued Permit and the applicable alcohol license held by the adjacent on-sale alcohol licensee. Both the "Pedestrian Zone" and "Sidewalk Café Permit Zone" areas of an approved Sidewalk Café Permit are deemed to be immediately adjacent to and abutting the premises of the on-sale alcohol licensee's licensed establishment pursuant to SDCL 35-4-77.1.

The public sidewalk or roadway area upon which consumption of alcoholic beverages is authorized by the City Manager or his or her designee acting pursuant to Ordinance Sec. 3-19, and the permitted area of a Sidewalk Café Permit issued by the Yankton Board of City Commissioners pursuant to Ordinance Sec. 13-2 does not constitute a "public place" as defined in SDCL 35-1-5.3 and Ordinance Sec. 3-20. The date(s) and hours of consumption upon a public sidewalk or roadway shall be limited to the time frame expressly authorized by the City Manager or his or her designee acting pursuant to Ordinance Sec. 3-19. The consumption and sale of alcoholic beverages shall be prohibited upon a public sidewalk or roadway outside the hours permitted for sale by an on-sale alcohol licensee.

A violation of any provision of SDCL Title 35 by an alcoholic beverage license holder conducting business on a public sidewalk under authority of a Sidewalk Café Permit constitutes a violation of SDCL Title 35 as if the violation had occurred in or on the licensed premises.

For purposes of this Chapter and Sec. 13-2, a "public sidewalk" shall include any sidewalk walkway upon or subject to a public right-of-way.

***Savings Clause.*** Should any section, subsection, clause, term, or provision of this Ordinance be declared by the Court to be invalid, such invalidity shall not affect the validity of the remainder of the Ordinance as a whole, or any other part thereof, other than the part so declared to be invalid.

Dated this \_\_\_\_ day of May, 2024.

CITY OF YANKTON

ATTEST:

\_\_\_\_\_  
Mason Schramm, Mayor

\_\_\_\_\_  
Lisa Yardley, Finance Officer  
(SEAL)

First Reading:  
Second Reading:  
Published:  
Effective:

ORDINANCE NO. 1080

AN ORDINANCE AMENDING CHAPTER 3 OF THE YANKTON MUNICIPAL CODE OF ORDINANCES.

WHEREAS, the Yankton Board of City Commissioners and City Staff have determined that the City's municipal alcohol regulations codified in Chapter Three (3) of the Yankton Municipal Code of Ordinances is outdated should be revised and improved as set forth herein;

NOW THEREFORE, BE IT ORDAINED, by the Board of City Commissioners of the City of Yankton that:

We hereby revise Sec. 3-8 to read as follows:

**Sec. 3-8. - Indecent exposure or simulation thereof prohibited; licensee's duty to prevent.**

- ~~(a)~~ It is unlawful for any person on premises licensed for the sale of alcoholic beverages, ~~which is to include a licensee authorized to sell low-point beer,~~ while in the presence of any other person:
- (1) To fail to conceal, with a fully opaque covering, the sexual parts of his or her body, to include the genitals, pubic area and anus of any person, or the nipple and areola of the female breast, excepting such failure to conceal within a premises operating under an Adult Oriented Business license, but only to the extent permitted under Chapter 13, Article III, Division 9 of the Municipal Code of Ordinances;
  - (2) To expose any device, costume or covering which gives the appearance of, or simulates, the genitals or pubic area of the male or female body, or the nipple or areola of the female breast, excepting such exposure within a premises operating under an Adult Oriented Business license, but only to the extent permitted under Chapter 13, Article III, Division 9 of the Municipal Code of Ordinances;
  - (3) It is unlawful for any licensee in alcoholic beverages, ~~which is to include a licensee authorized to sell low-point beer,~~ to cause, allow or permit any person on said licensed premises to violate the provisions of subsection (a) or (b) of this section.

We hereby repeal former Sec. 3-9 and replace it with a new Sec. 3-9 to read as follows:

~~Sec. 3-9. — Underage persons prohibited from entering or remaining on premises of certain alcoholic beverage licensees. —~~

- ~~(a) Definitions. As used in this section, the following terms shall have the following meanings:~~

*Licensee.* The holder of any on-sale license within the city for the sale of any alcoholic beverage, including light wine and malt beverages.

*Qualified licensee means:*

- a. A licensee who has a restaurant license pursuant to section 9-16.
- b. A licensee which is located in a building equal to or greater than one thousand seven hundred fifty (1,750) square feet.
- c. A licensee who has not had a juvenile in their establishment in violation of city or state laws.

*Tavern or bar.* Any place of business that holds an on-sale license for the sale of any alcoholic beverages, including light wine and malt beverages, which actually derives more than forty (40) per cent of its gross proceeds from the sales of alcoholic beverages or any separate area or room within a licensed premises which derives more than forty (40) per cent of its gross proceeds from the sales of alcoholic beverages.

*Underage person.* Any person who is below the age determined by state law for the lawful purchase of alcoholic beverages, including light wine and malt beverages, sold by a licensee at a particular tavern or bar.

- (b) No licensee who operates a tavern or bar shall suffer or permit any underage person to enter or remain on the premises of such tavern or bar except in the immediate presence of the underage person's parent, legal guardian or spouse if the spouse is not an underage person.
- (c) No underage person may enter, attempt to enter or remain on the premises of a tavern or bar.
- (d) Any licensee who operates a tavern or bar shall conspicuously post a sign in a place and in a manner so as to be readily visible to and easily read by any person entering the tavern or bar, stating that no persons under the lawful age for that tavern or bar may enter and stating the applicable age under the provisions of this section and applicable state law.
- (e) Any person who violates any of the provisions of this section shall be fined an amount not to exceed one hundred dollars (\$100.00).
- (f) Any qualified licensee may apply to the city commission to hold an event in the licensed establishment specifically for underaged persons. The city commission may consider the application and approve the application provided that:
  - (1) The establishment agrees not to sell any alcoholic or fermented malt beverages during the time of the event for underaged persons and all containers of alcoholic or fermented malt beverages shall be covered and not available for view.
  - (2) No use of tobacco or sale of tobacco products shall be permitted during the event for underaged persons.
  - (3) Any and all video lottery machines that are contained on the premises shall be turned off and covered during the time of the event.
  - (4) The event shall be limited to underaged persons and an appropriate number of parents or chaperones.
  - (5) The commission may add such other requirements as it may deem appropriate to protect the interest of underaged persons entering said establishments.



### Section 3-9. - Special Event Alcoholic Beverage Licenses

(a) Special event alcoholic beverage licenses, under South Dakota Codified Laws 35-4-124, may be issued by the Yankton Board of City Commission in conjunction with special events held within the City of Yankton.

(b) Types of special event alcoholic beverage licenses and classes of eligibility:

The following types of special event alcoholic beverage licenses are available to the corresponding classes of applicants for use in conjunction with a special event in the City of Yankton:

1. Special Malt Beverage Retailer's License: Available to any civic, charitable, educational, fraternal, or veterans' organization or any existing malt beverage alcohol licensee licensed pursuant to South Dakota Codified Laws 35-4-2(4), (6), or (16).
2. Special On-Sale Wine Retailer's License: Available to any civic, charitable, educational, fraternal, or veterans' organization or any existing wine retailer licensee licensed pursuant to South Dakota Codified Laws 35-4-2(4), (6), or (12) or any farm winery license.
3. Special On-Sale Liquor License: Available to any civic, charitable, educational, fraternal, or veterans' organization or any existing on-sale liquor licensee licensed pursuant to South Dakota Codified Laws 35-4-2(4) or (6).
4. Special Off-Sale Package Wine Dealer's License: Special off- sale package wine dealer's licenses are available to any civic, charitable, educational, fraternal, or veterans' organization or any existing off-sale package wine dealer's licensee licensed pursuant to South Dakota Codified Laws 35-4-2(3), (5), or (12), or any farm winery license. A special off-sale package wine dealer's licensee may only sell wine manufactured by a farm winery license for off premises consumption only.

(a)(c) To request a special event alcoholic beverage license, the applicant file in the office of the finance officer an application on a form furnished by the finance officer or the finance officer's designee, which shall comply with SDCL 35-4-124, and shall require the applicant to provide any other additional information as the City Manager or City Finance Officer may deem necessary to evaluate the applicant's compliance with this Municipal Code of Ordinances and with applicable law, and ascertain whether the applicant, location, date(s) and time(s) for which the license is requested is suitable. Upon submission of the application, the applicant shall also tender the license application fee in an amount established by Resolution of the Yankton Board of City Commissioners.

(d) The City Finance Officer or the City Finance Officer's designee shall deny any application that does not meet the requirements or limitations of this Ordinance. The City Finance Officer or the City Finance Officer's designee shall deny any application that contains any false, misleading, or incomplete information.

(e) If the City Finance Officer or the Finance Officer's designee has determined that all application requirements for a special event alcoholic beverage license are met, the license shall be set for hearing and considered by the Board of City Commissioners using the same procedures prescribed by law for City's approval and issuance of other alcohol licenses, including the publication requirements providing public notice of the application and hearing. At the public hearing, upon evaluation of the application and all submissions, and any testimony of the applicant or the public, the Yankton Board of City Commissioners shall vote to approve or deny the application based upon a determination of whether the applicant, location, date(s) and time(s) are suitable for the issuance of a special event alcoholic beverage license.

1. *Public Hearing Requirement.* The Board of City Commissioners shall be required to set and publish notice of a public hearing to consider the application for a special event alcoholic beverage license in the same manner as for other alcohol licenses. However, no public hearing shall be required for an event held on publicly owned property by an applicant for a special event alcoholic beverage license who already holds the corresponding class of permanent alcohol license issued by the City of Yankton, and for such event, the Board of City Commissioners shall evaluate the application, all submissions, and testimony and vote to approve or deny the application as part of a standard published agenda item at a regular or special meeting of the Board of City Commissioners without first setting and publishing notice of a public hearing.
2. *Number of Consecutive Days.* A single special event alcoholic beverage license may be approved and effective for more than one (1) consecutive days, but no more than fifteen (15) consecutive days. When voting to approve a special event alcoholic beverage license, the Board of City Commissioners may reduce or limit the total number of consecutive days a license shall be effective.
3. *Hours of Effect.* When voting to approve a special event alcoholic beverage license, the Board of City Commissioners may reduce or limit the hours or time during which the special event alcoholic beverage license shall be effective during any given day covered by such license with such time or hours never to exceed those lawfully permitted for an on-sale alcoholic beverage dealer.
4. *Security.* When voting to approve a special event alcoholic beverage license for street dances, concerts, or events likely to draw a large crowd, the Board of City Commissioners may require as a condition of approval that the applicant provide security personnel as deemed necessary by the Board of City Commissioners to maintain order during the event.

(f) No applicant may be issued more than twenty (20) special event alcoholic beverage licenses per calendar year.

We hereby revise Sec. 3-14 to read as follows:

**Sec. 3-14. - Minimum distance from public and private schools for the issuance of new alcoholic beverages, wine, or malt beverage licenses.**

There is hereby established a minimum distance of one hundred fifty (150) feet between the property line of any public or private school, including property jointly owned by the city and the Yankton Public School District and utilized as a public school, and any location for a new alcoholic beverage, wine or malt beverage license, excluding a temporary special event alcohol license for a location that is more than one hundred fifty (150) feet from the property line of any public school. The following public and private schools shall be considered schools for the purposes of this section: Stewart Elementary School, Lincoln Elementary School, Beadle Elementary School, Webster Elementary School, Sacred Heart School, Yankton Middle School, Yankton Senior High School, and the ~~Yankton Early Childhood Development~~ Trailhead Learning Center. Any application for a new alcoholic beverage, wine or malt beverage license which shall fall within one hundred fifty (150) feet of the property line of any public or private school shall be deemed to be an inappropriate location under the provisions of applicable state law and a license may not be issued within this distance. Said distance shall not include any dedicated street right-of-way. Said distance shall be measured at a point parallel to the boundaries of the school property projected to intersecting points. This standard shall not apply to the renewal of any existing alcoholic beverage, wine or malt beverage license, or to the issuance of a temporary special event alcohol license for a location that is more than one hundred fifty (150) feet from the property line of any public school. Notwithstanding the foregoing, no alcohol shall be allowed within and no special event alcohol license shall be issued for the Summit Activities Center or the Career and Manufacturing Technical Education Academy.

We hereby revise Sec. 3-15 to read as follows:

**Sec. 3-15. - Sale or consumption of alcoholic beverages on public sidewalk or roadway.**

No person may sell or consume alcoholic beverages upon the public sidewalk or roadway of any federal-aid eligible highway.

No person may sell or consume alcoholic beverages upon any other public sidewalk or roadway excepting consumption as may be authorized by the City Manager or his or her designee acting pursuant to Ordinance Sec. 3-19, and further excepting consumption in the "Pedestrian Zone" and sale and consumption in the "Sidewalk Café Permit Zone" areas of a Sidewalk Café Permit issued by the Yankton Board of City Commissioners pursuant to Ordinance Sec. 13-2, but only to the extent so permitted under the issued Permit and the applicable alcohol license held by the adjacent on-sale alcohol licensee. Both the "Pedestrian Zone" and "Sidewalk Café Permit Zone" areas of an approved Sidewalk Café Permit are deemed to be immediately adjacent to and abutting the premises of the on-sale alcohol licensee's licensed establishment pursuant to SDCL 35-4-77.1. The city commission is charged with the approval of alcoholic beverage license issuance may permit the sale and consumption of alcoholic beverages on a sidewalk or walkway subject to a public right-of-way abutting a licensed premises. The sidewalk or walkway subject to a public right-of-way shall be immediately adjacent to and abutting the licensed premises. This section does not apply any federal-aid eligible highway unless approved in accordance with the applicable requirements for the receipt of federal aid.

~~The city commission further imposes the conditions or restrictions that appear in chapter 13, article 1, section 13-2 sidewalk cafes permitted in certain areas; regulations, through section 13-5.~~

~~The public sidewalk or roadway area upon which consumption of alcoholic beverages is authorized by the City Manager or his or her designee acting pursuant to Ordinance Sec. 3-19, and the permitted area of a Sidewalk Café Permit issued by the Yankton Board of City Commissioners pursuant to Ordinance Sec. 13-2 walkway subject to a public right-of-way where the sale and consumption of alcoholic beverages is permitted does not constitute a “public place” as defined in SDCL 35-1-5.3 and Ordinance Sec. 3-20. The date(s) and hours of consumption upon a public sidewalk or roadway shall be limited to the time frame expressly authorized by the City Manager or his or her designee acting pursuant to Ordinance Sec. 3-19. The consumption and sale of alcoholic beverages shall be prohibited upon a public sidewalk or roadway outside the hours permitted for sale by an on-sale alcohol licensee., if the sidewalk or walkway subject to a public right-of-way has been properly authorized for sale and consumption of alcoholic beverages pursuant to this section. The hours of authorized sale and consumption on the sidewalk or walkway subject to a public right-of-way as provided by this section shall be consistent with the hours permitted for the on-sale license.~~

~~A violation of any provision of SDCL Title 35 by an alcoholic beverage license holder conducting business on a public sidewalk under authority of a Sidewalk Café Permit or walkway subject to a public right-of-way pursuant to this section constitutes a violation of SDCL Title 35 as if the violation had occurred in or on the licensed premises.~~

~~For purposes of this Chapter and Sec. 13-2, a “public sidewalk” shall include any sidewalk walkway upon or subject to a public right-of-way.~~

***Savings Clause.*** Should any section, subsection, clause, term, or provision of this Ordinance be declared by the Court to be invalid, such invalidity shall not effect the validity of the remainder of the Ordinance as a whole, or any other part thereof, other than the part so declared to be invalid.

Dated this \_\_\_\_ day of May, 2024.

CITY OF YANKTON

ATTEST:

\_\_\_\_\_  
Stephanie Moser, Mayor

\_\_\_\_\_  
Lisa Yardley, Finance Officer  
(SEAL)

First Reading:  
Second Reading:  
Published:  
Effective:

## ***Memorandum #24-119***

To: Amy Leon, City Manager  
From: Dave Mingo, AICP Community and Economic Development Director  
Subject: YSD Request for a Sidewalk Installation Delay  
Date: May 16, 2024

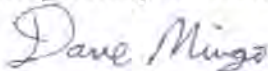
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One of the requirements for the development of any property in the City is the installation of adjacent public sidewalk. The responsibility falls on the owner building the project. The Yankton School District (YSD) is in the process of constructing the "Trailhead Learning Center" on East 31st Street. They are requesting a delay, as outlined in the attached letter, because of the timing of a B-Y Water service main installation project.

The location of the sidewalk, depicted in red on the attached site plan, is very close to where the new B-Y Water line will be constructed, so coordinating the timing of the two projects is important. If the sidewalk were installed before the water line, much of it would be removed or compromised by the trenching for the main.

It makes sense to delay the installation of the sidewalk as described in the letter of request within 180 days of B-Y Water's Segment 3 project completion or prior to July 1, 2026 if B-Y does not move forward with the Segment 3 project.

Respectfully submitted,

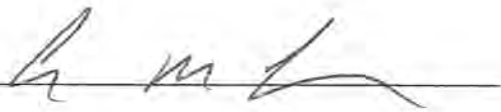


Dave Mingo, AICP  
Community and Economic Development Director

**Recommendation: It is recommended that the City Commission delay the requirement for sidewalk installation as described in the YSD letter of request and depicted in the associated site plan.**

I concur with this recommendation.

I do not concur with this recommendation.

  
\_\_\_\_\_  
Amy Leon  
City Manager

\_\_\_\_ Roll Call



P.O. Box 738  
2410 West City Limits Rd  
Yankton, SD 57078

Chareen Gerber, Business Manager

Telephone: (605)665-3980  
Fax: (605)665-1422  
chareen.gerber@k12.sd.us

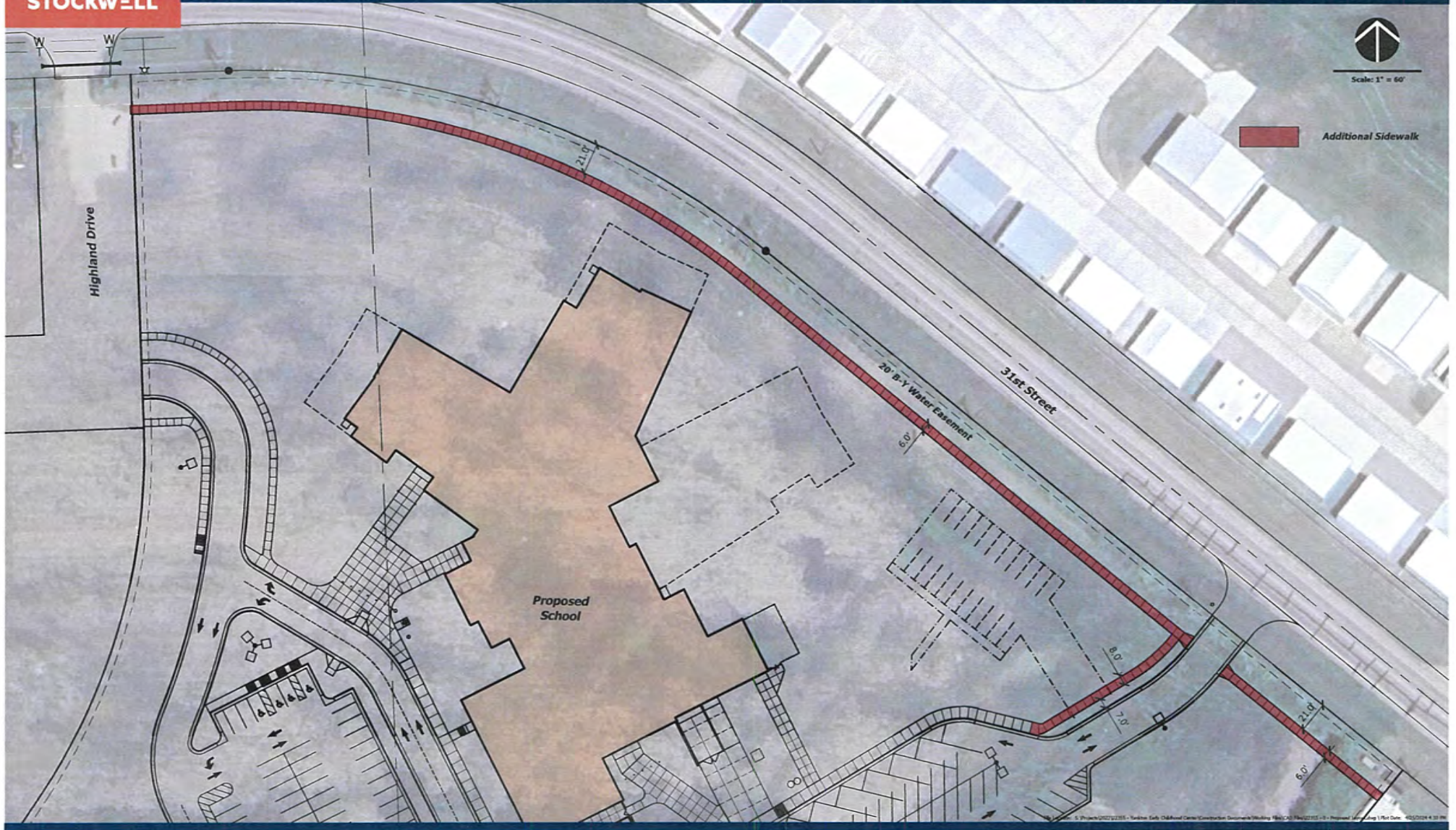
Mr. Mingo,

The Yankton School District is requesting approval to delay the construction of the required sidewalk along 31<sup>st</sup> Street. It is our understanding that B-Y Water intends to construct their "Segment 3" water main along the route of the proposed sidewalk on the south side of 31<sup>st</sup> Street in 2025/2026. If the sidewalk is constructed prior to the Segment 3 watermain, the removal and replacement of nearly 975 linear feet of newly constructed sidewalk would be required.

The Yankton School District proposes to install the 31<sup>st</sup> Street sidewalk within 180 days of B-Y Water's Segment 3 watermain project completion or prior to July 1, 2026 in the event that B-Y Water does not move forward with the Segment 3 project.

Thank you for considering this request. Should you have any questions, please reach out at your convenience.

Sincerely,  
  
Chareen Gerber



**Yankton Early Childhood Center - Additional Sidewalk Location**  
Yankton, South Dakota

**Memorandum #24-120**

**To:** Amy Leon, City Manager  
**From:** Corey Potts, Public Works Manager  
**Subject:** Bid Award for the Cold Applied Plastic Pavement Marking Installation Project  
**Date:** May 20, 2024

Two (2) bids were received on May 16, 2024 for the Cold Applied Plastic Pavement Marking Installation Project. The bids received are listed below:

BIDDER NAME	TOTAL COST
Dakota Traffic Services, LLC	\$71,800.00
Traffic Solutions Inc.	\$54,077.00

This "permanent" pavement marking product has been bid annually. The City utilizes the plastic pavement markings which last for many years instead of repainting the markings by hand as much as twice each year. This year's focus will be to apply pavement marking West City Limits Road from 9<sup>th</sup> Street to 17<sup>th</sup> Street.

The bid from Traffic Solutions Inc. meets the specifications. They are an experienced pavement marking company and have completed numerous projects for the SD DOT and the City of Yankton.

The bid total of \$54,077.00 is \$9,300.00 under the engineer's estimate and considered a competitive bid when compared to previous unit price contracts. It is recommended that the contract be awarded to Traffic Solutions Inc. in the amount of \$54,077.00.

Respectfully submitted,



Corey Potts  
Public Works Manager

**Recommendation: It is recommended that the City Commission award the Pavement Marking Installation contract to Traffic Solutions Inc. of Harrisburg, SD in the amount of \$54,077.00.**

I concur with this recommendation.

I do not concur with this recommendation.



\_\_\_\_\_  
Amy Leon  
City Manager

\_\_\_\_ Roll Call



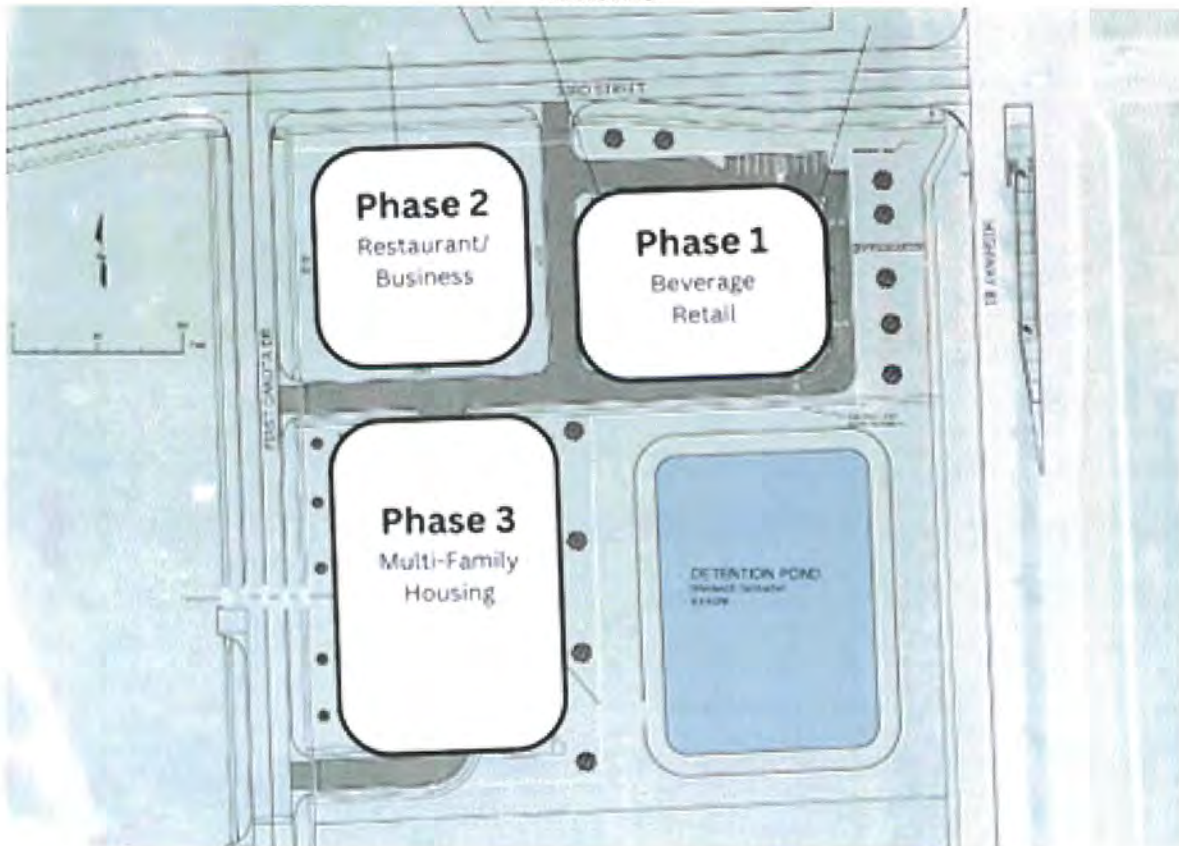
## *Memorandum #24-123*

To: Amy Leon, City Manager  
 From: Dave Mingo, AICP Community Development Director  
 Subject: Assignment of Offer to Acquire and Option on Phase 3 of Lot 3, Mead's Addition  
 Date: May 21, 2024

The City Commission approved an Offer to Acquire and Option to Purchase Lot 3, Block 1, Mead's Addition in 2023. The agreement was with Corner Kick, LLC. (Stephany Tamisiea) and Van Buskirk Properties. David Hosmer is serving as counsel for the developer. The plan was to provide the developer time to package development projects and partners for the build out of the site.

Markets dictate the timing of projects. At this time, the developer has interest from someone planning a 2024 project startup. The interest is for the area labeled as "Phase 3" of the below layout. The proposed project is an office / professional building. Although the initial concept from a year ago identifies the Phase 3 site as housing, the proposed office building would be a good fit in the overall development.

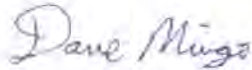
Exhibit C



\_\_\_\_\_ Roll Call (requires super majority for approval)

For the proposed project to move forward, the developer needs to receive approval from the City Commission to assign the previously approved agreement for the Phase 3 area. If approved, all provisions of the original agreement with Corner Kick, LLC. including the price per acre still apply. Additionally, the City created covenants mentioned as "Exhibit A" and the agreement itself mentioned as "Exhibit B" still apply. If approved, this action simply assigns the agreement to a different developer for the area identified above as Phase 3.

Respectfully submitted,

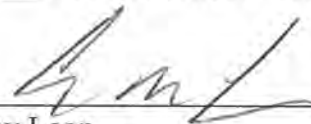


Dave Mingo, AICP  
Community Development Director

**Recommendation: It is recommended that the City Commission approve Resolution #24-26 agreeing to the assignment of the Option to Purchase the described property and authorizing the City Manager to execute all associated documents including purchase agreements and transfer documents.**

I concur with this recommendation.

I do not concur with this recommendation.

  
\_\_\_\_\_  
Amy Leon  
City Manager

Roll Call (requires super majority for approval)

**RESOLUTION #24-26**

WHEREAS, the City of Yankton owns approximately 2.16 acres, the area identified as Phase 3 of Lot 3 in Block 1 of Mead's Addition to the City of Yankton, and

WHEREAS, Corner Kick, LLC. desires to assign their previously approved Option for the Phase 3 area including a right of first refusal to purchase the property for \$50,000 per acre to the "Origin Initiative Group, LLC, and

WHEREAS, the Yankton Board of City Commissioners desires to allow the assignment of the previously approved option to purchase the described land for the long-term goal of community and economic development and all processes associated with said action shall be through Yankton Thrive, the local economic development corporation.

NOW, THEREFORE BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota, that they hereby agree to approve the assignment of the Option to Purchase the described Phase 3 property and authorize the City Manager to execute all associated documents including subsequent transfer documents associated with the sale of the property to the Origin Initiative Group, LLC., via Yankton Thrive, as described in the associated Option to Purchase and Purchase Agreement.

BE IT FURTHER RESOLVED that the City Manager is authorized to execute all documents associated with the above-described actions as defined in the Option to Purchase and Purchase Agreement.

Adopted:

\_\_\_\_\_  
Mason Schramm, Mayor

ATTEST:

\_\_\_\_\_  
Lisa Yardley, Finance Officer

## REAL PROPERTY ASSIGNMENT AGREEMENT

THIS AGREEMENT, made and entered into as of the 30<sup>TH</sup> day of April, 2024, by and between **Origin Initiative Group, LLC** (“Assignee”), and **Corner Kick, LLC** (“Assignor”),

### WITNESSETH:

WHEREAS, the City of Yankton (the “City”) owns certain real estate legally described as:

Lot Three (3), Block One (1), Mead’s Addition, City and County of Yankton, less highways and roads; and

WHEREAS, the real estate has been divided into approximate quarters, and the southeast quarter is a holding pond that will forever be owned by the City, but it is the intent of the City that the other three quarters shall be sold for the highest and best commercial use (the “Real Property”); and

WHEREAS, in order to facilitate the sale of the “Real Property” the City caused a Declaration of Covenants to be recorded, a copy of which are attached hereto and marked as “Exhibit A;” and

WHEREAS, the City of Yankton entered into a Purchase Agreement with Yankton Thrive, Inc. (“Thrive”) whereby Thrive was given the discretion to exercise an option to purchase the “Real Property;” and

WHEREAS, Thrive has expressed no objection to the Assignment herein and is signing this document to reflect the same; and

WHEREAS, Thrive subsequently entered into an Agreement Regarding Option to Purchase (“Option Agreement”) with Assignor, wherein Assignor has a non-exclusive right to exercise an option (“option”) to purchase the “Real Property;” a copy of which are attached hereto and marked as “Exhibit B;” and

WHEREAS, said “Option Agreement” requires that any purchaser of “Real Property” by Assignor shall also obtain City approval, and in addition the Yankton City Manager must approve all building plans on said “Real Property;” and

WHEREAS, the Assignee and Assignor entered into negotiations wherein the Assignee would like to purchase approximately 2.16 acres in the southwest quarter of

the "Real Property" (hereinafter referred to as the "Phase 3 Real Property"), which is identified within a map attached hereto and marked as "Exhibit C;" and

WHEREAS the parties have signed a Letter of Intent, the terms of which are incorporated within this Agreement, regarding the "Phase 3 Real Property"; and

WHEREAS, the "Phase 3 Real Property" shall be surveyed to include a total of 2.16 acres, although the exact size shall be verified by the creation of a plat upon approval; after said survey, the plat shall be submitted to the City for its approval; and

WHEREAS, the parties agree that this Agreement has no legal effect upon the Assignor's contractual rights relative to the "Real Property," except that found within the "Phase 3 Real Property."

NOW, THEREFORE, in consideration of the premises set forth and the mutual covenants and agreements set forth herein, the parties agree as follows:

1. Assignment. The Assignor hereby transfers, assigns, and sets over to the Assignee its "Option" to the "Phase 3 Real Property."
2. Purchase Price. In consideration of Assignment by Assignor, Assignee shall pay Ninety-Two Thousand Dollars (\$92,000) as follows:
  - a. A down payment of Nine Thousand dollars (\$9,000.00).
  - b. The balance to be payable to Assignor in cash at closing.
3. Additional Payment. The Assignee understands that after the sale of the "Option" for the consideration noted above it must then exercise the same with Thrive and that said exercise must be approved by the City. Furthermore, the Assignee understands that the consideration for exercise of said "Option" shall be One Hundred and Eight Thousand Dollars (\$108,000), which is based upon a price of Fifty Thousand Dollars (\$50,000) per acre.
4. Assumption. By executing this Assignment, the Assignee accepts and assumes the transfer and ownership of said "Option" to the "Phase 3 Real Property."
5. Conditions Precedent. Closing is contingent upon the following events:
  - (a) Assignee executing an Agreement with Thrive wherein it exercises the

“Option” sold to it by Assignor, (b) the completion of a plat of the “Phase 3 Real Property” and approval by the City, and (c) Assignee executing an Offer and Purchase Agreement with City wherein it pays One Hundred and Eight Thousand Dollars (\$108,000) to the City in exchange for said “Phase 3 Real Property.”

If the closing does not occur on or before June 1, 2024, then the closing shall automatically move to on or before July 1, 2024. And, if the closing does not occur on or before August 1, 2024, then the parties may extend the closing if they both agree to do so in writing.

6. Real Property Taxes. The City of Yankton owns the “Real Property” and will do so until the date of closing. As a result, there are no real property taxes owed until after the sale is closed.

Buyer Seller shall pay all Real Property taxes assessed for the year 2024 (payable in 2025) prorated to the date of closing.

Buyer shall pay all Real Property taxes assessed in 2025 and for the years thereafter.

7. Benefit. This Agreement shall inure to the benefit of and be binding upon the parties and upon their respective heirs, representatives, successors, and assigns.
8. Governing Law. This Agreement and all obligations created hereunder or required to be created hereby shall be governed by and construed and enforced in accordance with the laws of the State of South Dakota.
9. Execution of Additional Documents. The parties hereto agree to execute all additional documents necessary to effectuate the terms and conditions of this Agreement.
10. Integration. Both parties agree that this agreement contains the entire understanding between and among the parties, both written and oral, and supersedes any prior understanding and agreements among them, both written and oral, respecting the subject matter of this agreement.
11. Modification. This agreement shall not be modified, amended, or supplemented without an authorized, written agreement between the parties.

12. Severability. If any portion of this agreement is found to be unenforceable for any reason, then the remainder shall remain in full force and effect.
13. Counterparts. This agreement may be executed in several counterparts, each of which shall be deemed an original, and said counterparts constitute but one and the same instrument; which may be sufficiently evidenced by one counterpart.
14. Authority. The parties acknowledge that the persons signing this agreement have been provided authority to do so by their respective entity. Both entities also represent that it is in good standing with the State of South Dakota.

IN WITNESS WHEREOF, the parties have hereunto executed this Agreement on the date and year first above written.

**ASSIGNEE**

Origin Initiative Group, LLC



By: Nicholas Wenande  
Its: Member & Manager

**ASSIGNOR**

Corner Kick, LLC



Stephanie Tamsiea (May 16, 2024 15:49 CDT)

By: Stephanie Tamsiea  
Its: Member & Manager

Yankton Thrive, Inc.



Brian Steward (May 9, 2024 09:06 CDT)

By: Brian Steward  
Its: Director of Finance