



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

YANKTON BOARD OF CITY COMMISSIONERS

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

Monday, March 25, 2019

City of Yankton Community Meeting Room

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

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

I. ROUTINE BUSINESS

1. Roll Call

2. Approve Minutes of regular meeting of March 11, 2019

Attachment I-2

3. City Manager's Report

Attachment I-3

4. Public Appearances - Lauren Hanson, United Way

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. Special Events Dance License

Consideration of Memorandum #19-24 recommending approval of the application from Yankton County 4H for a Special Events Dance License for August 2, 2019

Attachment II-1

2. Transient Merchant License and Special Events Dance License

Consideration of Memorandum #19-57 recommending approval of the applications from the Rock'n Rumble Committee for:

- A) Transient Merchant License for July 26-27, 2019;
- B) Special Events Dance License for July 26-27, 2019

Attachment II-2

3. **Establishing public hearing for sale of alcoholic beverages**
Establish April 8, 2019, as the date for the public hearing on the request for a Special Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for one day, July 12, 2019, from the Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota.

Attachment II-3
4. **Mayor's Appointments to Consolidated Board of Equalization**
Consideration of Memorandum #19-58 recommending approval of the Mayor's Appointments to the Consolidated Board of Equalization

Attachment II-4
5. **Transient Merchant License**
Consideration of Memorandum #19-67 recommending approval of the application from Martha's Crafts:
A) Transient Merchant License from May 10, 2019 – June 10, 2019

Attachment II-5
6. **Transient Merchant License**
Consideration of Memorandum #19-68 recommending approval of the application from Martha's Crafts:
A) Transient Merchant License from August 1, 2019 – August 31, 2019

Attachment II-6
7. **Possible Quorum Event**
April 1, 2019, for Westside Park Master Planning Meeting, no official commission action

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 #19-54 regarding the request for a Special Events Malt Beverage (on-sale) Retailers License and a Special RETAIL (on-sale) Wine dealers License for 1 day, April 13, 2019, from Ag-Farmers, 4-H Fair Grounds, 901 Whiting Drive, Yankton, SD.

Attachment III-1
2. **Public hearing for sale of alcoholic beverages**
Consideration of Memorandum #19-55 regarding the request for a Special Events (on-sale) Liquor License for July 26-27, 2019 from ROCK 'N' RUMBLE, INC. (Michael Carda, President), The block of 3rd Street between Douglas & Capital Street, and half a block of Capital Street between 3rd Street and 2nd Street Yankton, S.D.

Attachment III-2

3. Public hearing for a transfer of ownership & location - Liquor

Consideration of Memorandum #19-56 regarding the request for a transfer of location and ownership of a Retail (on-sale) Liquor License for January 1, 2019, to December 31, 2019, from Drotzmann & Portillo, LLC (Steve Drotzmann, President), dba Rounding 3rd Bar & Casino to P & P Lottery Enterprises. LLC (James L. Palmer, Member), 3010 Broadway Avenue, Yankton, S.D.

Attachment III-3

4. Public Hearing Date for Ordinance #1020 – Small Cell Wireless

Public hearing of Ordinance #1020 to consider adopting provisions for small cell wireless communication facilities.

Attachment III-4

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. Fees Associated with Small Cell

Consideration of Memorandum #19-60 and Resolution #19-14 regarding establishing a Small Cell Facility fee rate structure as provided by Ordinance #1020

Attachment IV-1

2. Bid Award – Liquid Asphalt

Consideration of Memorandum #19-62 regarding Bid Award for Liquid Asphalt

Attachment IV-2

3. Bid Award – Bituminious Mix

Consideration of Memorandum #19-61 regarding Bid Award for Bituminious Mix

Attachment IV-3

4. City of Yankton Economic Development Revenue Bonds

Public hearing in consideration of Resolution #19-13, a Resolution authorizing the issuance and sale of the City of Yankton Economic Development Revenue Bonds (Mount Marty College) series 2019 in an aggregate principal amount not to exceed fifteen million dollars (\$15,000,000) and approving and authorizing other actions in respect thereto.

Attachment IV-4

5. Emergency Declaration Resolution

Consideration of Memorandum #19-64 and Resolution #19-16 regarding the Emergency Declaration

Attachment IV-5

6. Discussion regarding Preliminary Damage Report of Public Infrastructure

Consideration of Memorandum #19-65, discussion regarding Preliminary Damage Report of Public Infrastructure

Attachment IV-6

7. Rock'n Rumble - Special Events Parking Request

Consideration of Memorandum #19-66 and Resolution #19-15 regarding request by Rock'n Rumble for Special Events Parking Ordinance #933 to be in place during Rock'n Rumble on July 26-27, 2019 and suspension of alcohol Consumption

Attachment IV-7

8. Funding Request - USBC

Consideration of Memorandum #19-69 regarding Request from USBC for youth bowling tournament to be held in Yankton

Attachment IV-8

V. OTHER BUSINESS

Other business is a time for City Commissioners to address the commission regarding matters not on the agenda. These items will 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 MARCH 25, 2019

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

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

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
March 11th, 2019**

Board of City Commissioners of the City of Yankton was called to order by Mayor Johnson. **Roll Call:** Present: Commissioners Benson, Carda, Ferdig, Hoffner, Maibaum, Miner and Moser. City Attorney Den Herder and City Manager Leon were also present. Absent: Commissioner Gross. Quorum present.

Action 19-61

Moved by Commissioner Miner, seconded by Commissioner Moser, to approve the Minutes of the work session on February 25th, 2019 and the Minutes of the regular meeting of February 25th, 2019.

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

Action 19-62

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

Adobe Creative Cloud-Contracted Services-\$53.24; Adobe Stock-Contracted Service-\$31.94; All Hands Fire Eqp-Reflective Stickers-\$91.98; Amazon-Customer Appreciation-\$63.89; Amazon-Schooling-\$96.20; Amazon-Map Pins-\$22.03; Amazon-Programming Supplies-\$24.09; Amazon-Vehicle First Aid Kits-\$190.90; Amazon-Office Supplies-\$220.08; Amazon-APWA Membership Dues-\$202.00; Amazon-Shut Off Valves-\$51.52; Amazon-Dvds-\$58.50; Amazon-Cemetery Supplies-\$115.90; Amazon-Books-\$216.12; Amazon-Maintenance Parts-\$28.14; Amazon-Dvds-\$248.11; Amazon-Mail Box Flag-\$17.98; Amazon-Refrigerator-\$243.36; Amazon-Office Supplies-\$11.56; Amazon-Dvds-\$155.50; Animal Health Clinic-K9 Medical Care Reno-\$109.65; Arbys-K9 Training Sf-\$8.79; Arbys-Meeting Expense-\$8.37; Associated Supply-Summit Pool Repairs-\$2,449.81; AT&T-Cell Phone-\$296.92; AT&T-Mobile/Cellular Data-\$456.15; Autozone-Plugs, Ignition Coil-\$1,662.75; Avera Ed And Staffing-CPR Renewal-\$45.00; Baker-Taylor-Books-\$3,670.78; Battery Exchange-Flashlight Batteries-\$41.90; Bernard J Mulcahy Comp-Boiler Circulation Pump-\$131.00; Best Western Hotels-Training Lodging-\$496.36; Bomgaars-Tool Box-\$652.43; Book Systems Inc-Atrium Software-\$3,195.00; Buhl Cleaners-Towels-\$50.39; Burger King-Legislature Yankton Day-\$33.08; Canvas-Special Events-\$20.00; Caseys Gen Store-Meetings-\$38.67; Center Point Large-Large Print Books-\$133.62; Chief Supply Vt-New Patrol Car Equipment-\$2,280.00; Chris Supply Company-E Light Batteries-\$181.05; Christensen Radiator-Equipment Repairs-\$331.70; Clothing Shop Online-Uniforms-\$25.68; Cornwell DP Tools-Scanner Update-\$823.35; Cowboy-Travel Expense-\$36.39; Cox Auto Supply-Replacement Belt-\$40.37; Crescent Electric-Runway Lights-\$817.14; Culvers-K9 Training-\$13.62; Wall St Journal-Newspaper Subscription-\$596.40; Dayhuff Enterprises-Janitorial Supplies-\$389.19; Defensive Edge Training-Training-\$250.00; Delta-Travel Expense-\$60.00; Demco-Office Supplies-\$729.22; Dollar Tree-Rec Supplies-\$26.00; Dropbox-Subscription Renewal-\$99.00; Dunhams-2 Full Face Masks-\$34.48; Echo Electric Supply-Runway Lights-\$283.91; Ehresmann Engineering-Bobcat Bucket-\$310.98; Embroidery & Screen-Stocking Caps-\$95.08; Enterprise Rent A Car-Travel Expense-\$279.13; Fastenal

Company-Pallet Jack-\$725.69; Fedex-Evidence Shipping-\$13.12; Pizza Ranch-Supervisor Training-\$64.50; Gerstner Oil-Truck Supplies-\$184.40; Girton Adams Co-Boiler Parts-\$584.64; Govcnctn-Plotter Ink-\$655.05; Governors Inn-Summer Reading-\$71.00; Grainger-Janitorial Supplies-\$361.05; H&M-Travel Expense-\$64.30; Hach Company-Lab Turbine Meter-\$5,192.70; Hobby Lobby-Adult Craft Supplies-\$17.26; Holiday Inn Express-Training Lodging-\$419.28; Human Trafficking Awareness-Conference-\$125.00; HyVee-Programming Supplies-\$45.53; HyVee-Concessions - Gatorade-\$371.80; Iacp-2 IACP Memberships-\$190.00; Imagestuff-Summer Reading Supplies-\$144.70; Ink Technologies-Toner-\$16.95; Instrumart-Boiler Control-\$239.00; Int L Code Council-Membership Dues-\$100.00; Complete Wireless-Repair Pagers-\$390.90; International Artists-4th July/Music Meridian-\$1,124.00; Intl Soc Arboriculture-Schooling-\$165.00; J.J Benjis-Leagues-\$2,991.78; Jack S Uniforms-Commander Pins-\$404.62; Jcl Solutions-Cleaning Supplies-\$1,217.52; Jimmy Johns-Webinar/Meeting-\$119.30; Jimmy Johns-Staff Appreciation-\$50.30; Jimmy Johns-Training Expense-\$9.86; Junior Library Guild-Books-\$80.10; Metrofax-Fax Support-\$7.95; Kaiser Heating & Cooling-Park Shop Repairs-\$273.83; Kaiser Refrigeration-Equipment Repairs-\$565.96; Karls Tv And Appliance-Electric Dryer-\$399.99; Kendell Doors & Hardware-Repair Parts-\$597.30; Kopetskys Ace-Shop Vacs-\$169.53; Language Line-Interp Service-\$287.56; Leone Press-Book-\$36.00; Locators And Supplies-Supplies-\$461.02; Central-Remote Support Software-\$899.99; Main Stop-Travel Expense-\$40.00; Marks Machinery-Filters-\$376.90; Mas Modern Marketing-Promotional Items-\$573.13; Mead Lumber-Shop Supplies-\$136.12; Menards-Supplies-\$1,365.52; Midland Hardware-Janitorial Supplies-\$14.95; Midwest Laboratories-Monthly Nutrient Testing-\$137.34; Midwest Radiator-Shop Supplies-\$23.00; Mozaks Floors & More-Janitorial Supplies-\$43.19; MMC Book Store-Strategic Planning-\$451.20; Mypilotstore.Com-Radio-\$1,082.90; Northtown Automotive-Turbo Assembly-\$4,579.80; OConnor Company-Annual Air Filters-\$196.80; Olsons Pest Technician-Pest Control-\$78.00; One Office Solution-Office Chair-\$648.79; Oreilly Auto-Hub Assembly, U-Joint-\$1,299.20; Overdrive Dist-Overdrive E-Books-\$3,812.46; Paypal-Rackmount Ups-\$290.00; Paypal-Ups Network Card-\$85.49; Paypal-Ups Battery-\$44.99; Paypal-Replacement Monitor-\$99.99; Paypal-Battery-\$19.99; Phillips 66-Summer Reading-Jumpstart-\$50.73; Phillips 66-Travel Expense-\$42.76; Pizza La Stella-Travel Expense-\$42.70; Portable Computer-Netmobility Maint Renew-\$2,067.25; Positive Prom-Identity Theft Handbooks-\$278.45; Progressive Business-Parts-\$598.00; Push Pedal Pull-Equipment Repairs-\$463.64; Qt Gas Station-Travel Expense-\$6.09; Quill Corporation-Office Supplies-\$67.99; Ramada Inn-Hotel-\$110.90; RDU Jasons Deli-Travel Expense-\$12.54; Redrossa Italian Grill-Summer Reading Jumpstart-\$20.00; Riverside Hydraulics-Hose, Fitting, Sleeve-\$209.90; Royal Sport Shop-Name Plates-\$34.51; Sd Library Association-Membership Dues-\$55.00; Sf Regional Airport-Travel Expense-\$56.00; Shell Oil-Travel Expense-\$32.99; Shell Oil-Legislature Yankton Day-\$51.11; Sheraton Raleigh-Travel Expense-\$579.26; Sherwin Williams-Paint-\$22.07; Shur-Co Outletservice-Adhesive-\$98.00; Sirchie Finger Print-Evidence Equipment-\$95.80; South Dakota Humanitie-Programming Fees-\$100.00; Buyregisterrolls-Office Supplies-\$69.99; Zillerelectric-Starter-\$184.00; Branding Iron-Summer Reading-Jumpstart-\$9.14; SD Water & Waste-Water Seminar-\$77.00; South Dakota-Conference-\$110.00; Sturdevants-Equipment Supplies-\$92.94; Subaquatics, Inc.-Gauge-\$123.09; Subway-Travel Expense-\$13.85; Taser International-Taser Download Device-\$200.00; The Ups Store-Office Supplies-\$212.67; Thomson West-Books-\$99.78; TMA Yankton-Tires-\$1,032.05; Tractor Supply Co-Bar Screen Supplies-\$195.90; Truck Trailer Sales-Semi Truck Grill-\$1,647.40; USA Blue Book-Inspection Camera-\$321.29; Viddler Inc-Video Hosting-\$41.25; Verzion-Internet Access-\$516.26; W 12th

St Pourhouse-Travel Expense-\$15.35; Wal-Mart-Office Supplies-\$845.20; Wal-Mart-Program Supplies-\$19.60; Wm Supercenter-Dvds-\$438.73; Yankton Area Chamber-State Of Community-\$170.00; Yankton Winnelson Co-Repair Kit-\$46.58; Hardees-Supervisor Training-\$55.09; Amc Yankton 5-Program Supplies-\$30.00; 5guys-K9 Training Expense-\$13.84; AOx Welding Supply-Plasma Cutter-\$106.92; Active Network-Software-\$10,534.86; AFSCME Council-Employee Deduction-\$645.39; Allegiant Emergency Svs-Thermal Cameras-\$20,978.65; Amg Occupational Medicine-Drug Testing-\$31.50; Auto Value Parts Store-Filters-\$930.24; Avenu Insights & Analytics-Maint Program Support-\$1,902.02; Avera Education & Staffing-Cpr Training-\$110.00; Avera Health Plans-Flex Spending Fees-\$38.80; Avera Sacred Heart Hospital-Drug Testing-\$62.00; Bartlett & West Inc-Gravity Sewer Const-\$1,096.00; Blackstrap Inc-Road Salt-\$11,436.59; Board Of Operator Cert-Certification Renewal-\$6.00; Border States Electric Supply-Automation-\$2,811.19; Cedar Knox Public Power Dist-Elect-\$1,272.60; Centurylink-Phone-\$1,283.70; City Of Vermillion-Jt Power Cash Trans--\$47,741.10; City Of Yankton-Central Garage-Rubbish-\$12.50; City Of Yankton-Parks-Landfill Charges-\$164.42; City Of Yankton-Solid Waste-Compacted Garbage-\$9,595.15; City Utilities-Wtr/Ww Charges-\$4,480.03; Core & Main-Watermain Supplies-\$3,477.87; Cornhusker Intl Truck Inc-Filters-\$363.65; Country Pride Cooperative-Fuel-\$22,528.18;Credit Collection Service-Utility Collection-\$313.40; Danko Emergency Equipment-Gear Disinfectant-\$178.05; De Lage Landen Public Finance-Golf Car Lease-\$33,165.64; Dept Of Corrections-Doc Program-\$837.68; Dept Of Social Services-Employee Deduction-\$1,256.98; Drug Education Press-Advertisement-\$155.00; Ehresmann Engineering-Steel-\$438.40; Embroidery Works-Uniforms-\$282.00; Fejfar Plumbing Inc-Washer/Dryer Repairs-\$549.50; Ed M Feld Equipment-Compressor & Cylinder System-\$19,410.00; Feser/Aaron & Chasity-Membership Refund-\$48.38; First Natl Bank South Dakota-Employee Deduction-\$813.71; Gear For Sports-Golf Equipment-\$577.86; Gerstner Oil Co-Fuel Nozzels-\$214.74; Graymont Capital Inc-Lime-\$9,595.65; Hanson Briggs Advertising-Recycling Cards-\$457.17; Harris/John W-Travel Advance-\$662.00; Hawkins Inc-Azone-\$6,664.06; Hdr Engineering Inc-Water Plant Construction-\$52,502.62; Heartland Humane Society-Professional Services-\$20,000.00; Holophane-Light Pole-\$15,928.00; Horwath Laundry Equipment-Washer/Dryer-\$18,810.00; J & H Care & Cleaning Company-Janitorial Services-\$2,800.00; John T Jones Construction-Water Plant Construction-\$2,252,946.28; Kaiser Heating & Cooling Inc-Booster Station Panel-\$1,533.95; Kaiser Refrigeration Inc-Saw Repairs-\$55.94; Kay Park Recreation-Park Bleachers-\$20,571.40; Koletzky Implement Inc-Heater Repair-\$462.47; Kussman/Randy-Membership Refund-\$594.00; Locators & Supplies Inc-Gloves-\$383.23; Mayer Signs-Disc Golf Sign-\$95.00; Mcgrath North Mullin & Kratz-Professional Services-\$600.00; Menards-Plumbing Supplies-\$56.76; Merkel Electric-Wire Washer/Dryer-\$1,408.45; Midamerican Energy-Fuel-\$13,728.20; Midamerican Energy-Fuel-\$9,566.31; Midwest Alarm Company-Annual Alarm Testing-\$613.00; Midwest Tape-Audio Books-\$572.86; Millerbernd Manufacturing Co-Light Pole-\$2,167.00; SD Motor Vehicle Dept-License Plates-\$7.00; Sd Municipal League-SDML District Meeting-\$308.00; Nami Sioux Falls-Training-\$240.00; Nebraska Journal-Leader-Advertisement-\$94.08; Northern Lights Display -Banner Bracket-\$70.00; Northern Truck Equipment Corp-Park Dumpsters-\$3,579.12; Northwestern Energy-Elect-\$66,374.32; Northwestern Energy-Const Backup Power-\$37,478.18; Observer-Advertisement-\$48.00; Overhead Door Co-Door Panel Replacement-\$185.00; Police Chiefs' Assn-Testing-\$110.00; Press Dakota Mstar Solutions-Classified Ad-\$1,413.40; Racom Corporation-Radio Access-\$1,945.66; Random House Inc-Cd-\$30.00; Rapid City Police Dept-Postage-\$23.31; Redlinger Bros Plumbing Corp-Pipe Repairs-\$532.81; SD System Retirement-

401 (A) Special Pay-\$1,540.46; Sd Narcotics Officers-Conference Registration-\$50.00; SD Redbook Fund-Books-\$1,287.51; SDSRP-Employee Deduction-\$5,703.50; Sioux City Foundry Co-Blades-\$6,077.49; Slowey Construction Inc-Crush Concrete/Asphalt-\$84,678.00; MT & RC Smith Insurance-Fire Pak Insurance-\$19,026.00; State Hygienic Laboratory -Lab Testing-\$2,166.00; Stockwell Engineers Inc-Aquatics Facility Design-\$54,825.00; Michael Todd, Inc-Baffle Strip-\$284.95; Transource-Bulbs-\$56.85; SD Transportation Dept-Pine Street Bridge-\$934,763.42; Tre Environmental Strategies-1st Qtr Wet Test-\$950.00; Truck Trailer Sales Inc-Truck Repairs-\$2,671.44; U.S. Post Office-Utility Postage-\$1,400.00; United Parcel Service-Postage-\$140.96

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

Motion adopted.

Administration \$41,314.91; Finance \$33,872.20; Community Development \$24,549.89; Police/Dispatch \$147,064.52; Fire \$12,507.62; Engineering / Sr. Citizens \$44,942.94; Streets \$41,929.36; Snow & Ice \$3,730.25; Traffic Control \$3,689.47; Library \$31,481.43; Parks / Sac \$79,325.50; Marne Creek \$3,578.93; Water \$30,919.21; Wastewater \$38,736.03; Cemetery \$4,298.16; Solid Waste \$21,448.71; Landfill / Recycle \$18,870.97; Central Garage \$4,797.94

NEW HIRES: William B. Jensen-\$1,582.04 bi-wk.-Central Garage

WAGE CHANGES: Recreation Division: Belen Albertos-\$10.25 hr; Samantha Antwine-\$10.75 hr; Madalyn Arens-\$10.75 hr; Samantha Aune-\$10.25 hr; Brianna Benjamin-\$10.75 hr; Dawn Bergeson-\$11.10 hr; Shaye Bloch-\$10.50 hr; Avery Brockberg-\$11.10 hr; Lauren Bruening-\$10.75 hr; Cole Diedricysen-\$10.25 hr; Gerritt Dykstra-\$10.50 hr; Kenni Easton-\$10.45 hr; Brianna Geigle-\$11.10 hr; Kellie Geigle-\$10.75 hr; Danielle Gillis-\$11.00 hr; Joseph Gokie-\$10.25 hr; Olivia Granaas-\$10.50 hr; Jane Greenfield-\$10.25 hr; Kaitlin Guthmiller-\$10.50 hr; Leo Hastreiter-\$10.50 hr; Katie Hauser-\$11.35 hr; Mikayla Heirigs-\$10.50 hr; Jordan Houdek-\$11.10 hr; Rachel Houdek-\$10.75 hr; Tyler Hudson-\$14.55 hr; Walker Hunhoff-\$11.00 hr; Arion Huntley-\$10.75 hr; Madison Johnson-\$10.75 hr; Christopher Kinsley-\$11.00 hr; Sophie Kouri-\$10.75 hr; Josephine Krajewski-\$10.25 hr; Noel Kusek-\$11.00 hr; Grayson Lange-\$10.25 hr; Jacob Larson-\$10.00 hr; James Leyden-\$10.00 hr; Grace Liebig-\$10.25 hr; Kyra Liebig-\$11.35 hr; Kayla Loecker-\$13.75 hr; Erin Luken-\$10.75 hr; Paul McGlone-\$10.00 hr; Tony McGlone-\$10.50 hr; Rebecca Moser-\$10.00 hr; Hannah Nelson-\$10.25 hr; Andrew Peitz-\$11.35 hr; Owen Phillips-\$10.50 hr; Hunter Rockne-\$10.50 hr; Lucas Rockne-\$11.00 hr; Sarah Rockne-\$11.00 hr; Vanessa Rockne-\$12.00 hr; Zachary Rohde-\$10.25 hr; Kylie Roth-\$10.50 hr; Case Roth-\$10.75 hr; Maggie Schaefer-\$10.00 hr; Meghan Schenk-\$11.10 hr; Mallory Schmidt-\$13.75 hr; Olivia Schmidt-\$10.25 hr; Diane Schramm-\$10.00 hr; Stacia Sherman-\$10.00 hr; Lucca Shimanuki-\$10.25 hr; Steven Smith-\$10.00 hr; Allison Spak-\$13.25 hr; Kelli Steffen-\$10.75 hr; Grace Taggart-\$10.25 hr; Amber Thompson-\$10.95 hr; Njenna Trail-\$11.10 hr; Austin Wagner-\$10.25 hr; Maggie Wallis-\$11.35 hr; Blake Wieseler-\$10.75 hr; Hannah Williams-\$10.70 hr.

STATUS CHANGE: Jim Arens-\$2,049.93 bi-wk.- Sr. Engineering Technician to Engineering Technician /Survey Manager; Brad Binde-\$2,336.85 bi-wk.-Sr. Engineering Technician to Engineering Tech/Active Transportation Specialist

Mayor Johnson read the proclamations for March for Meals, 2019 Social Work and Yankton Agricultural Week.

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

Police Chief John Harris introduced recent police training graduates Jennifer Keitel and Jericho Osborne.

Ed Gleich, citizen, was present to request information regarding the plans for West Side Park. City Manager Leon responded that a committee will begin taking input and planning future development.

Action 19-63

Moved by Commissioner Carda, seconded by Commissioner Maibaum, that the following items on the Consent Agenda be approved.

1. Work Session

Setting date of March 25, 2019, at 6:00 pm in Room #114 of the Regional Technical Education Center for the next work session of the Yankton City Commission to discuss Wireless Small Cell Facilities (5G) Presentation and Ordinance.

2. Possible Quorum Event

March 26, 2019, for Chamber Annual Dinner, no official commission action.

3. Possible Quorum Event

March 18, 2019, for Interchange Forum, no official commission action.

4. Possible Quorum Event

April 2, 2019, for City Commission Forum held at Discovery Church, no official commission action.

5. Establish public hearing for sale of alcoholic beverages

Establish March 25, 2019, as the date for the public hearing on the request for a Special Events Malt Beverage (on-sale) Retailers License and a Special RETAIL (on-sale) Wine dealers License for 1 day, April 13, 2019, from Ag-Farmers, 4-H Fair Grounds, 901 Whiting Drive, Yankton, SD.

6. Establishing public hearing for sale of alcoholic beverages

Establish March 25, 2019, as the date for the public hearing on the request for a Special Events (on-sale) Liquor License for July 26-27, 2019 from ROCK 'N' RUMBLE, INC. (Michael Carda, President), The block of 3rd Street between Douglas & Capital Street, and half a block of Capital Street between 3rd Street and 2nd Street Yankton, S.D.

7. Establish public hearing for a transfer of ownership & location - Liquor

Establish March 25, 2019, as the date for the public hearing on the request for a transfer of location and ownership of a Retail (on-sale) Liquor License for January 1, 2019, to December 31, 2019, from Drotzmann & Portillo, LLC (Steve Drotzmann, President), dba Rounding 3rd Bar & Casino to P & P Lottery Enterprises. LLC (James L. Palmer, Member), 3010 Broadway Avenue, Yankton, S.D.

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

Action 19-64

This was the time and place for the public hearing for the application for a Special Events (on-sale) Liquor License for 1 day, March 26, 2019 from Chamber of Commerce, (Carmen Schramm, Director) d/b/a Chamber of Commerce, Mount Marty College, 1105 W. 8th Street, Yankton, S.D. (Memorandum 19-48) No one was present to speak for or against the application. Moved by Commissioner Ferdig, seconded by Commissioner Hoffner, to approve the license.

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

Action 19-65

This was the time and place for the public hearing to consider adoption of Ordinance No. 1019, An ORDINANCE REZONING FROM I-1 INDUSTRIAL TO B-2 HIGHWAY BUSINESS, LOT 8, BLOCK 1, EXCEPT THE N. 100 FEET OF W.A. BURLEIGH’S ADDITION IN THE CITY OF YANKTON, SOUTH DAKOTA. ADDRESS, 408 W. 11TH STREET. TAMMY UGOFISKY, OWNER. (Memorandum 19-46) No one was present to speak for or against the ordinance. Moved by Commissioner Ferdig, seconded by Commissioner Miner, to approve Ordinance No. 1019.

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

Action 19-66

This was the time and place for the public hearing for the application for a Special Events RETAIL (on-sale) Liquor License for one day, March 23, 2019 from Dayhuff Enterprises, Inc. (Jeff Dayhuff, President), dba O’Malley’s Bar, (CASA Event), NFAA, 800 Archery Lane, Yankton, South Dakota. (Memorandum 19-53) No one was present to speak for or against the application. Moved by Commissioner Moser, seconded by Commissioner Miner, to approve the license.

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

Action 19-67

Moved by Commissioner Carda, seconded by Commissioner Benson, to approve the revised draft of the 2019 Strategic Planning Advance Update. (Memorandum 19-52)

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

Action 19-68

Moved by Commissioner Ferdig, seconded by Commissioner Hoffner, to approve the recommended list of individuals to be appointed to serve for the City of Yankton Municipal Election and compensation rates to be held on April 9, 2019. (Memorandum 19-47)

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

Motion adopted.

Action 19-69

This was the time and place to award the bid for a new Heavy Duty Ten Yard Dump Box and Hydraulic Hoist. The following bids were received and opened on February 28th, 2019 at 3:00pm:

Northern Truck & Equipment, Sioux Falls, SD for \$31,823.00 and Sanitation Products, Inc., Sioux Falls, South Dakota for \$31,197.00. Two truck chassis were awarded by the City Commission to North Central International, Sioux Falls SD, at their meeting on February 25, 2019. The new Heavy Duty Ten Yard Dump Box and Hydraulic Hoist will be mounted to one of the previously awarded truck chassis. (Memorandum 19-49) Moved by Commissioner Carda, seconded by Commissioner Miner, to award the bid for the Heavy Duty Ten Yard Dump Box and Hydraulic Hoist for \$31,197.00, be awarded to Sanitation Products, Inc. of Sioux Falls, South Dakota.

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

Motion adopted.

Action 19-70

This was the time and place to award the bid for a Street Flusher Truck Body.

The following bids were received and opened on February 28th, 2019 at 3:00pm:

Northern Truck & Equipment, Sioux Falls, SD for \$ 87,414.00 and TranSource Truck and Equipment, Sioux Falls, South Dakota for \$60,990 (Memorandum 19-50) Moved by Commissioner Benson, seconded by Commissioner Moser, to award the bid for the Street Flusher Truck for \$60,990.00 to TranSource Truck and Equipment, Sioux Falls, South Dakota. The bid for the truck chassis was \$89,566, and the bid for Street Flusher Body was \$60,990, for a total of \$150,556.00, which leaves \$169,444 for the other replacement truck.

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

Motion adopted.

Commissioner Moser introduced and Mayor Johnson read the title of Ordinance No. 1020, AN ORDINANCE ADOPTING PROVISIONS FOR SMALL CELL WIRELESS COMMUNICATION FACILITIES; PROVIDING FOR PERMITS; AND ADDING A NEW CHAPTER TWENTY-NINE TO THE MUNICIPAL CODE OF THE CITY OF YANKTON FOR SUCH PURPOSES, and set the date of the second reading and public hearing as March 25th, 2019.

March 11th, 2019

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Action 19-71

Moved by Commissioner Carda, seconded by Commissioner Benson, to adjourn at 7:42 p.m.

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

Motion adopted.

Nathan V Johnson
Mayor

ATTEST:

Al Viereck
Finance Officer

Published March 20th, 2019



OFFICE OF THE CITY MANAGER

www.cityofyankton.org

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Commission Information Memorandum

The Yankton City Commission meeting on Monday, March 25, 2019, will begin at 7:00 pm.

Non-Agenda Items of Interest

1) Community & Economic Development Department Update

As a follow-up to staffing changes due to the retirement of Joe Morrow, the City has formally turned over the issuance of plumbing permits and inspections to the South Dakota Plumbing Commission effective March 18, 2019. Letters have been sent to the plumbing contractors with active City licenses notifying them of this change. The process for the contractors will be fairly similar other than they will get a state permit instead of a local one. Even with the change, the City of Yankton will continue to be involved in the following:

- The licensing and bonding of plumbing contractors that work within the City limits.
- The issuance of water meters.
- The issuance of tapping permits for new water and sewer services.
- The enforcement of the City's amendments to the plumbing code for service line materials and the installation of tracer wires and service line depths

The City of Yankton has been one of six, Class 1 municipalities cities in the state to have certified staff issue plumbing permits and conduct inspections. Some of these communities and other smaller towns have changed their process back and forth regularly based on the availability of certified staff. Long term, our department, will be working toward getting a staff member certified.

2) Parks and Recreation Department Update

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

Fox Run Golf Course

Per the Fox Run Golf Course lease agreement with GreatLIFE Golf and Fitness, the City has adjusted the capital improvement plan for Fox Run for 2019 (attached spreadsheet) and also into the out-years based on communications with GreatLIFE. The agreement also spells out that the City will discuss the capital plan with GreatLIFE each year. The capital plan is subject to change depending upon the identified priorities and needs communicated by GreatLIFE during the yearly planning meeting.

It is important to note that the total budget for each year beyond 2019 has been set at \$100,000 (found on the bottom total line highlighted in green). Based on the equipment listed in the plan, it causes fluctuations in the concrete cart path amount that is shown each year. In 2019, the City will fund the CIP items 100%. In 2020, the City will fund the CIP items at 75% and GreatLIFE at 25%. In 2021, the City will fund the CIP items at 50% and GreatLIFE at 50%.

Equipment that is purchased using City funds will be the property of the City. Equipment that is property of the City and no longer needed will be surplus for the City. The surplus equipment will either

be transferred to another City department for continued use, destroyed if no longer in working condition, or auctioned.

3) Police Department Update

Most of our week last week was spent dealing with the flood and flood related issues. The city departments worked well together to minimize the effects of the flooding.

The citizen police academy is continuing with presentations on dealing with mental crisis and post-traumatic stress issues with officers.

Chief Harris participated at the “Rock-A-Thon” at the Center raising money for Meals on Wheels.

The department is providing service this week at The Center with a number of staff working during March for Meals.

The meeting with HHS was cancelled last Thursday and is rescheduled for this Thursday and will be attended by Ross DenHerder and Brad Parker.

4) Human Resources Department Update

The 2019 Community Service Training will be held on March 21 and 26 at the HSC South Training Center. Staff from Parks & Recreation, Library, and Community Development have signed up to attend one of those sessions. This is a required course to become re-certified to work with inmates from the Yankton Community Work Center.

We are still accepting applications for Water Plant Operations Specialist and Engineering Technician/Project Manager. We are also accepting internal applications for the Police Sergeant open position.

5) Library Update

Due to the inclement weather and flooding, the library closed at 1pm on Wednesday, March 13 and remained closed through Thursday, March 14. Because of this, we had to cancel our author visit with Kim Clodfelter for his book, *Cloddy*. Kim resides in Tennessee and we are hoping we can reschedule something with him in the future when he is back in the area. I am happy to report that outside of our on-going issues with the roof, we had no additional damage from the recent flooding.

On Sunday, March 31 at 2pm, we will be hosting Molly Rozum who will give a presentation on Women’s Suffrage. Rozum will discuss the roles of many men and women who helped with the movement, both nationally and in South Dakota. This event is in collaboration with the South Dakota Humanities Council. On Tuesday, April 2 at 6:30pm, author Nelsen Petersen will be at the library to talk about his book, *Selfies with Sacajawea*. His book follows a trip he and a sidekick took in the footsteps of explorers Lewis and Clark. We look forward to hosting these events at the library.

As part of our National Library week activities, we are planning to offer the experience of “Librarian for a Day” to our Commissioners, Board members and City department heads. There will be 1-hour time slots available in which we will offer the opportunity to get a closer look at our day-to-day responsibilities and activities at the library. We invite you to participate and will have signup information available soon!

6) Finance Department Update

As a reminder, the deadline for voter registration for the April 9 municipal election is Monday, March 25, 2019. It is also the beginning date that absentee voting is available and will be held at the City Hall Finance Office for this election.

There will be two municipal vote centers for the April 9 election. They will be located at Yankton City Hall and the North Fire Station. Voters will be able to cast their ballot at either one of the designated vote centers.

The Finance Office underwent its annual SDML Workers' Compensation audit on March 12, 2019.

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

7) Public Works Department Update

Yankton Citywide Cleanup is scheduled to begin curbside pickup April 29, 2019. Placing items curbside before April 20 is not permitted. Items placed curbside before April 20 may be removed at the property owner's expense. Residents on City solid waste collection routes may participate, at no additional cost, by placing items into sorted piles, by type, at their homes. Please have items placed curbside by your regular collection day. Piles should be located directly in front of your property, not in the street, alley, or neighboring property. The Transfer Station will be accepting no charge drop-off from regular collection route customers on April 13 through May 11 during normal operating hours, Monday-Saturday 8:00 am – 3:45 pm. Items not eligible for disposal include tires, grass clippings, leaves, recyclables, refrigerator, air conditioners, dehumidifiers, paint, chemicals or household hazardous waste, oils, and batteries. Motor oil may be taken to the transfer station and disposed of free of charge year around. Please place solid waste and recycle roll carts for regular collection at your normal collection point and away from piles. For more information on citywide cleanup and Transfer Station hours, visit <http://www.cityofyankton.org> or call (605) 668-5211.

Street department crews have been repairing gravel alleys with the recent rains and the frost coming out of the ground. Crews are also addressing potholes in the streets. As the weather has changed, street sweeping has begun.

Pine Street Bridge

The South Dakota Department of Transportation (SDDOT) and the City of Yankton are closing-out the Pine Street Bridge project. The Engineer's estimate for the project was \$1,373,810.20. Swingen Construction Company of Fargo, North Dakota submitted the low bid for \$1,709,466.10, which was \$335,655.90 above the Engineer's Estimate. The SDDOT indicated that the bids received were generally in line with each other. The higher bid amounts may have been due to the added architectural and historic features as well as working with projected estimates from 2016.

In April of 2016, the City was awarded \$854,904.60 BIG Grant funding for the bridge replacement project with the City portion of the project to be \$645,936.40, for a total project cost of \$1,500.841.00. The BIG Grant award amounts are capped each year, so the \$854,904.60 award is the most grant money the City could receive for the project.

The project was complete in November of 2018. With change orders and adjusted quantities per field measurements, the total construction cost was \$1,773,704.82. The City portion of the project cost, with construction engineering fees, was \$934,846.51, which is \$288,910.11 higher than the 2016-estimated City portion of the project.

2018 Projects

With the weather starting to cooperate, staff will be making contact with the contractors to finish the remaining items from the 2018 projects.

26th Street from Douglas Avenue to Mulberry Street

The Notice to Proceed will be issued in the near future. A preconstruction meeting, along with a neighborhood meeting, will be held prior to the start of construction.

21st Street from Broadway Avenue to Douglas Avenue

This project was advertised on March 14, 2019. Bids will be opened on the 11th of April, with a recommendation, to the City Commission, on the April 22nd meeting agenda.

Yankton Flood Debris Cleanup-- March 15-March 30, 2019

Due to the anticipated disaster declaration by the Yankton Board of City Commissioners, the Transfer Station will be opened for no cost disposal of flood-damaged debris from properties within the City of Yankton. Only flood-damaged items from properties located in the City of Yankton are eligible. Loads will be weighed and written records collected from participants for disaster program documentation. Loads must be strictly flood-damaged materials, no mixed loads. Attempting to include items not impacted by the flood will decrease our community's ability to apply for disaster aid funding programs. Items will not be collected curbside during this effort. The annual citywide cleanup event will be held as previously announced.

March 15th – March 30th: Drop-off of flood damaged debris at the Transfer Station, 1200 W 23rd Street. Monday - Saturday 8:00 a.m. - 3:45 p.m.

Eligible storm damaged items include:

- Damaged sheet rock, carpet, and other building materials
- Furniture and other flood damaged household items
- Tree branches (no cost disposal available at any time)

Ineligible items include:

- Tires
- Refrigerators, air conditioners, dehumidifiers, motor oils, or automotive-type batteries
- Paints, thinners, painting oils, and other household hazardous waste.
- All other items not damaged by the flood event

For further information, contact the City of Yankton Street Department at 668-5211.

8) Environmental Services Department Update

The Water Plant project continues to move forward. Staff worked with the contractor on several projects that required the 1972 plant to be shut down for an extended period. This included the lining of the 36 inch line that returns water from the chlorine contact reservoirs located between the plants. The sub-contractor was working on the lining during the week of the flooding. John T Jones was working on replacing the high service piping inside the 1972 plant at the same time. During this time all three high services pumps at the 1972 plant were out of service. Staff relied on the two high service pumps at the 1929 plant to pump water from the plant to the distribution system. Both projects were completed with no issues or disruptions to service.

Water department staff is running over 80% well water. Under normal conditions staff run about 40% well water and 60% river water with the 1972 plant. Staff has reduced the river intake because of high turbidity and solids. It is also being done as a precaution due to the higher than normal potential of contamination due to the extreme flooding. Residents may notice some small changes in the water including higher hardness.

Wastewater staff continues to assess both the collection system and the treatment plant for flood damage. Staff experienced extremely high flows starting Wednesday morning March 13th. Staff were required to bypass pump waste streams to ditches and the river to prevent potential catastrophic infrastructure loss. Staff worked tirelessly bypass pumping from the plant and two lift stations. The last bypass pump was shutoff around 1am Friday morning. Several staff members worked from Wednesday morning until Thursday evening with only 1 or 2 hours of sleep during that 36 hour time period. The successful efforts of staff saved millions of dollars of potential loss by prevents flooding of the pump stations and backups within the collection system. Staff will be working with the South Dakota Department of Environment and Natural Resources (SD DENR) to address the untreated wastewater discharges. Due to the extreme nature of the event, I do not anticipate any fines being administered by the SD DENR.

Wastewater Plant staff had been working on developing a scope of work for a planning document for the wastewater collection system and treatment plant. Staff has met with several engineering consultants to look at options moving forward. Due to the flooding, staff will be looking at options for possibly moving forward with the condition assessment portion of the planning document at this time.

9) Fire Department Update

The Fire Department continues to work on our Department Strategic Plan. Draft goals have been handed out the executive committee for review. We hope to have the plan completed in the next couple of months.

YFD received 14 applications for membership by the deadline of March 18. We hope to fill 5 membership vacancies from these applications. We will keep you informed as the membership process proceeds.

Yankton Fire Department volunteers and command staff preformed several rescues during the recent flooding with the help of Yankton County Search and Rescue. Beside the rescues performed during the flood event and Deputy Chief Nickles participation on the City's Incident Command System during and after the event.

10) Information Services Department Update

IT staff has rolled out a web based GIS solution to assist in tracking, identifying and cataloging flood related damage. In addition, we are working to develop before and after aerial images of the creek corridor to assist in quantifying the damage and to assist in design of the recovery and repair project. We are working with Yankton County Emergency Management drone imagery to try to create a mosaic of the creek. Unfortunately, Pictometry will not be available to fly a post disaster flight for the City or County. Normally this would be an discounted option as a benefit of using Pictometry's services for aerial imagery. They currently have no planes available to do any flights in the upper Midwest disaster area.

11) Monthly reports

Joint Powers Solid Waste and Yankton Police Department monthly reports are included for your review. Minutes from the Airport Board are also included.

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

2019 Capital Equipment Replacement Plan

			2019	2020	2021	2022	2023	2024	2024
CONCRETE CART PATHS			\$ 10,000	\$ 3,000	\$ 12,000	\$ 20,500	\$ 10,000	\$ 13,000	\$ -
CONCRETE REPAIRS AROUND CART BARNS, CLUBHOUSE			\$ 10,000						
Jacobsen Greens King IV	2011	2016/2019	\$ 27,000						
Pull behind spreader- used from Tessman			\$ 8,000						
Cushman Turf Truckster Model 818658	2000	2007/2019	\$ 9,000						JD TS 4x2 Gators
Toro Workman 3200 Utility Cart	2002	2009/2019	\$ 9,000						JD TS 4x2 Gators
Cushman Turf Truckster Model 898658	2000	2007/2019	\$ 9,000						JD TS 4x2 Gators
Cushman utility vehicle model 898627	2004	2011/2019	\$ 25,000						JD Pro Gator
Vicon Spreader Model 888401A	2000		SURPLUS						
John Deere Aerator- in cart shed C			SURPLUS						
Toro 1200 Turf Sprayer & Spray gun	2007	2018/2020		\$ 10,000					
Sand Trap Super Rake Smithco w/cultivator, plow	2003	2013/2020		\$ 10,000					
Jacobsen Greensking IV Triplex mower	2015	2020		\$ 27,000					
Jacobsen AR522 Contour Rotary Mower (roughs)	2014	2020		\$ 50,000					
Toro Aerator	2008	2018/2021			\$ 30,000				
Toro Rotary Tri-plex mower	2008	2015/2021			\$ 40,000				
Kubota ZD331LP-72	2014	2021			\$ 18,000				
Greens Groomer Cassettes	2011	2018/2022				\$ 19,000			
Greensgroomer, red w/standard black brushes	2011	2018/2022				\$ 4,500			
Broyhill Fairway Sprayer LX w/attachments	2011	2022				\$ 13,000			
Toro 2500 Topdresser Model 44507- rotary type	2011	2022				\$ 13,000			
Golf Simulator	2012	2022				\$ 30,000			
Jacobsen Greensking IV Triplex mower	2016	2021/2023					\$ 28,000		
Jacobsen Greensking IV Triplex mower	2018	2023	\$ 25,692				\$ 28,000		
Cushman 4-wheel turf truckster Model 898632	1997	2004/2023					\$ 24,000		
Cushman Core Harvester- GOES WITH CUSHMAN	1994	2004/2023					\$ 10,000		
True-surface Vibratory Greens Rolling system	2004	2009/2024					\$ 12,000		
Easy Picker Range Picker	2006	2016/2024					\$ 5,000		
John Deere 7500A Fairway Mower	2017	2024					\$ 70,000		
John Deere 7500A Fairway Mower	2017	2025						\$ 70,000	
Kubota Tractor L4330 w/bucket and blade	2004	2020/2025						\$ 30,000	
Irrigation control computer and boxes	2010	2025/2026							
North Well pump and column replacement	2010	2025/2026							
Clubhouse water heater	2016	2026							
Pressure regulation 20HP pump for irrigation system	2015	2030							
Security Cameras	2015	2030							
Clubhouse Carpet- budget for 2030	2015	2030							
Irrigation system- column	2012	2030							
Electric ball dispenser w/ card reader	2016	2031							
Air Conditioner	2011	2031							
Two post lift for mower repairs	2016	2036							
Freezer	2017	2037							
Yearly Total			\$ 25,692	\$ 107,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000

Commission Information Memorandum

PARKS AND RECREATION DEPARTMENT

SUMMIT ACTIVITIES CENTER and RECREATION PROGRAMS

1st - half of March information:

Fitness Classes-

Early Bird Boot Camp class	24 participants
Power Abs	62 participants
Prime Time Senior class	93 participants
Tabata class	67 participants
Water aerobics	197 participants
Work-Out Express class	93 participants
Yoga classes	68 participants
Zumba class	29 participants

Rentals-

o Birthday rentals-	12 parties
o SAC courts-	33 hours
o Theater-	7 hours
o Meeting rooms-	22 hours
o City Hall courts-	27.5 hours
o Capital Building-	1 dates
o Riverside shelters-	0 rentals
o Memorial shelters-	0 rentals
o Westside shelter-	0 rentals
o Rotary outdoor classroom-	0 rentals
o Sertoma shelter-	0 rentals
o Tripp shelter-	0 rentals
o Meridian Bridge	0 rental

SAC members-	2,208 people
SAC memberships-	1,101
SAC attendance-	3,362 visits (does not include GreatLIFE attendees)
New members-	57 people

Friday, March 1- Coed Dodgeball Registration due. 4 teams registered (5 teams in 2018). Women's Basketball League Registration due. 1 team interested. No league in 2018 either.

Saturday, March 2- Youth Quickstart Tennis Program started. 37 participants (19 participants in 2018).

Sunday, March 3- All Adult volleyball leagues concluded.
Women's Power- 4 teams.
Women's Competitive- 8 teams.
Women's Recreational- 8 teams.
Men's- 5 teams.
Coed- 13 teams.

Tuesday, March 5- On-line registration for spring swim lessons began.

Friday, March 15- No School Special. Swim and Gym. 83 paid participants. SAC Members are free.

The Recreation staff are finalizing the summer recreation brochure.

Brittany is working on the fireworks order for July 4, 2019. Brittany is planning on having the fireworks display from the upper deck of the Meridian Bridge.

P&R Department CIM

Page 1 of 2

PARKS

Todd was a part of the City's Incident Command Center during the weather events on Wednesday, Thursday and Friday, March 13, 14, and 15.

The Capitol Building had some water issues in the crawl space underneath it on Wednesday, March 13, but the Parks staff was able to keep the water to a minimum and also dealt with some sewage backup. They were successful at keeping that to a minimum also.

The Parks Department assisted the Street Department with barricading flooded roads on Wednesday, March 13.

The Trails and Parks Department staff set-up trail closed and type 3 barricades at the high access points along the A-B Trail on Wednesday, March 13 and Thursday, March 14.

The Parks Department placed orange fence and no trespassing signs at access points to Rotary Park and Paddlewheel Point on Tuesday, March 19.

Sunday, March 17- SAC pool closed and drained for bi-annual maintenance and cleaning. Scheduled to re-open on Friday, March 22.

Todd has been reviewing the copy and the pictures for the City's pages on the Convention and Visitor's Bureau website.

Todd is working with the National Park Service for the Missouri National Recreational River on the prospective donation of the City of Yankton owned property in Nebraska to NPS-MNRR. Since the effort began in early 2018, NPS has undergone some senior leadership changes combined with some large scale planning initiatives (e.g Goat Island Management Plan and an emergent sandbar habitat determination pertaining to the Missouri River Recovery Mgm't. Plan developed by the Corps) that has prevented the NPS from moving the donation proposal forward. The City needs to alert the SD Congressional delegation about the desire to transfer the property based upon the established working relationship between the two entities and the mutual hope of improving the connectivity of Green Island property and overall desired visitor experience within the Yankton area prior to the NPS moving the proposal forward to Washington, DC.

The Parks Department is planning to replace bleachers at Sertoma Park. The Rodeo Association is interested in our bleachers that can be currently found in the four-plex at Sertoma Park. The City will consider rodeos use of the old bleachers.

The Parks Department is working with the Street Department to take down dead, diseased, or hazardous trees on City property and in street ROW's. Parks staff are trimming trees in parks and green spaces maintained by the City. The Street Department helps in this effort with large limbs. Ash trees are being removed also as a part of the Emerald Ash Borer Mitigation Plan for ROW's, boulevards, and City owned property. The goal is to take approximately 100 Ash trees each year for six years to avoid having to take down the Ash trees once the EAB is in our area.

FINANCE MONTHLY REPORT

Activity	FEB 2019	FEB 2018	FEB 2019 YTD	FEB 2018 YTD
UTILITY BILLING:				
Water				
Water Sold (in gallons per 1,000)	44,378	44,168	85,900	87,545
Water Billed	\$461,414.70	\$419,610.92	\$901,925.41	\$834,356.72
Basic Water Fee/Rate per 1000 gal	\$24.61/\$5.83	\$21.71/\$5.55		
Number of Accounts Billed	5,282	5,230	10,570	10,470
Number of Bills Mailed	5,282	5,230	10,570	10,470
Total Meters Read	5,729	5,679	11,455	11,355
Meter Changes/pulled	5	7	12	18
Total Days Meter Reading	1	1	2	2
Misreads found prior to billing	0	0	0	0
Customers requesting Rereads	0	0	0	0
Sewer				
Sewer Billed	\$317,649.13	\$299,651.62	\$617,093.28	\$593,845.09
Basic Sewer Fee/Rate per 1000 gal	\$10.18/\$6.17	\$9.69/\$5.87		
Solid Waste				
Solid Waste Billed	\$104,165.07	\$98,140.25	\$208,496.57	\$196,496.44
Basic Solid Waste Fee	\$21.83	\$20.79		
Total Utility Billing:	\$883,228.90	\$817,402.79	\$1,727,515.26	\$1,624,698.25
Adjustment Total:	(\$145.00)	(\$110.00)	(\$265.00)	(\$296.84)
Misread Adjustments	\$0.00	\$0.00	\$0.00	\$0.00
Other Adjustments	(\$45.00)	\$0.00	(\$45.00)	(\$86.84)
Penalty Adjustments OFF	(\$100.00)	(\$120.00)	(\$240.00)	(\$220.00)
Penalty Adjustments ON	\$0.00	\$10.00	\$20.00	\$10.00
New Accounts/Connects	44	36	87	82
Accounts Finaled/Disconnects	45	46	101	85
New Accounts Set up	4	2	4	10
Delinquent Notices	383	368	801	802
Doorknockers	182	168	342	335
Delinquent Call List	89	101	148	198
Notice of Termination Letters	13	11	35	19
Shut-off for Non-payment	5	6	13	10
Delinquent Notice Penalties	\$3,830.00	\$3,680.00	\$8,010.00	\$8,020.00
Doorknocker Penalties	\$1,820.00	\$1,680.00	\$3,420.00	\$3,350.00
Other Office Functions:				
Interest Income	\$69,202.01	\$33,462.05	\$149,343.03	\$70,763.34
Interest Rate-Checking Account	2.80%	1.85%		
Interest Rate-CDs	0	0		
# of Monthly Vendor Checks	125	153		
Payments Issued to Vendors	\$2,678,521.45	\$1,797,130.49	\$6,542,850.83	\$4,238,399.84
# of Employees on Payroll	209	215		
Monthly Payroll	\$414,525.15	\$426,027.48	\$873,327.32	\$876,949.69

Joint Powers Solid Waste Authority
Financial Report Thru February 28, 2019

Description	Yankton Transfer	Vermillion Landfill	Total Joint	2 Month Budget	Legal 2019 Budget
Joint Power Transfer/Landfill					
<i>Total Revenue</i>	\$163,016.76	\$120,366.59	\$283,383.35	\$360,986.67	\$2,170,920.00
<i>Expenses:</i>					
Personal Services	42,369.56	49,060.37	91,429.93	116,250.67	697,504.00
Operating Expenses	34,997.20	37,818.65	72,815.85	126,879.00	761,274.00
Depreciation (est)	33,396.20	62,097.54	95,493.74	79,032.67	474,196.00
Trench Depletion	0.00	18,265.55	18,265.55	29,425.00	176,550.00
Closure/Postclosure Resrv	0.00	1,243.85	1,243.85	1,510.00	9,060.00
Amortization of Permit	0.00	162.95	162.95	196.67	1,180.00
<i>Total Operating Expenses</i>	110,762.96	168,648.91	279,411.87	353,294.00	2,119,764.00
<i>Non Operating Expense-Interest</i>	0.00	10,510.30	10,510.30	11,219.67	67,318.00
<i>Landfill Operating Income</i>	52,253.80	(58,792.62)	(6,538.82)	(3,527.00)	(16,162.00)
Joint Recycling Center					
<i>Total Revenue</i>	0.00	8,394.41	8,394.41	17,616.67	105,700.00
<i>Expenses:</i>					
Personal Services	0.00	37,230.90	37,230.90	35,968.17	215,809.00
Operating Expenses	0.00	9,693.16	9,693.16	19,458.33	116,750.00
Depreciation (est)	0.00	4,084.98	4,084.98	6,000.00	36,000.00
<i>Total Operating Expenses</i>	0.00	51,009.04	51,009.04	61,426.50	368,559.00
<i>Non Operating Expense-Interest</i>	0.00	0.00	0.00	0.00	0.00
<i>Recycling Operating Income</i>	0.00	(42,614.63)	(42,614.63)	(43,809.83)	(262,859.00)
<i>Total Operating Income</i>	\$52,253.80	(\$101,407.25)	(\$49,153.45)	(\$47,336.83)	(\$279,021.00)
Tonage in Trench:	<u>2/28/2018</u>	<u>2/28/2019</u>			
Asbestos	4.08	32.02	32.02	8.33	50.00
Centerville	31.20	35.85	35.85	183.33	1,100.00
Beresford	195.12	196.50	196.50	233.33	1,400.00
Clay County Garbage	1,654.78	2,028.03	2,028.03	2,416.67	14,500.00
Elk Point	152.40	154.89	154.89	43.33	260.00
Yankton County Garbage	2,977.00	3,206.56	3,206.56	3,983.33	23,900.00
<i>Total Tonage in Trench</i>	5,014.58	5,653.85	5,653.85	6,868.33	41,210.00
Operating Cost per ton			\$49.42	\$53.07	\$53.07

This report is based on the following:

Revenue accrual thru February 28, 2019

Expenses cash thru February, 2019 with March Bills

Joint Powers Solid Waste Authority
Financial Report Thru February 28, 2019

Description	Yankton Transfer	Vermillion Landfill	Total Joint	2 Month Budget	Legal 2019 Budget
Source of Funds					
<i>Beginning Balance</i>	\$302,011.00	\$1,440,861.00	\$1,742,872.00	\$1,742,872.00	\$1,742,872.00
<i>Operating Revenue:</i>					
Net Income	52,253.80	(101,407.25)	(49,153.45)	(46,503.50)	(279,021.00)
Depreciation	33,396.20	66,182.52	99,578.72	85,032.67	510,196.00
Trench Depletion	0.00	18,265.55	18,265.55	29,425.00	176,550.00
Amortization of Permit	0.00	162.95	162.95	196.67	1,180.00
<i>Non Operating Revenue:</i>					
Grant	0.00	0.00	0.00	41,666.67	250,000.00
Loan Proceeds	0.00	0.00	0.00	83,333.33	500,000.00
Contributed Capital	0.00	0.00	0.00	0.00	0.00
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	743.17	6,001.70	6,744.87	3,800.00	22,800.00
<i>Cash Flow Transfer:</i>					
Joint Power Transfer/Landfill	(102,769.42)	102,769.42	0.00	9,950.67	59,704.00
Joint Recycling Center	0.00	0.00	0.00	0.00	0.00
<i>Total Funds Available</i>	<u>285,634.75</u>	<u>1,532,835.89</u>	<u>1,818,470.64</u>	<u>1,949,773.50</u>	<u>2,984,281.00</u>
Application of Funds Available					
<i>Joint Power Transfer/Landfill</i>					
Equipment	7,123.00	0.00	7,123.00	172,166.67	1,033,000.00
Trench	0.00	0.00	0.00	0.00	0.00
Closure/Postclosure Cash Res.	0.00	1,243.85	1,243.85	1,510.00	9,060.00
<i>Joint Recycling Center</i>					
Equipment	0.00	0.00	0.00	12,666.67	76,000.00
<i>Payment Principal</i>	0.00	16,808.91	16,808.91	29,447.17	176,683.00
<i>Appropriation to Reserve</i>	0.00	0.00	0.00	0.00	0.00
<i>Total Applied</i>	<u>7,123.00</u>	<u>18,052.76</u>	<u>25,175.76</u>	<u>215,790.50</u>	<u>1,294,743.00</u>
<i>Ending Balance</i>	<u>\$278,511.75</u>	<u>\$1,514,783.13</u>	<u>\$1,793,294.88</u>	<u>\$1,733,983.00</u>	<u>\$1,689,538.00</u>

Joint Power Transfer/Landfill Description	Yankton Transfer	Vermillion Landfill	Total Joint	2 Month Budget	Legal 2019 Budget
<i>Revenue: (accrual)</i>					
Asbestos	\$0.00	\$2,081.30	\$2,081.30	\$583.33	\$3,500.00
Elk Point	0.00	7,276.71	7,276.71	8,616.67	\$51,700.00
Centerville	0.00	1,684.95	1,684.95	2,036.67	12,220.00
Beresford	0.00	9,235.50	9,235.50	10,966.67	65,800.00
Clay County Garbage	0.00	99,675.56	99,675.56	116,183.33	697,100.00
Compost-Yd Waste-Wood	0.00	153.19	153.19	916.67	5,500.00
Contaminated Soil	0.00	0.00	0.00	666.67	4,000.00
White Goods	0.00	58.38	58.38	833.33	5,000.00
Tires	0.00	6.00	6.00	666.67	4,000.00
Electronics	0.00	195.00	195.00	833.33	5,000.00
Other Revenue	115.20	0.00	115.20	3,350.00	20,100.00
Less Recycling Tipping Fee	0.00	0.00	0.00	0.00	0.00
Cash long	0.00	0.00	0.00	0.00	0.00
Yard Waste	0.00	0.00	0.00	0.00	0.00
Rubble	2,700.83	0.00	2,700.83	8,666.67	52,000.00
Transfer Fees	159,842.33	0.00	159,842.33	206,666.67	1,240,000.00
Metal	358.40	0.00	358.40	0.00	5,000.00
Other Operational - Solid Waste	0.00	0.00	0.00	0.00	0.00
Total Revenue	163,016.76	120,366.59	283,383.35	360,986.67	2,170,920.00
<i>Expenses: (cash)</i>					
Personal Services	42,369.56	49,060.37	91,429.93	116,250.67	697,504.00
Insurance	0.00	0.00	0.00	4,058.17	24,349.00
Professional Service/Fees	1,727.76	269.24	1,997.00	12,833.33	77,000.00
Non Professional Fees	0.00	0.00	0.00	0.00	0.00
Processing- Reduction	0.00	0.00	0.00	0.00	0.00
State Fees	0.00	5,653.85	5,653.85	6,868.33	41,210.00
Professional - Legal/Audit	0.00	0.00	0.00	208.33	1,250.00
Publishing & Advertising	34.80	0.00	34.80	383.33	2,300.00
Rental	0.00	0.00	0.00	83.33	500.00
Hauling fee	0.00	0.00	0.00	0.00	0.00
Equipment repair	451.10	8,631.01	9,082.11	9,333.33	56,000.00
Motor vehicle repair	0.00	976.59	976.59	3,916.67	23,500.00
Vehicle fuel & maintenance	20,930.72	4,213.01	25,143.73	33,333.33	200,000.00
Equip, Mat'l & Labor	5,201.90	0.00	5,201.90	7,500.00	45,000.00
Building repair	446.43	1,889.36	2,335.79	4,000.00	24,000.00
Facility repair & maintenance	0.00	344.15	344.15	5,833.33	35,000.00
Postage	87.09	4.15	91.24	125.00	750.00
Office supplies	671.54	75.00	746.54	533.33	3,200.00
Copy supplies	16.20	0.00	16.20	62.50	375.00
Uniforms	57.72	1,183.71	1,241.43	783.33	4,700.00
Small Tools & Hardware	75.12	0.00	75.12	41.67	250.00
Travel & Training	0.00	384.15	384.15	750.00	4,500.00
Operating supply	31.66	10,249.03	10,280.69	24,600.00	147,600.00
Electricity	1,475.85	1,804.95	3,280.80	5,033.33	30,200.00
Heating Fuel - Gas	3,018.54	1,828.08	4,846.62	5,333.33	32,000.00
Water	369.19	48.90	418.09	500.00	3,000.00
WW service	170.29	0.00	170.29	216.67	1,300.00
Landfill	43.66	0.00	43.66	33.33	200.00
Telephone	187.63	263.47	451.10	515.00	3,090.00
Depreciation (est)	33,396.20	62,097.54	95,493.74	79,032.67	474,196.00
Trench Depletion		18,265.55	18,265.55	29,425.00	176,550.00
Closure/Postclosure Resrv		1,243.85	1,243.85	1,510.00	9,060.00
Amortization of Permit		162.95	162.95	196.67	1,180.00
Total Op Expenses	110,762.96	168,648.91	279,411.87	353,294.00	2,119,764.00

Joint Power Transfer/Landfill Description	Yankton Transfer	Vermillion Landfill	Total Joint	2 Month Budget	Legal 2019 Budget
<i>Non Operating Expense-Interest</i>	0.00	10,510.30	10,510.30	11,219.67	67,318.00
<i>Operating Income (Loss)</i>	\$52,253.80	(\$58,792.62)	(\$6,538.82)	(\$3,527.00)	(\$16,162.00)
<i>Capital:</i>					
Capital Outlay	\$7,123.00	\$0.00	\$7,123.00	\$172,166.67	\$1,033,000.00
Landfill Development	0.00	0.00	0.00	37,500.00	\$225,000.00
Capital Lease	0.00	0.00	0.00	0.00	\$0.00
<i>Total Capital Expenditures</i>	\$7,123.00	\$0.00	\$7,123.00	\$209,666.67	\$1,258,000.00
<i>Grant Reimbursement</i>	\$0.00	\$0.00	\$0.00	\$41,666.67	\$250,000.00
<i>Equipment Sale Proceeds</i>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<i>Cash Flow Transfer</i>	(\$102,769.42)	\$102,769.42	\$0.00	\$0.00	\$0.00
<i>Tonage in Trench:</i>					
Asbestos		32.02	32.02	8.33	50.00
Beresford		196.50	196.50	233.33	1,400.00
Centerville Garbage		35.85	35.85	183.33	1,100.00
Clay County Garbage		2,028.03	2,028.03	2,416.67	14,500.00
Elk Point		154.89	154.89	43.33	260.00
Yankton County Garbage		3,206.56	3,206.56	3,983.33	23,900.00
<i>Total Tonage in Trench</i>		5,653.85	5,653.85	6,868.33	41,210.00
Operating Cost per ton			\$49.42	\$53.07	\$53.07

Joint Recycling Center Description	Yankton Transfer	Vermillion Center	Total Joint	2 Month Budget	Legal 2019 Budget
<i>Revenue:</i>					
Tipping Fees	\$0.00	0.00	\$0.00	0.00	0.00
Magazines	0.00	0.00	0.00	500.00	3,000.00
Metal/Tin	0.00	0.00	0.00	200.00	1,200.00
Plastic	0.00	632.55	632.55	2,500.00	15,000.00
Aluminum	0.00	0.00	0.00	2,000.00	12,000.00
Newsprint	0.00	1,649.18	1,649.18	1,500.00	9,000.00
Cardboard	0.00	6,112.68	6,112.68	6,666.67	40,000.00
High Grade Paper	0.00	0.00	0.00	1,333.33	8,000.00
Other Material	0.00	0.00	0.00	1,500.00	9,000.00
Contributions/Operating Grants	0.00	0.00	0.00	1,416.67	8,500.00
Total Revenue	0.00	8,394.41	8,394.41	17,616.67	105,700.00
<i>Expenses:</i>					
Personal Services	0.00	37,230.90	37,230.90	35,968.17	215,809.00
Insurance	0.00	55.20	55.20	633.33	3,800.00
Professional Service/Fees	0.00	0.00	0.00	500.00	3,000.00
Hazardous Waste Collection	0.00	0.00	0.00	5,666.67	34,000.00
Professional-Legal	0.00	0.00	0.00	0.00	0.00
Publishing & Advertising	0.00	135.00	135.00	166.67	1,000.00
Rental	0.00	0.00	0.00	0.00	0.00
Equipment repair	0.00	1,155.06	1,155.06	1,583.33	9,500.00
Vehicle repair & maintenance	0.00	0.00	0.00	125.00	750.00
Vehicle fuel	0.00	350.67	350.67	833.33	5,000.00
Building repair & maintenance	0.00	539.95	539.95	416.67	2,500.00
Postage	0.00	1.04	1.04	25.00	150.00
Freight	0.00	1,150.00	1,150.00	2,916.67	17,500.00
Office supplies	0.00	75.00	75.00	83.33	500.00
Uniforms	0.00	562.08	562.08	83.33	500.00
Materials Purchases	0.00	345.80	345.80	750.00	4,500.00
Travel & Training	0.00	512.20	512.20	250.00	1,500.00
Operating Supplies	0.00	2,209.62	2,209.62	1,666.67	10,000.00
Copy Supply	0.00	0.00	0.00	25.00	150.00
Electricity	0.00	965.72	965.72	1,083.33	6,500.00
Heating Fuel-Gas	0.00	915.19	915.19	750.00	4,500.00
Water	0.00	70.26	70.26	108.33	650.00
WW service	0.00	521.65	521.65	200.00	1,200.00
Telephone	0.00	128.72	128.72	141.67	850.00
Revenue Sharing	0.00	0.00	0.00	1,450.00	8,700.00
Depreciation (est)	0.00	4,084.98	4,084.98	6,000.00	36,000.00
Total Op Expenses	0.00	51,009.04	51,009.04	61,426.50	368,559.00
<i>Non Operating Expense-Interest</i>	0.00	0.00	0.00	0.00	0.00
Operating Income (Loss)	\$0.00	(\$42,614.63)	(\$42,614.63)	(\$43,809.83)	(\$262,859.00)
Capital Outlay	\$0.00	\$0.00	\$0.00	\$12,666.67	\$76,000.00
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 February 28, 2019

Expenses cash thru February, 2019 with March Bills

2019 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	34,724.31	(22,258.86)	12,465.45	3,041.14	45.97	0.00	(20,603.17)	(20,603.17)	34,724.31	(42,862.03)	(8,137.72)
February	17,414.35	(26,023.46)	(8,609.11)	2,612.71	53.43	0.00	(22,011.46)	(22,011.46)	17,414.35	(48,034.92)	(30,620.57)
Subtotal	52,138.66	(48,282.32)	3,856.34	5,653.85	49.42	0.00	(42,614.63)	(42,614.63)	52,138.66	(90,896.95)	(38,758.29)

3/1/2019

City of Yankton Transfer Station
Recap of Customer Tonnage

Date	City	Licensed Haulers				Sub-Total	All Other	Total Transfer
	Compactors (577)	Janssen (547)	Arts (586)	Loren Fischer (648)	Kortan (673)			
January 2018	239.65	530.30	436.12	81.67	7.84	1,055.93	252.70	1,548.28
February 2018	181.66	488.25	370.51	77.18	10.55	946.49	234.16	1,362.31
March 2018	227.12	601.25	477.74	83.07	7.49	1,169.55	415.05	1,811.72
April 2018	227.43	561.75	490.33	94.10	9.61	1,155.79	613.24	1,996.46
May 2018	273.68	715.67	609.17	72.24	8.68	1,405.76	466.41	2,145.85
June 2018	247.08	678.97	575.57	95.46	11.05	1,361.05	599.25	2,207.38
July 2018	272.18	733.32	567.02	94.97	15.23	1,410.54	626.27	2,308.99
August 2018	282.50	706.92	596.38	109.81	14.84	1,427.95	523.76	2,234.21
September 2018	236.77	612.38	522.99	74.52	14.76	1,224.65	581.55	2,042.97
October 2018	257.08	670.47	558.52	89.01	13.71	1,331.71	518.12	2,106.91
November 2018	259.05	597.64	497.55	96.01	18.78	1,209.98	387.83	1,856.86
December 2018	224.52	523.59	415.26	67.88	17.63	1,024.36	239.52	1,488.40
2018 Total	2,928.72	7,420.51	6,117.16	1,035.92	150.17	14,723.76	5,457.86	23,110.34
January 2019	236.75	525.77	427.94	79.27	12.10	1,045.08	336.65	1,618.48
February 2019	190.00	471.97	359.65	70.64	16.95	919.21	294.94	1,404.15
2019 Total	426.75	997.74	787.59	149.91	29.05	1,964.29	631.59	3,022.63

February 2019
 YPD
 Activity Report

	GENERAL SUMMARY			
	THIS MONTH		Year To Date	
	This Year	Last Year	This Year	Last Year
POLICE INCIDENTS	652	657	1321	1334
SHERIFF INCIDENTS	137	147	276	304
AMBULANCE CALLS (YPD)	34	17	63	42
FIRE / HAZMAT CALLS	2	2	6	4
FOREIGN AID CALLS	16	16	34	36
ALARMS	26	14	52	36
ANIMAL CALLS/COMPLAINTS	38	44	89	90
ANIMALS CLAIMED OR IMPOUNDED (HHS)	10	8	18	15
ANIMALS DISPOSED	0	1	1	1

	ACCIDENT SUMMARY			
	THIS MONTH		Year To Date	
	This Year	Last Year	This Year	Last Year
STATE REPORTABLE	19	10	31	23
NON REPORTABLE AND HIT & RUN	29	35	53	70
SIGNAL 1 INJURY	3	2	6	4
# PERSONS INJURED	3	3	6	5
FATALITIES	0	0	0	0
PEDESTRIAN ACCIDENT	0	0	0	0

February 2019

YPD

Citations

	THIS MONTH		YEAR TO DATE	
	This Year	Last Year	This Year	Last Year
DUI	8	5	17	20
DRIVING UNDER REVOCATION	4	5	10	8
SUSPENDED, EXPIRED OR UNLICENSED DRIVER	12	17	28	37
CARELESS DRIVING	2	4	6	6
EXHIBITION DRIVING	0	1	0	1
SPEEDING	17	9	28	25
STOP SIGN, RED LIGHT VIOLATION	2	5	6	8
IMPROPER TURNING	0	1	1	5
YIELD RIGHT OF WAY	1	0	2	0
OPEN CONTAINER	1	0	3	1
CONSUMPTION UNDERAGE (18-20 yoa)	0	0	0	0
LIQUOR VIOLATIONS / FURNISHING ALCOHOL TO A MINOR	0	0	0	0
MISDEMEANOR DRUG CITATIONS AND (Poss. Of Drug Paraph.)	19	20	20	44
TOBACCO VIOLATIONS	2	3	3	4
PETTY THEFT	2	7	11	7
INTENTIONAL DAMAGE TO PROPERTY	1	1	1	1
OTHER VIOLATIONS	12	15	29	39
TOTAL TRAFFIC CITATIONS	83	93	165	206

February 2019

YPD

Adult Arrest Charges

	THIS MONTH		YEAR TO DATE	
	This Year	Last Year	This Year	Last Year
MURDER	0	0	0	0
RAPE	0	0	0	0
ROBBERY	0	0	0	0
BURGLARY	0	0	0	5
ASSAULT AGGRAVATED	0	1	2	2
ASSAULT SIMPLE	1	1	5	2
CRIMES AGAINST FAMILY / DOMESTIC VIOLENCE	5	5	12	13
DISORDERLY CONDUCT	0	0	0	0
SEXUAL CONTACT/SEX OFFENSES	2	0	2	0
THEFT PETTY	2	2	2	5
THEFT GRAND	0	0	2	0
THEFT AUTO	1	0	1	0
FORGERY & COUNTERFEITING	0	0	1	0
FRAUD	0	0	0	0
EMBEZZLEMENT	0	0	0	0
INTENTIONAL DAMAGE	0	0	0	2
NARCOTIC DRUG CHARGES	29	41	51	89
LIQUOR ARRESTS	0	1	0	1
WEAPONS VIOLATION	0	0	0	0
WARRANTS	20	22	32	34
PROTECTIVE CUSTODY	0	0	0	0
ALL OTHER OFFENSES	36	30	63	60
TOTAL ARRESTS	96	103	173	213

YPD

Juvenile Arrests Charges

	THIS MONTH		YEAR TO DATE	
	This Year	Last Year	This Year	Last Year
CURFEW	0	0	0	0
RUNAWAY	2	1	2	1
MIC	6	2	7	9
MURDER	0	0	0	0
RAPE	0	0	0	0
ROBBERY	0	0	0	0
BURGLARY	0	0	0	0
ASSAULT AGGRAVATED	0	0	0	0
ASSAULT SIMPLE	1	2	2	2
CRIMES AGAINST FAMILY/ DOMESTIC VIOLENCE	0	0	0	0
DISORDERLY CONDUCT	1	0	1	0
SEXUAL CONTACT / SEX OFFENSES	0	0	0	0
THEFT PETTY	0	0	0	0
THEFT GRAND	0	0	0	0
THEFT AUTO	0	0	0	0
FORGERY & COUNTERFEITING	0	0	0	0
FRAUD	0	0	0	0
EMBEZZLEMENT	0	0	0	0
INTENTIONAL DAMAGE	0	0	0	0
NARCOTIC DRUG CHARGES	3	0	3	4
LIQUOR ARRESTS	0	0	0	0
WEAPONS VIOLATIONS	0	0	1	0
ALL OTHER OFFENSES	2	3	5	3
TOTAL ARRESTS	15	8	21	19

**January 2019
YPD
Activity Report**

	GENERAL SUMMARY			
	THIS MONTH		Year To Date	
	This Year	Last Year	This Year	Last Year
POLICE INCIDENTS	669	677	669	677
SHERIFF INCIDENTS	139	132	139	132
AMBULANCE CALLS (YPD)	29	25	29	25
FIRE / HAZMAT CALLS	4	2	4	2
FOREIGN AID CALLS	18	20	18	20
ALARMS	26	22	26	22
ANIMAL CALLS/COMPLAINTS	52	46	52	46
ANIMALS CLAIMED OR IMPOUNDED (HHS)	8	7	8	7
ANIMALS DISPOSED	1	0	1	0

	ACCIDENT SUMMARY			
	THIS MONTH		Year To Date	
	This Year	Last Year	This Year	Last Year
STATE REPORTABLE	12	13	12	13
NON REPORTABLE AND HIT & RUN	24	35	24	35
SIGNAL 1 INJURY	3	2	3	2
# PERSONS INJURED	3	2	3	2
FATALITIES	0	0	0	0
PEDESTRIAN ACCIDENT	0	0	0	0

January 2019

YPD

Citations

	THIS MONTH		YEAR TO DATE	
	This Year	Last Year	This Year	Last Year
DUI	9	15	9	15
DRIVING UNDER REVOCATION	6	3	6	3
SUSPENDED, EXPIRED OR UNLICENSED DRIVER	16	20	16	20
CARELESS DRIVING	4	2	4	2
EXHIBITION DRIVING	0	0	0	0
SPEEDING	11	16	11	16
STOP SIGN, RED LIGHT VIOLATION	4	3	4	3
IMPROPER TURNING	1	4	1	4
YIELD RIGHT OF WAY	1	0	1	0
OPEN CONTAINER	2	1	2	1
CONSUMPTION UNDERAGE (18-20 yoa)	0	0	0	0
LIQUOR VIOLATIONS / FURNISHING ALCOHOL TO A MINOR	0	0	0	0
MISDEMEANOR DRUG CITATIONS AND (Poss. Of Drug Paraph.)	1	24	1	24
TOBACCO VIOLATIONS	1	1	1	1
PETTY THEFT	9	0	9	0
INTENTIONAL DAMAGE TO PROPERTY	0	0	0	0
OTHER VIOLATIONS	17	24	17	24
TOTAL TRAFFIC CITATIONS	82	113	82	113

January 2019

YPD

Adult Arrest Charges

	THIS MONTH		YEAR TO DATE	
	This Year	Last Year	This Year	Last Year
MURDER	0	0	0	0
RAPE	0	0	0	0
ROBBERY	0	0	0	0
BURGLARY	0	5	0	5
ASSAULT AGGRAVATED	2	1	2	1
ASSAULT SIMPLE	4	1	4	1
CRIMES AGAINST FAMILY / DOMESTIC VIOLENCE	7	8	7	8
DISORDERLY CONDUCT	0	0	0	0
SEXUAL CONTACT/SEX OFFENSES	0	0	0	0
THEFT PETTY	0	3	0	3
THEFT GRAND	2	0	2	0
THEFT AUTO	0	0	0	0
FORGERY & COUNTERFEITING	1	0	1	0
FRAUD	0	0	0	0
EMBEZZLEMENT	0	0	0	0
INTENTIONAL DAMAGE	0	2	0	2
NARCOTIC DRUG CHARGES	22	48	22	48
LIQUOR ARRESTS	0	0	0	0
WEAPONS VIOLATION	0	0	0	0
WARRANTS	12	12	12	12
PROTECTIVE CUSTODY	0	0	0	0
ALL OTHER OFFENSES	27	30	27	30
TOTAL ARRESTS	77	110	77	110

January 2019
YPD
Juvenile Arrests Charges

	THIS MONTH		YEAR TO DATE	
	This Year	Last Year	This Year	Last Year
CURFEW	0	0	0	0
RUNAWAY	0	0	0	0
MIC	1	7	1	7
MURDER	0	0	0	0
RAPE	0	0	0	0
ROBBERY	0	0	0	0
BURGLARY	0	0	0	0
ASSAULT AGGRAVATED	0	0	0	0
ASSAULT SIMPLE	1	0	1	0
CRIMES AGAINST FAMILY/ DOMESTIC VIOLENCE	0	0	0	0
DISORDERLY CONDUCT	0	0	0	0
SEXUAL CONTACT / SEX OFFENSES	0	0	0	0
THEFT PETTY	0	0	0	0
THEFT GRAND	0	0	0	0
THEFT AUTO	0	0	0	0
FORGERY & COUNTERFEITING	0	0	0	0
FRAUD	0	0	0	0
EMBEZZLEMENT	0	0	0	0
INTENTIONAL DAMAGE	0	0	0	0
NARCOTIC DRUG CHARGES	0	4	0	4
LIQUOR ARRESTS	0	0	0	0
WEAPONS VIOLATIONS	1	0	1	0
ALL OTHER OFFENSES	3	0	3	0
TOTAL ARRESTS	6	11	6	11

Yankton Taxable Sales and Sales Tax Receipts Due

com.

Total Yankton Sales Tax (combined first penny, second penny, and BBB)

	2016	2017	2018	2019		
	Total Tax Due	Total Tax Due	Total Tax Due	Total Tax Due	Monthly % Diff.	Accum. % Diff.
Jan	\$898,888	\$881,111	\$931,740	\$887,586	-4.74%	-4.74%
Feb	\$720,155	\$748,057	\$780,257	\$790,238	1.28%	-2.00%
Mar	\$716,110	\$670,903	\$701,758			
Apr	\$764,378	\$790,100	\$815,507			
May	\$764,033	\$786,113	\$810,439			
Jun	\$818,572	\$834,294	\$855,079			
Jul	\$856,690	\$933,678	\$930,480			
Aug	\$832,579	\$846,345	\$898,550			
Sep	\$857,562	\$834,196	\$942,296			
Oct	\$803,694	\$870,920	\$873,866			
Nov	\$794,862	\$828,894	\$851,380			
Dec	\$765,698	\$811,262	\$844,257			
Totals	\$9,593,221	\$9,835,872	\$10,235,607	\$1,677,823		-2.00%

Top Ten First Class Cities Plus Vermillion

January

Cities	2018	2019	
	Total Tax Due	Total Tax Due	Accum. % Diff.
Sioux Falls	\$22,578,947	\$24,011,431	6.34%
Rapid City	\$9,959,960	\$10,271,255	3.13%
Aberdeen	\$3,237,659	\$3,237,509	0.00%
Watertown	\$2,729,599	\$2,825,471	3.51%
Brookings	\$2,517,472	\$2,679,530	6.44%
Mitchell	\$2,066,821	\$2,006,547	-2.92%
Yankton	\$1,711,996	\$1,677,823	-2.00%
Pierre	\$1,454,152	\$1,384,418	-4.80%
Spearfish	\$1,314,391	\$1,379,599	4.96%
Huron	\$1,224,594	\$1,171,140	-4.36%
Vermillion	\$738,470	\$744,039	0.75%
Totals	\$49,534,060	\$51,388,764	3.74%

Yankton Taxable Sales and Sales Tax Receipts Due

Yankton Sales Tax (first and second penny combined)

	2016		2017		2018		2019			
	General Taxable Sales	General Tax Due	General Taxable Sales	General Tax Due	General Taxable Sales	General Tax Due	General Taxable Sales	General Tax Due	Monthly % Diff.	Accum. % Diff.
Jan	\$42,469,953	\$850,457	\$41,624,934	\$832,527	\$43,963,784	\$880,367	\$41,866,467	\$837,794	-4.84%	-4.84%
Feb	\$33,620,236	\$672,805	\$34,591,106	\$698,955	\$36,611,583	\$732,802	\$36,765,632	\$738,274	0.75%	-2.30%
Mar	\$33,071,639	\$666,827	\$31,409,630	\$628,413	\$32,806,331	\$656,668				
Apr	\$35,814,797	\$717,021	\$36,980,518	\$739,796	\$37,900,165	\$759,728				
May	\$35,670,433	\$713,445	\$36,830,743	\$736,702	\$37,962,931	\$762,156				
Jun	\$38,014,836	\$764,051	\$38,941,946	\$779,687	\$39,964,498	\$799,441				
Jul	\$40,038,133	\$800,806	\$43,250,834	\$874,067	\$43,372,992	\$871,624				
Aug	\$38,414,224	\$771,508	\$39,119,479	\$782,738	\$41,806,807	\$836,440				
Sep	\$39,941,412	\$800,981	\$38,890,159	\$778,389	\$44,029,076	\$881,383				
Oct	\$37,347,465	\$747,035	\$40,326,340	\$810,454	\$40,706,254	\$814,939				
Nov	\$37,134,407	\$743,292	\$38,865,087	\$777,730	\$39,869,848	\$797,456				
Dec	\$36,046,055	\$721,999	\$37,911,167	\$758,468	\$39,862,682	\$797,522				
Totals	\$447,583,589	\$8,970,226	\$458,741,942	\$9,197,927	\$478,856,952	\$9,590,527	\$78,632,099	\$1,576,068		-2.30%

Yankton BBB Sales Tax

	2016		2017		2018		2019			
	BBB Taxable Sales	BBB Tax Due	BBB Taxable Sales	BBB Tax Due	BBB Taxable Sales	BBB Tax Due	BBB Taxable Sales	BBB Tax Due	Monthly % Diff.	Accum. % Diff.
Jan	\$4,843,075	\$48,431	\$4,858,386	\$48,584	\$5,137,286	\$51,373	\$4,979,209	\$49,792	-3.08%	-3.08%
Feb	\$4,734,979	\$47,350	\$4,879,644	\$49,101	\$4,745,451	\$47,454	\$5,196,318	\$51,963	9.50%	2.96%
Mar	\$4,928,340	\$49,283	\$4,248,966	\$42,490	\$4,508,928	\$45,089				
Apr	\$4,735,739	\$47,357	\$5,030,400	\$50,304	\$5,573,439	\$55,779				
May	\$5,058,772	\$50,588	\$4,941,116	\$49,411	\$4,828,282	\$48,283				
Jun	\$5,452,029	\$54,520	\$5,460,679	\$54,607	\$5,563,819	\$55,637				
Jul	\$5,588,416	\$55,884	\$5,961,050	\$59,610	\$5,885,586	\$58,856				
Aug	\$6,106,205	\$61,072	\$6,341,098	\$63,606	\$6,210,929	\$62,109				
Sep	\$5,658,190	\$56,582	\$5,580,671	\$55,807	\$6,091,280	\$60,913				
Oct	\$5,665,879	\$56,659	\$6,046,602	\$60,466	\$5,892,671	\$58,927				
Nov	\$5,156,961	\$51,570	\$5,076,991	\$51,164	\$5,392,414	\$53,924				
Dec	\$4,369,933	\$43,699	\$5,279,448	\$52,795	\$4,673,487	\$46,735				
Totals	\$62,298,518	\$622,995	\$63,705,051	\$637,945	\$64,503,573	\$645,080	\$10,175,527	\$101,755		2.96%

Municipal Tax Due for Returns Filed in February 2019 and 2018

CITY	2019	2018	% Change
Sioux Falls	10,495,189.96	9,986,339.50	5.10
Aberdeen	1,444,372.56	1,416,842.35	1.94
Watertown	1,270,992.14	1,221,215.66	4.08
Yankton	790,237.54	780,256.79	1.28
Pierre	619,885.41	616,026.01	0.63

CITY	2019	2018	% Change
Rapid City	4,458,804.62	4,301,327.92	3.66
Brookings	1,299,422.21	1,136,808.50	14.30
Mitchell	844,769.54	931,681.60	-9.33
Spearfish	653,408.51	605,418.19	7.93
Huron	555,287.21	547,161.22	1.49

CITY	2019	2018	%	CITY	2019	2018	%	CITY	2019	2018	%
Akaska	1,597.67	1,470.07	8.68	Corsica	26,295.09	26,015.67	1.07	Hill City	34,303.57	37,846.53	-9.36
Alcester	18,512.15	15,179.64	21.95	Crooks	12,827.96	14,502.19	-11.54	Hitchcock	1,388.27	1,606.73	-13.60
Alexandria	-4,830.49	9,675.95	-149.92	Custer	88,790.62	79,113.26	12.23	Hosmer	5,514.76	4,995.33	10.40
Alpena	13,775.33	17,192.69	-19.88	Dallas	2,605.47	3,198.18	-18.53	Hot Springs	105,179.21	106,379.60	-1.13
Andover	-526.53	2,052.19	-125.66	Dante	482.91	775.31	-37.71	Hoven	12,654.57	14,645.97	-13.60
Arlington	41,536.57	27,976.94	48.47	Davis	64.47	1,044.70	-93.83	Howard	34,569.03	31,560.42	9.53
Armour	22,855.14	24,424.30	-6.42	De Smet	45,287.57	49,161.26	-7.88	Hudson	10,302.91	8,525.19	20.85
Artesian	1,102.18	1,651.56	-33.26	Deadwood	195,088.60	218,862.54	-10.86	Humboldt	13,966.30	13,976.05	-0.07
Ashton	-563.88	2,367.96	-123.81	Dell Rapids	103,346.49	85,702.58	20.59	Hurley	3,824.03	4,662.16	-17.98
Astoria	1,595.25	1,387.63	14.96	Delmont	3,531.68	3,453.84	2.25	Interior	4,569.15	1,597.07	186.10
Aurora	5,449.17	6,724.65	-18.97	Dimock	3,374.11	2,127.34	58.61	Ipswich	43,269.07	30,939.52	39.85
Avon	12,717.42	11,768.06	8.07	Doland	3,967.86	3,680.37	7.81	Irene	7,939.78	7,099.84	11.83
Baltic	11,360.67	11,583.11	-1.92	Dupree	3,716.63	4,113.43	-9.65	Iroquois	2,314.99	1,698.00	36.34
Belle Fourche	194,138.63	192,809.13	0.69	Eagle Butte	29,901.80	33,485.27	-10.70	Isabel	5,263.05	6,518.96	-19.27
Belvidere	529.82	449.34	17.91	Eden	1,279.99	1,726.35	-25.86	Java	1,504.37	1,493.61	0.72
Beresford	73,723.64	65,297.70	12.90	Edgemont	19,593.60	49,565.56	-60.47	Jefferson	12,359.10	10,451.77	18.25
Big Stone City	19,959.30	18,020.95	10.76	Egan	-9,278.76	3,957.74	-334.45	Kadoka	20,264.82	19,335.30	4.81
Bison	10,208.00	14,336.51	-28.80	Elk Point	42,986.03	44,822.36	-4.10	Kennebec	9,032.74	8,281.48	9.07
Blunt	4,262.64	3,535.98	20.55	Elkton	14,450.10	15,829.12	-8.71	Keystone	10,084.04	11,009.81	-8.41
Bonesteel	6,977.07	5,781.28	20.68	Emery	12,469.32	24,318.39	-48.72	Kimball	64,506.60	42,421.27	52.06
Bowdle	9,575.49	29,267.49	-67.28	Estelline	16,831.52	10,886.31	54.61	Kranzburg	2,696.21	1,845.37	46.11
Box Elder	143,335.55	127,893.60	12.07	Ethan	4,674.23	8,443.13	-44.64	La Bolt	424.61	744.77	-42.99
Bradley	2,361.65	1,501.05	57.33	Eureka	24,454.62	26,040.90	-6.09	Lake Andes	17,927.13	17,955.35	-0.16
Brandon	237,344.81	276,022.58	-14.01	Fairfax	2,032.49	2,191.32	-7.25	Lake City	520.13	941.18	-44.74
Brandt	2,079.68	2,486.18	-16.35	Fairview	421.52	437.10	-3.56	Lake Norden	121,699.67	66,004.08	84.38
Bridgewater	6,563.10	7,069.97	-7.17	Faith	15,830.44	15,362.45	3.05	Lake Preston	12,468.10	13,267.92	-6.03
Bristol	3,882.04	4,604.94	-15.70	Faulkton	23,861.45	22,211.13	7.43	Langford	6,485.33	6,157.24	5.33
Britton	52,093.20	59,355.69	-12.24	Flandreau	54,958.16	49,099.40	11.93	Lead	37,782.90	54,658.66	-30.87
Bruce	4,535.17	3,934.34	15.27	Florence	4,336.51	3,669.95	18.16	Lemmon	46,697.17	46,733.04	-0.08
Bryant	15,127.70	29,468.58	-48.66	Fort Pierre	93,014.96	85,806.97	8.40	Lennox	51,243.77	46,382.98	10.48
Buffalo	13,085.07	-12,113.13	-208.02	Frankfort	1,274.25	1,723.92	-26.08	Leola	7,875.32	10,417.82	-24.41
Buffalo Chip	3,825.15	4,686.95	-18.39	Frederick	2,359.89	1,918.88	22.98	Lesterville	-11,665.56	2,088.80	-658.48
Burke	27,146.99	27,178.71	-0.12	Freeman	45,143.38	44,436.19	1.59	Letcher	1,464.57	2,853.29	-48.67
Camp Crook	483.60	537.48	-10.02	Garretson	42,303.35	31,249.57	35.37	Madison	248,193.39	236,244.83	5.06
Canistota	12,792.74	12,510.06	2.26	Gary	2,511.08	2,686.64	-6.53	Marion	19,294.42	20,510.01	-5.93
Canova	1,630.47	2,118.96	-23.05	Gayville	3,198.35	5,333.23	-40.03	Martin	39,209.92	37,889.19	3.49
Canton	70,442.26	84,643.56	-16.78	Geddes	3,789.78	4,018.80	-5.70	McIntosh	1,975.23	3,213.78	-38.54
Carthage	2,614.95	2,915.45	-10.31	Gettysburg	39,764.53	38,635.62	2.92	McLaughlin	16,921.68	13,833.35	22.33
Castlewood	14,032.61	10,072.95	39.31	Glenham	1,429.04	2,063.39	-30.74	Mellette	540.80	5,140.17	-89.48
Cavour	2,190.34	2,052.50	6.72	Gregory	53,599.38	50,560.38	6.01	Menno	19,241.53	17,913.41	7.41
Centerville	12,988.96	12,339.15	5.27	Grenville	964.86	1,514.41	-36.29	Midland	6,520.04	4,416.65	47.62
Central City	6,121.48	5,140.14	19.09	Groton	26,328.51	47,680.12	-44.78	Milbank	207,371.25	182,670.39	13.52
Chamberlain	98,375.79	107,372.38	-8.38	Harrisburg	100,044.62	89,392.67	11.92	Miller	63,323.77	48,739.42	29.92
Chancellor	4,157.85	5,256.71	-20.90	Harrold	2,308.78	3,821.32	-39.58	Mission	34,558.46	34,655.75	-0.28
Clark	37,958.55	32,755.19	15.89	Hartford	65,404.67	70,513.32	-7.24	Mobridge	123,676.69	130,493.40	-5.22
Clear Lake	46,540.90	44,381.77	4.86	Hayti	7,079.52	6,977.83	1.46	Monroe	896.38	841.59	6.51
Colman	14,883.51	15,804.07	-5.82	Hazel	638.30	1,240.38	-48.54	Montrose	6,479.98	5,603.44	15.64
Colome	8,854.14	5,529.22	60.13	Hecla	3,028.85	3,177.40	-4.68	Morristown	619.09	670.72	-7.70
Colton	11,431.67	11,646.45	-1.84	Henry	2,379.41	1,911.46	24.48	Mound City	1,343.80	1,487.55	-9.66
Columbia	1,810.02	2,117.44	-14.52	Hermosa	10,510.50	9,419.12	11.59	Mount Vernon	4,475.12	7,452.67	-39.95
Conde	5,840.21	2,582.25	126.17	Herreid	19,712.74	15,782.88	24.90	Murdo	29,036.81	30,044.21	-3.35
Corona	1,484.32	1,466.66	1.20	Highmore	25,999.26	28,743.20	-9.55	New Effington	2,728.09	3,441.00	-20.72

Municipal Tax Due for Returns Filed in February 2019 and 2018

CITY	2019	2018	% Change
Sioux Falls	10,495,189.96	9,986,339.50	5.10
Aberdeen	1,444,372.56	1,416,842.35	1.94
Watertown	1,270,992.14	1,221,215.66	4.08
Yankton	790,237.54	780,256.79	1.28
Pierre	619,885.41	616,026.01	0.63

CITY	2019	2018	% Change
Rapid City	4,458,804.62	4,301,327.92	3.66
Brookings	1,299,422.21	1,136,808.50	14.30
Mitchell	844,769.54	931,681.60	-9.33
Spearfish	653,408.51	605,418.19	7.93
Huron	555,287.21	547,161.22	1.49

CITY	2019	2018	%	CITY	2019	2018	%	CITY	2019	2018	%
New Underwood	6,550.60	8,137.80	-19.50	Utica	670.54	494.10	35.71				
Newell	17,737.71	18,458.20	-3.90	Valley Springs	12,819.52	8,227.01	55.82				
Nisland	1,606.85	1,611.86	-0.31	Veblen	3,892.63	5,009.69	-22.30				
North Sioux City	325,448.94	236,494.90	37.61	Vermillion	360,771.89	403,332.98	-10.55				
Oacoma	26,705.52	28,609.45	-6.65	Viborg	23,906.89	23,791.84	0.48				
Oldham	1,747.98	1,347.32	29.74	Volga	36,706.72	40,437.24	-9.23				
Olivet	1,969.18	645.94	204.85	Volin	1,530.18	2,075.79	-26.28				
Onida	14,433.72	20,269.43	-28.79	Wagner	61,174.45	59,968.42	2.01				
Orient	-44.47	1,016.63	-104.37	Wakonda	5,836.52	6,193.35	-5.76				
Parker	23,981.00	24,392.58	-1.69	Wall	57,975.12	83,193.39	-30.31				
Parkston	48,377.11	47,653.33	1.52	Wallace	802.71	988.96	-18.83				
Peever	1,573.98	1,488.21	5.76	Ward	1,574.18	1,367.55	15.11				
Philip	45,781.35	46,683.60	-1.93	Warner	4,255.18	5,727.18	-25.70				
Pickstown	4,143.03	6,900.28	-39.96	Wasta	285.27	278.92	2.28				
Piedmont	21,354.13	15,652.98	36.42	Waubay	10,706.22	10,334.62	3.60				
Pierpont	1,843.51	1,518.79	21.38	Webster	79,697.57	113,037.05	-29.49				
Plankinton	16,167.54	15,866.13	1.90	Wentworth	5,386.76	4,314.04	24.87				
Platte	46,510.53	49,460.22	-5.96	Wessington	4,502.47	4,916.29	-8.42				
Pollock	8,822.91	10,197.12	-13.48	Wessington Springs	28,479.75	25,497.48	11.70				
Presho	12,689.97	13,291.21	-4.52	Westport	1,572.18	2,811.21	-44.07				
Pringle	1,660.35	1,620.04	2.49	White	3,695.33	6,174.01	-40.15				
Pukwana	2,140.04	3,760.89	-43.10	White Lake	39,714.03	11,106.47	257.58				
Quinn	186.00	653.88	-71.55	White River	10,185.17	9,878.03	3.11				
Ramona	1,899.83	2,454.69	-22.60	Whitewood	20,622.37	20,129.46	2.45				
Redfield	78,747.30	65,691.74	19.87	Willow Lake	7,536.28	8,840.15	-14.75				
Reliance	4,246.84	4,238.74	0.19	Willmot	13,150.92	10,114.30	30.02				
Reville	1,072.05	1,633.56	-34.37	Winner	131,971.39	125,786.31	4.92				
Roscoe	5,198.75	7,276.49	-28.55	Witten	-199.22	811.38	-124.55				
Rosholt	9,307.94	5,436.25	71.22	Wolsey	8,443.01	9,708.03	-13.03				
Roslyn	5,855.68	3,817.99	53.37	Wood	966.99	2,477.26	-60.97				
Saint Lawrence	3,528.23	2,374.99	48.56	Woonsocket	16,463.37	17,999.93	-8.54				
Salem	42,190.74	50,939.71	-17.18	Worthing	10,354.22	7,801.96	32.71				
Scotland	27,360.75	26,212.17	4.38	Yale	770.96	755.85	2.00				
Selby	14,264.98	18,506.49	-22.92								
Sherman	394.73	458.56	-13.92								
Sisseton	89,118.38	79,603.77	11.95								
South Shore	744.71	1,063.97	-30.01								
Spencer	2,367.20	607.38	289.74								
Springfield	14,162.75	15,394.47	-8.00								
Stickney	13,182.36	9,986.46	32.00								
Stratford	137.95	2,035.86	-93.22								
Sturgis	205,655.65	205,217.73	0.21								
Summerset	49,353.43	44,866.20	10.00								
Summit	9,377.21	10,723.24	-12.55								
Tabor	8,283.15	11,056.58	-25.08								
Tea	107,938.13	107,089.11	0.79								
Timber Lake	12,205.26	13,364.03	-8.67								
Toronto	7,088.76	7,392.48	-4.11								
Trent	2,354.77	1,465.03	60.73								
Tripp	6,176.74	8,772.86	-29.59								
Tulare	7,968.30	7,369.42	8.13								
Tyndall	28,200.03	25,749.29	9.52								

The dollar amounts in this report are a result of municipal tax due and municipal gross receipts tax due reported on the SD tax returns. These figures include amounts paid through Audits.

City of Yankton
Airport Advisory Board Meeting Minutes
For
February 20th, 2019
(unapproved)

The meeting was called to order at 8:02AM by Chairman Cox.

ROLL CALL:

Present: Chairman Jim Cox, Roger Huntley, George Munn, and City Commission Representative Jake Hoffner.

Unable to attend: Dawn Steffes Steve Hamilton, and Mark Yonke

Also present: Mike Roinstad, Dave Mingo, Brooke Goeden and Chris Nelson

January 16th, 2019

19-04 **MOTION** -- It was moved by Roger Huntley and seconded by George Munn to approve the minutes, as written, from the January 16th, 2019 meeting.

VOTE - Voting "Aye" - all members present. Voting "Nay" - none.

MOTION – PASSED

Mike Roinstad provided the Monthly Fuel Report for **January 2019**. There were 30 transactions totaling 2,483.0 gallons. For comparison, in January 2018 there were 33 transactions totaling 1,863.6 gallons sold for an increase of 619.4 gallons sold.

Staff Report

Dave Mingo pointed out an agenda item on next week's City Commission Agenda, a housekeeping item to obtain authorization (signature) for FAA reimbursements for any airport related projects. With this authorization, the City Manager (Amy Leon) could sign for any FAA reimbursements.

Chairman Jim Cox asked for an update on replacing the barrel hanger lights. Mike Roinstad said the 2019 budget includes a new door for the barrel hanger. A part of installing the new door will require some upgrades to the electrical service in the building. Once the new door is installed and the re-wiring project has been completed the city will address getting new lights if the budget is able.

Update on Apron Expansion & Hangar Relocation Project

Dave Mingo stated there was no change and still no update. No response from FAA or State at this time.

Airshow Planning Update:

Jake Hoffner provided an update on the Yankton Air Show and stated there was still progress being made but it was slow because of how long it takes to file for a 501 3C status. The 501C 3 application has been submitted and currently waiting for response. However, Hoffner said he contacted the people who arranged for the new swimming pools 501 (c) (3) and stated that the Air Show was granted permission to run funds through the XYZ's 501 (c) (3) similar to how the Aquatic Facility worked. This should speed up the progress and save some money on filing fees/other. There are currently 20 people on the Yankton Air Show Board and a few donations have already come in. Additionally, a line has been added to the City Commission Meeting Agenda on February 25th, 2019 to ask for a \$20,000 donation for the Yankton Air Show.

Other Business

Chris Nelson asked about side runway lights. He was trying to land a few nights ago and the runway lights didn't come up. The issue is being looked into. It sounds like everything is working now. Nelson also asked if it was possible to have one of the airport trucks come buy with a blade to clean snow from in front of the hangar doors. This will also be checked.

MOTION -- It was moved by Roger Huntley and seconded by George Munn to support the Yankton Air Show efforts.

VOTE - Voting "Aye" – Roger Huntley, Steve Hamilton, George Munn Jim Cox.
Voting "Nay" - none. "Abstained" – Jake Hoffner

MOTION – PASSED

19-05 **ADJOURNMENT**

MOTION –It was moved by Roger Huntley and seconded by George Munn to adjourn meeting.

VOTE – Voting "Aye" – all members present. Voting "Nay" – none.

Meeting adjourned at 8:27 AM

Memorandum #19-24

To: City Manager
From: Finance Officer
Date: March 13, 2019
Subject: Special Events Dance for Yankton County 4-H

We have received the following application for a Special Event Dance License:

Yankton County 4-H

The Yankton County 4-H has applied for a license to hold a Special Events Dance outside the Pine Acres 4-H Building on August 2, 2019.

A license fee of \$5.00 has been paid.

Proof of insurance has been provided.



Al Viereck
Finance Officer

Memorandum #19-57

To: City Manager
From: Finance Department
Date: March 15, 2019
Subject: ROCK 'N' RUMBLE INC. Licenses

We have received the following application from ROCK 'N' RUMBLE

1. Transient Merchant – July 26-27, 2019
2. Special Events Dance – July 26-27, 2019

All fees have been paid and proof of insurance has been furnished.



Al Viereck
Finance Officer

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 Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for one day, July 12, 2019, from the Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota.

NOTICE IS FURTHER GIVEN that a Public Hearing upon the application will be held on Monday, April 8, 2019, at 7:00 p.m. in the City of Yankton Community Meeting Room at the Career Manufacturing Technical Education Academy, 1200 West 21st 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 25th day of March, 2019.



Al Viereck
FINANCE OFFICER

Memorandum #19-58

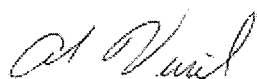
To: *City Commission*
From: *Finance Officer*
Date: *3/19/2019*
Subject: *Mayor's Appointments to Consolidated Board of Equalization*

The Yankton County Commission, Yankton City Commission, and the Yankton School Board have, by resolution, formed a Consolidated Board of Equalization to hear valuation, classification, and assessment questions and appeals. The Consolidated Board will be comprised of the five Yankton County Commissioners, three members of the Yankton City Commission (Charlie Gross, Tony Maibaum, and Chris Ferdig served in 2018 with Jake Hoffner as the alternate) and one member of the Yankton School Board.

The board shall meet annually on Wednesday, April 17, 2019, 12:30 PM (typically Noon-time Meetings for properties in the City), and continue in session, adjourning from time to time, until all properly filed appeals have been determined and equalization is completed. The board shall remain in session no longer than three weeks after the second Tuesday of April (SDCL 10-11-71). Municipal board members may participate and vote only in the equalization of property within the boundaries of the City's taxing district.

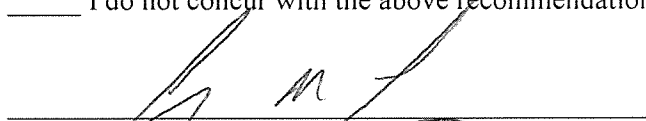
The Mayor, at this Commission Meeting, shall appoint three commissioners to serve on this Consolidated Board of Equalization and one Commissioner to serve as an alternate. The action then needs to be approved by the City Commission.

Thank you,



Al Viereck
Finance Officer

I concur with the above recommendation
 I do not concur with the above recommendation



Amy Leon, City Manager

____ Voice vote

Memorandum #19-67

To: City Manager
From: Finance Department
Date: March 18, 2019
Subject: Transient Merchant

We have received the following application from Martha's Crafts/Rustic Designs & More:

Martha's Crafts/Rustic Designs & More
JoDean's Frontage
2809 Broadway Avenue
Yankton, SD 57078

The applicant is requesting a license to have a craft booth at JoDean's Frontage, 2809 Broadway Avenue on May 10 thru June 10, 2019.

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

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



Al Viereck
Finance Officer

____ Voice vote

Memorandum #19-68

To: City Manager
From: Finance Department
Date: March 18, 2019
Subject: Transient Merchant

We have received the following application from Martha's Crafts/Rustic Designs & More:

Martha's Crafts/Rustic Designs & More
JoDean's Frontage
2809 Broadway Avenue
Yankton, SD 57078

The applicant is requesting a license to have a craft booth at JoDean's Frontage, 2809 Broadway Avenue on August 1 thru August 31, 2019.

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

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



Al Viereck
Finance Officer

____ Voice vote

Memorandum #19-54

To: City Manager
From: Finance Department
Date: March 15, 2019
Subject: Special Events Malt Beverage/Wine License-Ag-Farmers

We have received an application for a Special Events Malt Beverage (on-sale) Retailers License and a Special RETAIL (on-sale) Wine dealers License for 1 day, April 13, 2019, from Ag-Farmers, 4-H Fair Grounds, 901 Whiting Drive, Yankton, SD.

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



Al Viereck
Finance Officer

Memorandum #19-55

To: City Manager
From: Finance Department
Date: March 15, 2019
Subject: Special Events RETAIL (on-sale) Liquor License-ROCK 'N' RUMBLE INC.

We have received an application for a Special Events (on-sale) Liquor License for July 26-27, 2019 from ROCK 'N' RUMBLE, INC. (Michael Carda, President), The block of 3rd Street between Douglas & Capital Street and ½ Block of Capital Between 3rd Street & 2nd Street, Yankton, S.D.

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



Al Viereck
Finance Officer

Memorandum #19-56

To: City Manager
From: Finance Officer
Date: March 15, 2019
Subject: Transfer Retail (on-sale) Liquor License-P & P Lottery

We have received an application for a transfer of location and ownership of a Retail (on-sale) Liquor License for January 1, 2019, to December 31, 2019, from Drotzmann & Portillo, LLC (Steve Drotzmann, President), dba Rounding 3rd Bar & Casino to P & P Lottery Enterprises. LLC (James L. Palmer, Member), 3010 Broadway Avenue, Yankton, S.D.

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



Al Viereck
Finance Officer

Second Reading and Public Hearing

Memorandum #19-59

To: Amy Leon, City Manager
From: Dave Mingo, AICP Community and Economic Development Director and Ross Den Herder, City Attorney.
Subject: Proposed Ordinance #1020 Regulating Small Cell Facilities
Date: March 19, 2019

New federal regulations regarding the development of Small Cell Facilities (SCF's) in the United States were adopted late last year. SCF's are a hot topic worldwide right now because of the development of 5G wireless technology services. The goal of the federal regulation is to promote 5G development as an essential service and create standards for how facilities can be regulated. We have a couple of these facilities in Yankton already that were installed in right of way, under our current ordinance provisions. There are also some on private property at Mount Marty College. They look somewhat similar to a standard utility pole in height and diameter, but they have small antenna structures on them. They do not increase wireless coverage but they do increase capacity within a short proximity of their location.

With the advent of 5G service, local officials across the country anticipate getting requests for multiple SCF's in the near future. We envision a scenario where the necessary saturation level for optimal service could mean having dozens of new SCF's throughout the community.

The federal law is quite clear that cities are not allowed to regulate such facilities in a manner substantially different from how other utilities are regulated. Cities do however, have a relatively short window of opportunity to have an influence on how SCF's will look in their community. Local governments have until April 14, 2019 to have local ordinances in place to regulate the aesthetics of SCF's. As a result of the deadline, City Attorney Den Herder, staff from Community and Economic Development, Public Works, and Information Services have met several times to work though language for a local ordinance. The template for the proposed ordinance we created was written by the South Dakota Municipal Attorney's Association in January. We were unable to use the template as drafted because of a number of differences between its language and how current ordinances in Yankton are written and function.

The attached SCF Ordinance is the result of the effort to amend the template to work in harmony with Yankton's other related ordinances and have something in place before the federally mandated deadline. This is a steep learning curve but we are confident that the proposal allows us the ability to influence the aesthetics of new SCF's, meet the requirements of the new federal regulations and do business in much the same manner as we do with other utilities.

There are also proposed to be fees associated with initial permitting and annual operation of an SCF in the community. Those fees are described in the associated resolution and will help offset the cost of administering the new regulations.

Respectfully submitted,

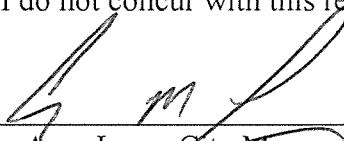
Dave Mingo, AICP
Community and Economic Development Director

Ross K. Den Herder
City Attorney

Recommendation: It is recommended that the City Commission adopt Ordinance #1020 regulating Small Cell Facilities in the City of Yankton.

I concur with this recommendation.

I do not concur with this recommendation.



Amy Leon, City Manager

HEARING SCHEDULE:

- | | |
|----------------|--|
| March 11, 2019 | The City Commission establishes March 25, 2019 as the date for a public hearing. |
| March 25, 2019 | The City Commission holds a public hearing to consider the issue. The appropriate notices have been published. |
| April 5, 2019 | Record of City Commission action published in the newspaper (estimated date). |
| April 25, 2019 | The City Commission action is effective (estimated date). |

____ Roll Call

ORDINANCE NO. 1020

AN ORDINANCE ADOPTING PROVISIONS FOR SMALL CELL WIRELESS COMMUNICATION FACILITIES; PROVIDING FOR PERMITS; AND ADDING A NEW CHAPTER TWENTY-NINE TO THE MUNICIPAL CODE OF THE CITY OF YANKTON FOR SUCH PURPOSES. Be it ordained that:

A new Chapter 29 to the Code of Ordinances of the City of Yankton shall be added to read as follows:

CHAPTER 29. SMALL CELL FACILITIES

Sec. 29-1. Purpose

The provisions of this Chapter shall be known as the Small Cell Facilities Ordinance. It is the purpose of these provisions to develop standards and siting criteria, and to establish removal procedures. It is further the purpose of these provisions:

- (a) To establish regulations and siting standards for small cell wireless communication facilities (SCFs) in the city in a manner that will protect the public's health, safety, and welfare and maintain the aesthetic integrity of the community;
- (b) To facilitate the provision of wireless services;
- (c) To provide regulations which are specifically not intended to, and shall not be interpreted or applied to: (1) prohibit or effectively prohibit the provision of wireless services; (2) unreasonably discriminate among functionally equivalent service providers; or (3) regulate wireless communication facilities and wireless transmission equipment on the basis of the environmental effects of radio frequency emissions to the extent that such emissions comply with the standards established by the Federal Communications Commission.

Sec. 29-2. Definitions.

As used in this Chapter, the following terms shall have the meanings set forth below:

Antenna. Any communications equipment that transmits or receives electromagnetic radio frequency signals used in the provision of wireless services. This definition does not include broadcast radio or television antennas, antennas designed for amateur radio use, or satellite dishes for residential or household purposes.

Applicant. Any person who submits an application as or on behalf of a Wireless Provider.

City. The city of Yankton, South Dakota.

Co-location. The mounting or installation of an antenna or a small cell facility on a pre-existing Utility Pole or SCF Support Structure and/or modifying a Utility Pole or SCF Support Structure for the purpose of mounting or installing an antenna or SCF on that Utility Pole or SCF Support Structure in order to transmit and/or receive radio frequency signals for communications purposes.

Department. The Department of Public Works of the City.

Director. The director of the Department.

FCC. The Federal Communications Commission.

Height. The vertical distance measured from the base of the structure at grade to the highest point of the structure, including the antenna.

Network Interface Device. The telecommunications demarcation and test point separating the wireless facility and the wireline backhaul facility.

Person. An individual, corporation, limited liability company, partnership, trust, association, governmental entity or subdivision, or other entity or organization, including the City.

Public Right-of-Way or Right-of-Way or ROW. The surface and space above and below any street, sidewalk, avenue, boulevard, alley, lane, easement, right-of-way, highway or thoroughfare open for public use in which the city has an interest in law or equity, whether held in fee, or other estate or interest, or as a trustee for the public.

Small Cell Facility or SCF. A Wireless Facility that is within a Stealth Design that is consistent with the design guidelines set forth in this Chapter or a Wireless Facility that is mounted on a Utility Pole or SCF Support Structure

Small Cell Facility Permit. A permit authorizing the installation, construction, and maintenance of a SCF.

Small Cell Facility Support Structure or SCF Support Structure. A structure, such as a monopole; self-supporting tower; building; or other existing or proposed structure designed to support or capable of supporting SCFs. Such term does not include a Utility Pole.

Stealth Design. Any SCF that is integrated as an architectural feature of a Utility Pole or changes a support structure design so that the purpose of the Utility Pole or SCF Support Structure for providing wireless services is not as readily apparent. This includes the ability of

SCFs to blend into the neighborhood environment at a given location and camouflage or conceal the SCF subject to applicable law.

Utility Pole. A pole or similar structure that is or may be used in whole or in part to facilitate telecommunications, electric distribution, lighting, traffic control, signage, or to carry lines, cables, or other similar function, or for location or co-location of Small Cell Facilities. Such term does not include a SCF Support Structure.

Wireless Facility. Equipment at a fixed location that enables Wireless Services between user equipment and a communications network, including (i) equipment associated with wireless communications; (ii) radio transceivers; (iii) antennas; (iv) coaxial or fiber optic cable located on a Utility Pole or SCF Support Structure or immediately adjacent to the Utility Pole or SCF Support Structure or directly associated with equipment located on the Utility Pole or SCF Support Structure; (v) regular and backup power supplies and rectifiers; and comparable equipment, regardless of technological configuration. The term includes SCFs but does not include (i) the structure or improvements on, under, or within which the equipment is collocated; or (ii) wireline backhaul facilities.

Wireline Backhaul Facility. An above-ground or underground wireline facility used to transport communications data from a wireless facility network interface device to a network.

Wireless Infrastructure Provider. A person that builds or install wireless facilities or Utility Poles or SCF Support Structures, but not a Wireless Services Provider.

Wireless Provider. A Wireless Infrastructure Provider or a Wireless Services Provider.

Wireless Services. Any services, using licensed or unlicensed spectrum, including the use of WiFi, whether at a fixed location or mobile, provided to the public.

Wireless Services Provider. A person who provides wireless services to the public.

Sec. 29-3. Applicability

- A. Permit Processing: For all SCF installation types, including new and replacement Utility Poles and SCF Co-locations to existing SCF Support Structures or existing Utility Poles, the Department shall issue permits in accordance with the terms and procedures set forth in this Chapter.
- B. Zoning Exemption: All SCF installations shall be subject to applicable general zoning restrictions set forth in Chapter 27 of the Code of Ordinances of the City of Yankton unless a provision of such zoning code is explicitly exempted by a section of this Chapter. Any inconsistencies between the applicable provisions of the zoning code and this chapter shall be governed by this chapter.

- C. Exempt Activities: This Chapter shall not apply to: (i) routine maintenance; or (ii) the replacement of an SCF, Utility Pole, or SCF Support Structure which was previously approved pursuant to this Chapter with another SCF, Utility Pole, or SCF Support Structure that is the same or substantially similar.

Sec. 29-4. Siting and Co-location Criteria

- A. SCFs shall:
 - (i) be located on existing structures, such as Utility Poles or SCF Support Structures; or
 - (ii) be located on public right of way or other public property and structures if the controlling public entity agrees to the placement.
- B. Applications to locate or collocate SCFs at locations other than those listed in Sec. 29-4(A) may not be approved administratively. However, if an Applicant certifies that it is not technically feasible, or places an undue hardship (using the standard for the granting of a variance under the zoning code) to collocate an SCF at a location designated in Sec. 29-4(A), the Applicant may request a Special Review of the application as provided under Sec. 29-5(C)(2). Such Certification shall include a written statement indicating the reasons why said co-location is not feasible.

Sec. 29-5. Small Cell Facility Permits

- A. Permit Required. An SCF Permit shall be required to install any SCF, Utility Pole, or SCF Support Structure. Applications for an SCF Permit shall be considered and approved pursuant to the provisions of this Section. The granting of an SCF Permit pursuant to this Chapter is not a grant of any franchise. All applications shall first be reviewed administratively and then, if not eligible for administrative approval, may be considered via the Special Review process.
- B. General Review Provisions
 - 1. Review Period: The Department must approve or deny all SCF Permit applications pursuant to this Chapter within ninety (90) days after the date an application is filed for an SCF Permit Application to place a new Utility Pole or SCF Support Structure. The Department must approve or deny all SCF Permit applications for co-location of an SCF pursuant to this Chapter within ~~thirty-sixty~~ (360) days after the date an application is filed.

2. Tolling of Review Period: An Applicant and the Department can mutually agree in writing to toll the applicable review period at any time. The review period may also be tolled in accordance with Sec. 29-5(C)(1).
3. Final Decision. By the end of the applicable review period, the City must advise the applicant in writing of its final decision. If the final decision is to deny the application, the final decision shall state the basis for denial, including specific code provisions on which the denial is based.
4. Nondiscrimination: The Department shall process all applications under this Chapter in a nondiscriminatory manner. Aesthetic requirements shall be (i) reasonable, (ii) no more burdensome than for other types of infrastructure deployments, and (iii) objective and published in advance.

C. Small Cell Facility Permit Process

1. Administrative Review Process: An application submitted pursuant to this subsection shall be reviewed as follows:
 - a. Submission of Application: Applicant shall submit a complete SCF Application accompanied by any corresponding application fee to the Department.
 - b. Review for Completeness: The Department shall review the application for completeness following submittal. The Department must provide a written notice of incompleteness to the Applicant within fifteen (15) days of receipt of the SCF Permit Application, clearly and specifically delineating all missing information. Information specified in a notice of incompleteness shall be limited to that which is relevant to the approval or denial of an Application under this Chapter. Applicant shall then submit all information specified in the notice of incompleteness. The applicable review period shall restart at zero on the date the Applicant provides the missing information to complete the application.
 - c. An application may not be approved via the Administrative Review Process unless the proposed SCF, Utility Pole, or SCF Support Structure meets all applicable location and design requirements of this Chapter. An application shall be approved via the Administrative Review Process if the proposed SCF, Utility Pole, or SCF Support Structure meets all applicable location and design requirements of this Chapter.
2. Special Review Process:

- A. An Applicant may request a Special Review of an application which is not eligible for administrative approval due to not meeting the applicable location or design requirements of this Chapter.
- B. Special Reviews shall be conducted by the Planning Commission in a public hearing utilizing the same process, notice requirements, and time frames set forth for the consideration of a conditional use permit under SDCL Chap. 11-4 and the Yankton Zoning Ordinance.
- C. The Planning Commission must recommend approval, by majority vote, an SCF application upon finding that the proposed installation has no reasonable alternative which better fits the location and design requirements of this Chapter. The Planning Commission shall deny an application which does have a reasonable alternative which better fits the location and design requirements of this Chapter. For an alternative to be reasonable, the alternative must be technically feasible, and must not impose an undue hardship (using the standard for the granting of a variance under the zoning code).
- D. Upon issuance of the Planning Commission's recommendation, the Yankton Board of City Commissioners shall adopt the findings of the Planning Commission and take action on the recommendation at a regularly scheduled public meeting. The City Commission's review and final decision shall take place within the applicable sixty (60) or ninety (90) day review period which shall begin on the date a complete application is submitted to the Department.
- ~~D.E.~~ After the Yankton Board of City Commissioners has made a determination on an SCF application, the Department shall issue an SCF permit if the application was approved. If denied, the Department shall provide a notice of final decision including the grounds upon which the Yankton Board of City Commissioners denied the application.

D. Small Cell Facility Permit Applications

- 1. Application Form: The Director shall adopt an application form for an SCF Permit.
- 2. Consolidated Applications: The Director shall allow for applications to be consolidated pursuant to this sub-section. Each SCF Permit request in a consolidated application shall be considered individually.

3. All applications for the placement of an SCF, including modification or construction of a Utility Pole or SCF Support Structure, submitted under this Chapter shall include the following:
 - a. Site Plan. The application shall include a to-scale site plan clearly indicating the location, type, height and width of the proposed pole or support structure, on-site land uses and zoning, adjacent land uses and zoning, distances to nearby objects, structures, and property lines, adjacent roadways, proposed means of access, utility runs, and other information which may impact the SCF's fitness for a particular site.
 - b. Photo Simulations. The application shall include a photo simulation of a reasonably representative installation type that includes to-scale visual simulations that show unobstructed before-and-after construction daytime views from at least two angles. A separate set of such materials shall be required for any design which is materially different.
 - c. Aesthetic Compliance Summary. The application shall include an explanatory statement of aesthetic considerations and requirements factored into Applicant's design such as stealthing, finishing, fencing, landscaping, [streetscape design conformance](#), or other elements which may impact the visual appeal of the SCF.
 - d. Noise Study. If the proposed SCF shall utilize equipment which may produce audible noise at any boundary line of the real property where the SCF is proposed to be constructed, then the Applicant shall also provide a noise study for the proposed SCF.
 - e. Radio Frequency (RF) Emissions Compliance. The application shall require a written report or statement, signed and sealed by a South Dakota registered professional engineer [with radio frequency certification](#), which explains that the SCF will be in compliance with the RF emissions limits established by the FCC. The application shall include a clear and complete written statement of purpose, including: (i) a description of the technical objective to be achieved; (ii) the targeted service area to be benefited by the proposed project; and (iii) full-color signal propagation maps.
 - f. Utility Pole or SCF Support Structure: The application shall require a structural engineering analysis signed and sealed by a South Dakota registered professional engineer, certifying that the Utility Pole or SCF Support Structure can reasonably support the proposed SCF. For new and replaced Utility Poles and SCF Support Structures, the application shall also require the submission of foundation drawings.

- e. Design Justification. The application shall contain a complete written analysis identifying all applicable design standards under this Chapter and providing a factually detailed reason why the proposed design either complies or is not technically feasible, or places an undue hardship (using the standard for the granting of a variance under the zoning code).
- g. Permission. The applicant shall provide supporting documentation signed by the owner(s) or governmental entity having jurisdiction of the Utility Pole or SCF Support Structure and of the underlying real property authorizing the applicant to install the SCF upon such Utility Pole or SCF Support Structure and underlying real property.

E. General Standards

- 1. Utility Pole Design: The installation of a new Utility Pole or replacement or extension of an existing Utility Pole to accommodate an SCF shall be subject to the following requirements:
 - a. Equipment Concealed: Whenever technically feasible, antennas, cabling, and equipment shall be fully concealed within a Pole, or otherwise camouflaged to appear to be an integrated part of a Pole.
 - b. Replacement and New Utility Poles: If concealment is not technically feasible, then replacement Utility Poles shall be substantially similar to the width, color, and material consistent with a majority of Utility Poles within a two (2) block radius of the replacement Utility Pole. The City may approve minor deviations up to the minimum additional height needed to allow for the required clearance from electrical wires to accommodate an antenna or antennas and may also approve minor deviations up to fifty percent (50%) of the width of the base, not to exceed thirty inches (30”), when housing equipment is placed within the pole base. Replacement Utility Poles shall be located as close as possible to the existing Utility Pole, and the replaced Utility Pole shall be removed. New and replacement Utility Poles shall conform to the streetscape design practices and standards for the location of the Utility Pole.
 - c. Flush-Mounting and Pole-top Antennas: When technically feasible, antennas will be flush-mounted on a Pole, which means either: (i) mounted directly to the pole with no gap other than that which may be required for screws, bolts, or similar hardware; (ii) located at the top of the Pole; or side mounted by mounted arm as needed for required clearance. Canisters attached to the top of a Pole shall not exceed the diameter of the

Pole, unless technically required, and then shall not be more than fifty percent (50%) greater than the diameter of the Pole at the point of attachment or up to twenty-four inches (24”) in diameter, whichever is greater.

- d. **Antenna Height:** The height of any SCF antenna at the top of a Utility Pole or SCF Support Structure, shall be no higher than the height of such Utility Pole (excluding any pole extender) or SCF Support Structure plus twenty percent (20%), not to exceed a maximum of fifty feet (50’).
- e. **Antenna Design:** Each antenna shall be located in an enclosure of no more than three (3) cubic feet in volume, or in the case of an antenna that has exposed elements, the antenna and all of its exposed elements shall fit within an enclosure of no more than three (3) cubic feet.
- f. **No Illumination:** A SCF shall not be illuminated except for small status LEDs installed by the manufacturer. Such LEDs may not be of a nature which is likely to distract a vehicle or pedestrian due to brightness, size, blinking, other similar condition, or any combination thereof. This provision does not preclude a Utility Pole designed for purposes of lighting.
- g. **Generators and Battery Backup:** Generators are not permitted for an SCF. A battery backup may be permitted if it is concealed consistent with the provisions of this Chapter.
- h. **Cabinet Location and Dimensions:** Any equipment cabinet for a SCF shall utilize the smallest cabinet enclosure that is technically feasible to enclose the equipment. Disconnect switches may be located outside of the primary equipment cabinet. The ~~cabinet~~cabinet enclosure shall be no larger than 28 cubic feet in volume. The following associated equipment may be located outside of the primary equipment enclosure and, if so located, is not included in the calculation of equipment volume: electric meters, concealment measures, Network Interface Device, underground enclosures, back-up power systems, grounding equipment, power transfer switch, cut-off switches, cable, conduit, and vertical cable runs for the connection of power and other services, and any equipment concealed from public view within or behind an existing structure or concealment.
- i. **Painting, Coating, or Finish Material:** All exterior exposed elements of an SCF and the Utility Pole or SCF Support Structure upon which the SCF is mounted shall be of a common color and painted, coated, or be of a material which draws minimal attention from an observer and conforms to

streetscape design practices or standards for the location of the SCF. For example, an SCF, Utility Pole or SCF Support Structure painted in blaze orange, safety green, or of polished metal is highly likely to draw attention and be distracting.

2. Ground-Mounted Equipment in Rights-of-Way: To allow full use of the Public Rights-of-Way by pedestrians, bicyclists, and other users, all ground-mounted equipment, excluding antennas, shall, to the extent feasible, be either (i) undergrounded, (ii) incorporated into street furniture, artwork or other public amenities where appropriate, or (iii) concealed in the base of a Pole, and in all cases shall comply with the Americans with Disabilities Act (ADA), City construction standards, and any applicable State or federal regulations in order to provide clear and safe passage within the Public Rights-of-Way.
3. Building-Mounted Small Cell Facilities: Antennas may be mounted to a building if the antennas do not interrupt the building's architectural theme. Building mounted SCFs shall conform to the following:
 - a. Balanced Design: An SCF attached to the side or roof of a building shall employ a symmetrical, balanced design for all façade-mounted antennas. Subsequent deployments on a structure's exterior will be required to ensure consistent design, architectural treatment and symmetry with any existing SCF upon the structure.
 - b. Complementary Architecture: New architectural features, such as columns, pilasters, corbels, or other ornamentation that conceal an antenna or antennas, may be used only if the new feature complements the architecture of the existing building.
 - d. Mounting Brackets: SCF shall utilize the smallest mounting brackets necessary in order to provide the smallest offset from the building.
 - e. Concealment: Skirts or shrouds shall be utilized on the sides and bottoms of antennas in order to conceal mounting hardware, create a cleaner appearance, and minimize the visual impact of the antennas. Exposed cabling and wiring is prohibited.
 - f. Matching Paint: An SCF and all visible mounting hardware, shall be painted and textured to compliment adjacent building surfaces.
4. SCF Projecting or Marquee Sign: An SCF replicating a projecting or marquee sign must comply with the City's sign regulations. All antennas shall be completely screened by the façade of the sign. All cables and conduit to and from

the sign shall be routed from within a building wall. Conduit may be allowed on the exterior of the building wall in limited circumstances where the coverings are minimally visible and concealed to compliment the adjacent building surfaces.

5. Parking Lot Lighting: SCF are permitted as attachments to or replacements of existing light fixtures. The design of the light fixture shall be in accordance with applicable ordinances and building code.
6. Purely Aesthetic Standards: To the extent that a requirement is purely aesthetic, an SCF applicant shall not be required to meet a more burdensome standard than other users of the rights-of-way. Other users of the right-of-way shall meet the purely aesthetic standards of this Chapter for new or replacement deployments to the extent which is technically feasible and does not impose an undue hardship.

Sec. 29-6. Permit Conditions

- A. A permittee shall comply with all applicable law, including, but not limited to, applicable historic preservation ordinances of the City and utility undergrounding requirements.
- B. Issuance of any permit pursuant to this Chapter shall not confer any ownership rights in the Public ROW.
- C. No permittee may construct, operate, place, locate, or maintain any SCF so as to interfere in an unauthorized manner with the use of the Public ROW by the City, the general public, or any other persons authorized to use or be present in or upon the Public Rights-of-Way.
- D. In the event of an unexpected repair or emergency requiring the disturbance or blockage of public property or ROW, the permittee of a SCF may commence such repair and emergency response work as required under the circumstances, provided it shall notify the City promptly before commencing such repair or emergency work. All work shall be conducted in accordance with all other applicable laws, ordinances, and permits.
- E. Each permittee shall maintain its facilities in good and safe condition and in a manner that complies with all applicable federal, state, and local requirements. Permittee shall be responsible for all electrical or other utility costs associated with operating each installed SCF.
- F. The City shall have the right to inspect each SCF for any purpose, including, but not limited to, confirming its compliance with all permit conditions and the representations set forth in the Permittee's original or supplemental permit application(s), or to protect the public's health, safety, and welfare.

- G. Upon request by the City, a SCF permittee shall promptly provide information regarding its system and plans for the system, including, but not limited, to information regarding its plans for system maintenance, planned system upgrades and expansion, construction, operations, and repairs.
- H. Upon prior written notice to the SCF permittee, the City may require the SCF permittee to move any SCF located upon public property or within a ROW at the sole cost and expense of the SCF permittee as the City may determine to be necessary for purposes of public infrastructure relocation, construction, reconstruction, maintenance, or to accommodate public or private development or redevelopment, or in response to any public health or safety emergency. If the permittee fails to complete any relocation as required by the City within ninety (90) days of mailing of written notice, the SCF shall be deemed abandoned and may be removed by the City at the cost of the SCF permittee consistent with this Chapter.
- I. To the extent permitted by South Dakota law, the City shall not be liable for any damage to any SCF upon public property or within a ROW as a result of or in connection with any public works, public improvements, construction, excavation, grading, filling, or work of any kind upon the public property or in the ROW by or on behalf of the City, except to the extent such damage is due to or caused by the City's negligence or willful misconduct.
- J. Any and all ROW or public property that is disturbed or damaged by the permittee thereof during the construction, operation, maintenance, or repair of a SCF shall be promptly repaired by permittee. In the event permittee fails to make repairs within a reasonable time period, the City may complete or cause to be completed the repair work and recover all costs and expenses incurred by the City from the permittee, including reasonable fees for City-provided labor. Damaged public property and Public Rights-of-Way shall be restored by permittee to the reasonable satisfaction of the City. Restoration shall comply with the following:
 - 1. When a permittee, or any person acting on either's behalf, does any work in or affecting any public property or ROW, it shall, at its own expense, promptly remove any obstructions therefrom and restore such public property or ROW to the same or better condition which existed before the work was undertaken. As used in this section, "promptly" shall mean as soon as required by the City in the reasonable exercise of the City's discretion.
 - 2. If weather or other conditions do not permit the complete restoration required hereunder, the permittee shall temporarily restore the affected public property or ROW so that it is reasonably safe. Such temporary restoration shall be at the permittee's sole expense, and the permittee shall promptly undertake and

complete the required permanent restoration when the weather or other conditions no longer prevent such permanent restoration.

3. A permittee or other person acting on its behalf shall use suitable barricades, flags, flaggers, lights, flares and other measures as required for the safety of the general public and to prevent injury or damage to any person, vehicle or property by reason of such work in or affecting the public property or ROW.
 4. Restoration and repair work shall be the responsibility of the permittee for three (3) years after completion thereof. Such work shall be limited to further restoration or repairs arising out of deficient completion of the initial work but shall not include further restoration or repairs arising out of events not related to the initial completion of the work.
- K. The site and SCF and SCF Support Structures, including all landscaping, fencing and related transmission equipment must be maintained at all times in a neat and clean manner and in accordance with all approved plans.
- L. Upon notification by the City, the permittee shall immediately and completely remove or obliterate all graffiti and restore the exterior of a SCF at the permittee's sole expense. At its discretion, the City shall be permitted to take preemptive temporary action to shield or obscure any graffiti from public view. Action taken by the City shall not relieve the permittee of its obligations herein.
- M. Certificate of Completion. When a permittee believes it has completed all work necessary to comply with its permit, it shall notify the City and request a Certificate of Completion. Issuance of the Certificate of Completion shall be subject to the following:
1. A Certificate of Completion will only be granted upon satisfactory evidence that the SCF was installed in compliance with the permit and all requirements of this chapter.
 2. If the City finds that the SCF installation does not comply with the permit and all requirements of this chapter, the applicant shall make any and all such changes required to bring the SCF installation into compliance within the timeframe established by the City. Failing to obtain a Certificate of Completion within the applicable timeframe shall cause a permit to be revoked.
- N. Compliance: All SCFs must comply with all standards and regulations of the FCC and any State or other federal government agency with the authority to regulate SCFs.
- O. Applicant Insurance: Each permittee shall secure and maintain liability insurance policies insuring the applicant in accordance with the limits set forth herein. If the SCF is

installed upon public property or in ROW, the insurance policy shall include the City and its agents and employees as additional insureds. Such insurance shall be maintained at all times the SCF or any part thereon remains located at the SCF installation site and for a period of three (3) years after removal. Expected coverage shall be the same or substantially similar to the following:

1. General liability insurance with limits of no less than:
 - a. \$2,000,000 per occurrence for bodily injury (including death); and
 - b. \$1,000,000 for property damage resulting from any one accident; and
 - c. \$2,000,000 general aggregate including premise-operations, products/completed operations, and explosion, collapse and underground hazards.
2. If the City is an additional insured, the policy shall require the insurer to notify the City in writing at least thirty (30) days prior to cancellation of any required coverage.
3. If the City is an additional insured, the permittee shall be required to provide proof of insurance to the City upon request.

Q. Financial Assurance:

Upon the approval of an SCF application, prior to construction and installation of the SCF, the permittee shall post a bond, or tender a letter of credit, or other form of surety acceptable to the City.

1. The purpose of such financial assurance shall be to:
 - a. Provide for the complete removal of unused, abandoned, or improperly maintained SCFs, including those that the City determines need to be removed to protect public health, safety, or welfare;
 - b. Restoration of the ROW in connection with removals as provided for in this Chapter; or
 - c. Recoup rates or fees that have not been paid by the permittee in over 12 months, so long as the permittee has received reasonable notice from the City of any of the non-compliance listed above and an opportunity to cure.
2. The amount of the financial assurance shall be \$500 per approved SCF location.

Sec. 29-7. Removal of Abandoned Small Cell Facilities, Utility Poles, and Other SCF Support Structures

Any SCF, Utility Pole or other SCF Support Structure that is not operated for a continuous period of twelve (12) months or is no longer authorized by a SCF Permit or other permit shall be considered abandoned. If permittee ceases utilizing an SCF, Utility Pole, or SCF Support structure, such permittee shall so notify the City in writing and remove the same within ninety (90) days of giving notice to the City of such abandonment. If the City obtains verifiable proof that an SCF is abandoned as set forth herein, the City may provide the permittee with a written demand to remove the SCF, and the permittee shall provide the City with proof of its ongoing use of the SCF or the permittee shall remove the same within ninety (90) days following the permittee's receipt of the written demand. Failure to remove an SCF, Utility Pole, or other SCF Support Structure within said ninety (90) days shall be grounds for the City to remove the SCF, Utility Pole, or SCF Support Structure, at the permittee's expense. If there are two (2) or more users of a single Utility Pole or SCF Support Structure, then these provisions shall not become effective until all users cease using the Utility Pole or SCF Support Structure.

Sec. 29-8. General Indemnification

In addition to and distinct from the insurance requirements of this Chapter, each applicant hereby agrees to defend, indemnify and hold harmless the City and its officers, officials, boards, commissions, employees, agents and representatives from and against any and all damages, losses, claims and expenses, including reasonable attorneys' fees and costs of suit or defense, allegedly arising out of, or resulting from the acts, omissions, failure to act, or misconduct of the applicant or its affiliates in the construction, installation, operation, maintenance, repair, removal or replacement of the SCF.

Sec. 29-9. Appeal Process

If a permit is denied in the administrative review process, then the applicant may appeal that decision to the Planning Commission utilizing the special review process set forth in Ordinance Sec. 29-5(C)(2). If a permit is denied in the special review process, then the applicant may appeal to the Circuit Court of Yankton County utilizing the process for the appeal of denial of a conditional use permit pursuant to SDCL 11-4-25.1 et seq.

Sec. 29-10. Application Fees and Rates

- A. Application Fees. The fee for a permit for each SCF or SCF Support Structure shall be established by resolution passed by majority vote of a quorum of the City Commission.
- B. Recurring Fees. A wireless provider authorized under this Chapter to place a SCF and or SCF Support Structure in the ROW shall pay to the City an annual ROW access fee established by resolution passed by majority vote of a quorum of the City Commission, not to exceed the maximum fee permitted by applicable Federal law, for each SCF (and for each SCF Support Structure not containing a functional SCF) per year. Such fee

shall be paid annually on or before January 15th of each year beginning the calendar year after installation.

Sec. 29-11. Severability

The various parts, sentences, paragraphs, sections and clauses of this Chapter are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Chapter shall not be affected thereby.

Sec. 29-12. Conflict

The regulations contained within this Chapter Twenty-nine (29) are in addition to other ordinances in the Code of Ordinances of the City of Yankton. In case of a conflict between any ordinance in this Chapter Twenty-nine (29) and any other ordinance contained in the Code of Ordinances of the City of Yankton, the more restrictive ordinance provisions shall apply.

WHEREUPON, a motion was passed and the Ordinance declared adopted this ____ day of March, 2019.

Nathan Johnson, Mayor

Attest:

Al Viereck, Finance Officer

1st Reading:

2nd Reading:

Publication Date:

Effective Date:

Memorandum #19-60

To: Amy Leon, City Manager
From: Dave Mingo, AICP Community and Economic Development Director and Ross Den Herder, City Attorney.
Subject: Small Cell Facility Application Fees and Rates.
Date: March 18, 2019

The Small Cell Facility (SCF) Ordinance #1020 includes a section discussing “Application Fees and Rates.” The goal of the fees and rates is to be representative of, and cover the City’s costs associated with administering the ordinance that provides for the development of small cell technology in the community. The federal regulations that govern small cell technology also stipulate that communities cannot unfairly charge applicants and providers of the technology. The below fee and rate proposal is our opinion of a fair representation of the cost of administration. The annual rates would only apply to those SCF locations in public right-of-way.

There are two times that said charges would occur:

- The time of initial application. It is proposed that the initial application fee be set at \$200 per SCF site with a maximum of \$500 for multiple application submittals.
- It is also proposed that there be an annual \$100 rate per SCF site.

Respectfully submitted,



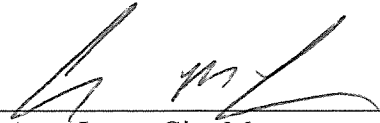
Dave Mingo, AICP
Community and Economic Development Director

Ross K. Den Herder
City Attorney

Recommendation: It is recommended that the City Commission approve Resolution #19-14 establishing fees for Small Cell Facilities.

I concur with this recommendation.

I do not concur with this recommendation.



Amy Leon, City Manager

____ Roll Call

RESOLUTION #19-14

A RESOLUTION ESTABLISHING A SMALL CELL FACILITY APPLICATION FEES AND RATES AS PROVIDED BY ORDINANCE #1020

WHEREAS, City Ordinance 1020, provides that fees related to the initial application for, and annual operation of Small Cell Facilities are established from time to time by resolution of the City Commission, and

WHEREAS, Ordinance #1020 is a new ordinance and thus, this Resolution establishes the first fee and rate structure for Small Cell Facilities in the City of Yankton.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the City of Yankton that the following fees and rate structure is hereby adopted:

- The initial application fee for Small Cell Facilities shall be \$200.00 per Small Cell Facility site with a total application fee being a maximum of \$500.00 for multiple site applications. Per Ordinance #1020, Section 29-10-A.
- The annual fee per Small Cell Facility site in Public Right of Way is \$100. Per Ordinance #1020 Section 29-10-A.

AND, BE IT FURTHER RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota, that the fees and rates be effective immediately upon adoption of Ordinance #1020.

Adopted:

Nathan V. Johnson, Mayor

ATTEST:

Al Viereck, Finance Officer

Memorandum #19-62

To: Amy Leon, City Manager
From: Corey Potts, Public Works Manager
Subject: Bid award for the Annual Supply of Liquid Asphalt for the Department of Public Works, Street Division
Date: March 18, 2019

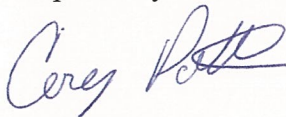
Bid packets for the Annual Supply of Liquid Asphalt were sent to suppliers known to be within the region. The only bid received is outlined below.

	<i>AC PG 58-28 Grade Asphalt Cement</i>	<i>MC 70 Grade Asphalt</i>	<i>RC 800 Grade Asphalt</i>	<i>Demurrage Cost Per Hour Over 1.5 Hours</i>
<i>Jebro, Inc. 2302 Bridgeport Drive Sioux City, IA 51111</i>	\$545.42 Ton	\$3.03 Gal.	\$3.21 Gal.	\$160.00

The above grades of Liquid Asphalt are those used by the City to complete its annual maintenance and construction activities. Approximately 50 ton of AC Grade, 6,200 gallons of MC 70 Grade and 38,000 gallons of RC800 Grade Asphalt are used annually in maintenance and construction activities. 2018 bid prices were \$405.98 per ton of AC Grade Asphalt Cement, \$2.79 per gallon of MC 70 Grade Asphalt, \$3.00 per gallon of RC 800 Grade Asphalt, and the Demurrage cost per hour was \$100 after 3 hours.

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

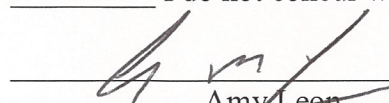
Respectfully submitted,



Corey Potts
Public Works Manager

Recommendation: It is recommended the bid be awarded to Jebro, Inc. of Sioux City, Iowa, for the AC Grade Asphalt at \$545.42 per ton, MC 70 Grade Asphalt at \$3.03 per gallon, RC800 Grade Asphalt at \$3.21, per gallon as detailed in Memorandum #19-62.

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


 Amy Leon
City Manager

____ Roll call

Memorandum #19-61

To: Amy Leon, City Manager
From: Corey Potts, Public Works Manager
Subject: Bid award for the Annual Supply of Bituminous Mix for the Department of Public Works, Street Division
Date: March 18, 2019

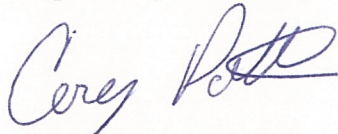
One bid was received for the annual supply of Bituminous Mix. The bid received is outlined below:

NAME	BID AMOUNT
Concrete Materials 1500 N. Sweetman Place PO Box 84140 Sioux Falls, SD 57118-4140 Mission Hill, SD Plant	\$68.00 per ton

The bid submitted for \$68.00 per ton is comparable to what current asphalt costs are in other locations in South Dakota. Last year's bid price was \$66.50 per ton.

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

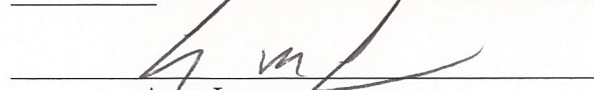
Respectfully submitted,



Corey Potts
Public Works Manager

Recommendation: It is recommended that the City Commission approve Memorandum # 19-61 authorizing the Annual Supply of Bituminous Mix be awarded to Concrete Materials of Sioux Falls, South Dakota, Yankton, South Dakota Plant at the price of \$68.00 per ton.

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



Amy Leon
City Manager

____ Roll call

Memorandum #19-70

To: *City Commission*
From: *Finance Officer*
Date: *3/19/2019*
Subject: *Public Hearing and Support of Resolution #19-13, Mount Marty College
Economic Development Revenue Bonds*

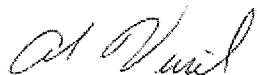
Mount Marty College (MMC) has requested that the City issue up to \$15 million in Economic Development Revenue Bonds to help fund their proposed Field House Project. This ability to aid a local economic development project was adopted by the South Dakota Legislature with the passage of South Dakota Codified Law 9-54 back in 1964 (see attachment). It allows the City to basically become a pass-through entity for the issuance of the bonds with the funding going to MMC and the payments of the debt service also being solely the responsibility of MMC. The debt does not affect the City's borrowing capacity nor make it legally bound to pay debt service upon any failure on the part of MMC. This benefits MMC by allowing them to gain a slightly lower interest rate (approximately 20%) and it benefits any investors by allowing them to earn interest tax-free. The City benefits by supporting the local institution and the economic development that our community derives from its continued existence.

The City Commission has issued these types of economic development bonds at least twice that I am aware of. Both were issued before my employment start date, but both were retired while I was employed by the City. The first issuance I'm aware of was a January 1981 issuance of \$2,000,000 (25-year term) for an addition and upgrade to the Yankton Medical Clinic. These were redeemed five years early in January of 2002. The second issuance was \$9,000,000 in May of 1997 for the building of the Alumax plant. These were refunded in 1999 when Alumax was obtained by Alcoa (now, SAPA).

Attorney Todd Meierhenry, Meierhenry Sargent LLP has been working as Bond Council for MMC and I have also attached a document that he has prepared that further clarifies and explains this economic development tool.

Recommendation: It is recommended that the City Commission hold the public hearing required for this action and to adopt Resolution #19-13 authorizing the City of Yankton to issue up to \$15 million in Economic Development Revenue Bonds in support of Mount Marty College.

Thank you,



Al Viereck
Finance Officer

I concur with the above recommendation
 I do not concur with the above recommendation



Amy Leon, City Manager

RESOLUTION NO. 19-13

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF THE CITY OF YANKTON ECONOMIC DEVELOPMENT REVENUE BONDS (MOUNT MARTY COLLEGE), SERIES 2019 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED FIFTEEN MILLION DOLLARS (\$15,000,000), AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO.

WHEREAS, City of Yankton, a body politic and corporate duly organized and validly existing under the laws of the State of South Dakota (the "City"), pursuant to South Dakota Codified Laws Chapter 9-54, as supplemented and amended (collectively, the "Act"), is authorized and empowered to issue and sell its revenue bonds to finance the costs of primary, secondary and post-secondary education facilities to stimulate and develop the general economic welfare and prosperity of the state through the promotion and advancement of primary, secondary and post-secondary education; and

WHEREAS, as a result of negotiations between the City and Mount Marty College (the "Borrower"), contracts will be entered into by the Borrower for the purpose to (i) finance the construction and furnishing and equipping of a fieldhouse located at 1105 W. 8th Street, Yankton, South Dakota (the "Project"), and (ii) pay certain fees and costs associated with the issuance of the Bonds (the "Project"); and

WHEREAS, the Project will be owned by Mount Marty College; and

WHEREAS, the City proposes to issue its Economic Development Revenue Bonds (Mount Marty College), Series 2019 (the "Bonds"), in an aggregate principal amount not to exceed Fifteen Million Dollars (\$15,000,000), to provide funds for financing all or portion of the Project, by lending the proceeds of the Bonds to the Borrower pursuant to a loan agreement (the "loan agreement") between the City and the Borrower, which prescribes the terms and conditions under which the Borrower shall repay the loan; and

WHEREAS, it is estimated that the costs of the Project, including costs relating to the preparation and issuance of the revenue bonds will not exceed \$15,000,000, the excess paid for from non-bond proceeds; and

WHEREAS, pursuant to the provisions of Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), a public hearing on the proposed plan of financing of the Project was held on March 25, 2019, prior to the adoption of this Resolution, pursuant to notice caused to be published March 9, 2019, more than 14 days from the date of the hearing, in the Yankton Daily Press & Dakotan, being a newspaper of general circulation published in the City; and

WHEREAS, the City desires to authorize its Mayor and Finance Officer to take certain action in preparation for issuing and selling the Bonds.

NOW, THEREFORE, BE IT RESOLVED by the City of Yankton as follows:

Section 1. Definitions. In addition to the words and terms defined in this Resolution, the words and terms used in this Resolution shall have the meanings as set forth in the loan agreement, unless the context or use indicates another or different meaning of intent.

“Act” means South Dakota Codified Laws Chapter 9-54, as amended.

"Authorized Officer of the City" means the Mayor and the Finance Officer, or, in the case of any act to be performed or duty to be discharged, any other member, officer, or employee of the City then authorized to perform such act or discharge such duty.

"Bond Counsel" means Meierhenry Sargent LLP, a firm of attorneys recognized as having experience in matters relating to the issuance of state or local governmental obligations.

“Bonds” means not to exceed \$15,000,000 City of Yankton Economic Development Revenue Bonds (Mount Marty College), Series 2019.

“City” means the City of Yankton a commission form of municipality organized under the State of South Dakota.

"City Commission" means the commissioners of the City elected pursuant to the provisions of the SDCL Title 9.

"City Finance Officer" “Finance Officer” means the Chief Finance Officer or chief financial officer of the City appointed pursuant to the provisions of South Dakota Codified Laws Title 9 or, in the absence of such appointment or in the event the person so appointed is unable or incapable of acting in such capacity, the person appointed by the City Council to perform the duties otherwise performed by the City Finance Officer, or his/her designee.

"Code" means the Internal Revenue Code of 1986, as amended, and the applicable regulations of the United States Department of Treasury promulgated thereunder as in effect on the date of issuance of the Bonds.

"Costs of Issuance" means all costs, fees, charges and expenses incurred in connection with the issuance of the Bonds, including costs for bond insurance and rating agency fees.

"Mayor" means the Mayor elected pursuant to the provisions of SDCL Chapter 9 or his or her designee acting on his or her behalf.

"Paying Agent and Registrar" means the Finance Officer of the City of Yankton, its successor or successors hereafter appointed in the manner provided herein.

"Person" means an individual, partnership, corporation, trust, or unincorporated organization, or a governmental entity or agency or political subdivision thereof.

“Project” means the construction and furnishing and equipping of a fieldhouse located at 1105 W. 8th Street, Yankton, South Dakota.

Section 2. Determination of the City. The City Commission determines that notice of said public hearing was published as required by Section 147(f) of the Code, that a hearing was held and that all persons appearing were given a reasonable opportunity to express their views, both orally and in writing.

Section 3. Authorization of Bonds. There are hereby authorized to be issued, sold and delivered the Bonds, designated as "Economic Development Revenue Bonds (Mount Marty College), Series 2019," in an aggregate principal amount not to exceed Fifteen Million Dollars (\$15,000,000) for the purpose of paying a portion of the costs of the acquisition, construction, installation and equipping the Project, including costs of issuance which will not exceed 2%.

Section 4. Designation of Bond Counsel and Bond Registrar. Meierhenry Sargent LLP is retained as Bond Counsel. The City Finance Officer is hereby designated as Bond Registrar.

Section 5. Terms and Execution of the Bonds. The Bonds shall be issued as fully registered Bonds, without coupons, in the form and denomination set forth in the loan agreement; shall bear such date as provided in the loan agreement; shall mature no later than thirty (30) years from the date of issue; shall bear interest at a rate or rates set forth in the loan agreement, shall be payable at such place or places and in such medium as provided in the loan agreement; shall be subject to the terms of redemption as are set forth in the loan agreement; and shall contain such other terms and provisions as are set forth in the loan agreement.

The Bonds shall be executed by the manual or facsimile signatures of Authorized Officer of the City and attested by the manual or facsimile signature of any other Authorized Officer of the City.

The Bonds are special limited obligations of the City payable solely from revenues and receipts derived from the loan agreement except to the extent that the principal of, premium, if any, and interest on the Bonds maybe paid out of money attributable to Bond proceeds or from temporary investments or from other moneys, if any.

The City will assign to the purchaser of the Bonds the City's rights under the loan agreement (except for certain unassigned City rights) as security for the repayment of the Bonds. As a result of the City's assignment as provided herein, the City will have no ownership interest in the Project.

The Bonds and obligation to pay interest thereon do not now and shall never constitute a debt, a liability, a general, moral or other obligation or a pledge of the full faith and credit of the City, the state of South Dakota or any political subdivision thereof, or a charge against the general faith and credit or taxing powers, if any, of any of them, within the meaning of any constitutional or statutory provision, but shall be secured as aforesaid, and are payable solely from the revenue and receipts derived from the loan agreement. No holder of any of the Bonds shall have the right to compel the taxing powers, if any, of the City, the state of South Dakota or political subdivision thereof to pay any principal of or premium, if any, or interest on the Bonds. Neither the commissioners, officers, employees or agents of the City nor any person executing the Bonds shall

be subject to personal liability or accountability by reason of the issuance of the Bonds or failure to issue or sell such Bonds.

Section 6. General. The Authorized Officers of the City, or any of them, are hereby authorized and directed, in the name of and on behalf of the City, to execute any and all instruments, documents and certificates, perform any and all acts, approve any and all matters, and do any and all things deemed by them to be necessary or desirable in order to carry out the purposes of this Resolution (including the preambles hereto), the acquisition, construction equipping and financing of the Project by the Borrower, the issuance and sale of the Bonds and the securing thereof pursuant to the loan agreement.

Section 7. Invalidity. If any section, paragraph, clause or provision of this Resolution shall be ruled by any court of competent jurisdiction to be invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the remaining sections, paragraphs, clauses or provisions.

Section 8. Conflicts. All ordinances, resolutions and orders, or parts thereof, in conflict with the provisions of this Resolution, are, to the extent of such conflict, hereby repealed.

Section 9. Effective Date. This Resolution shall be in full force and effect immediately upon its passage.

Adopted by City of Yankton City Commission this 25th day of March 2019.

Mayor, Nathan V. Johnson

(SEAL)
ATTEST:

City Finance Officer, Al Viereck

FREQUENTLY ASKED QUESTIONS IN ECONOMIC DEVELOPMENT BONDS

What are economic development revenue bonds?

Economic development revenue bonds are bonds to be paid exclusively from the revenue produced by the project financed by the use of the proceeds thereof. Cities are authorized to issue these types of bonds under SDCL Chapter 9-54.

Why is the City asked to issue the bonds?

Federal law allows tax-exempt bonds to be issued for certain private activities but requires those bonds to be authorized and issued by local governmental entities.

Does the City have to issue these types of bonds when requested?

No, it is within the discretion of the City. It can issue for one entity and not the next.

Why does a city issue economic development revenue bonds?

State law authorizes the City to issue the bonds so as to stimulate and develop the general economic welfare and prosperity of the state/

What is the City's job in the financing?

The City only acts as a conduit in the financing. It is generally referred to as the "Conduit Issuer". The City acts solely as a passthrough entity.

What types of South Dakota projects can be financed with economic development revenue bonds?

1. industrial,
2. commercial,
3. manufacturing,
4. agricultural,
5. natural resources,
6. postsecondary technical education,
7. research,
8. data collection,
9. health service,
10. housing for the elderly,
11. housing for the handicapped,
12. primary, secondary, and postsecondary education,
13. recreational development,
14. the reduction of water and air pollution resulting from such developments;
15. to encourage and assist in the location of new business and industry in this state and the expansion of existing business development;
16. to assist in the construction of postsecondary technical education facilities, and
17. and to promote the economic stability of the state by providing greater employment opportunities and diversification of industry thus promoting the general welfare of the citizens.

What are the most common types of economic development revenue bonds?

In South Dakota, the most common City issued bonds are for hospitals, nursing homes, 501(c)(3) entities, manufacturing, and for private business water and sewer projects.

What is the benefit to the company borrowers?

The company borrowers can borrow at a tax-exempt interest rate. This rate is approximately 21% lower than the taxable interest rate

What types of projects can be financed tax-exempt?

Exempt facility bonds – Private activity bonds issued to finance various types of facilities owned or used by private entities, including airports, docks and certain other transportation-related facilities; water, sewer and certain other local utility facilities; solid and hazardous waste disposal facilities; certain residential rental projects (including multi-family housing revenue bonds); and certain other types of facilities. Enterprise zone and recovery zone facility bonds are also considered exempt facility bonds.

Qualified 501(c)(3) bonds – Private activity bonds issued to finance a facility owned and utilized by a 501(c)(3) organization. Qualified 501(c)(3) bonds are not subject to the federal alternative minimum tax.

Qualified mortgage bonds – Private activity bonds issued to fund mortgage loans to finance owner-occupied residential property. Qualified mortgage bonds are often referred to as single family mortgage revenue bonds. See: HOUSING REVENUE BOND – Single family mortgage revenue bonds.

Qualified redevelopment bonds – Private activity bonds issued to finance certain acquisition, clearance, rehabilitation and relocation activities for redevelopment purposes by a governmental entity in designated blighted areas. Qualified redevelopment bonds are payable from general taxes or from tax increment revenues. See: TAX INCREMENT BOND.

Qualified small issue bonds – Private activity bonds issued to finance manufacturing facilities. Qualified small issue bonds may be issued on a tax-exempt basis in an amount up to \$1 million, taking into account certain prior issues, or an amount up to \$10 million, taking into account certain capital expenditures incurred during the three years prior and the three years following the issuance of such bonds.

Qualified student loan bonds – Private activity bonds issued to finance student loans for attendance at higher education institutions.

Qualified veterans' mortgage bonds – Private activity bonds that are general obligations of a state issued to fund mortgage loans to finance owner-occupied residential property for veterans. The ability of states to issue new and refunding qualified veterans' mortgage bonds on a tax-exempt basis is limited.

How does the bond financing work?

In a typical bond financing, the City issues the bonds and loans the proceeds of the bonds to the company borrower. The company borrower executes a note to the City along with security such as a mortgage and/or a security agreement. To secure payment of the bonds, the City pledges payments made by the company borrower and the property pledged under the mortgage or security agreement to the pay the bonds.

Can the City ever be liability for payment of the bonds?

No, South Dakota law does not authorize or permit the city to make any contract or to incur any obligation of any kind or nature except such as shall be payable solely out of the contractual payments from the project financed with the bonds.

If the bonds default, will that effect the credit rating of the City?

No, rating agencies understand that the bonds are not an obligation of the City. The credit rating of the company borrower is effected by a failure to pay the bonds because it is its failure to pay the City under the note.

What is the process in issuing the Bonds?

1. Informally, City administration and City officers determines whether there is or could be sufficient support to place consider issuance. Determine a hearing date.
2. Publish Notice of Hearing 14 days prior if before April 1, 2019, 7 days before after April 1.
3. Hold Hearing.
4. Pass resolution authorizing Economic Development Revenue Bonds.
5. Set closing date more than 20 days from publication of resolution and close.

CHAPTER 9-54

ECONOMIC DEVELOPMENT PROJECTS

- [9-54-1](#) Purpose of chapter.
- [9-54-2](#) Power to issue bonds, acquire or construct projects and enter revenue agreements--Location of projects.
- [9-54-2.1](#) Power to issue revenue bonds, purchase or discharge debt of nonprofit corporation operating health care or housing facility and enter revenue agreements--Location of project.
- [9-54-2.2](#) Restriction on use of bonds for elderly housing projects.
- [9-54-3](#) "Revenue bonds" defined.
- [9-54-3.1](#) "Revenue agreement" defined.
- [9-54-4](#) Costs to be covered by bonds--Authorization, issuance and sale of bonds.
- [9-54-5](#) Amount of bond issue limited by costs.
- [9-54-6](#) Bonds not general obligations nor payable by taxation--Recitals in bonds.
- [9-54-7](#) Mortgage of project and pledge of revenues to payment of bonds--Trust funds--Other covenants and agreements.
- [9-54-8](#) Lease or sale payments sufficient to pay bonds and costs--Payments in lieu of property taxes.
- [9-54-8.1](#) Lease with option to purchase--Title acquired before bonds retired--Pledge for payment of bonds.
- [9-54-9](#) Municipal obligations restricted by contractual payments from facilities.
- [9-54-10](#) County and sanitary district powers.
- [9-54-11](#) Municipal joint or cooperative agreements.
- [9-54-12](#) Compliance with federal requirements for tax exemption.

9-54-1. Purpose of chapter. The purpose of this chapter is to stimulate and develop the general economic welfare and prosperity of the state through the promotion and advancement of industrial, commercial, manufacturing, agricultural, natural resources, postsecondary technical education, limited to bonding for public postsecondary technical institutions in operation on July 1, 1981, research, data collection, health service, housing for the elderly, housing for the handicapped, primary, secondary, and postsecondary education, recreational development, and the reduction of water and air pollution resulting from such developments; to encourage and assist in the location of new business and industry in this state and the expansion of existing business development; to assist in the construction of postsecondary technical education facilities, for public postsecondary technical institutions in operation on July 1, 1981; and to promote the economic stability of the state by providing greater employment opportunities and diversification of industry thus promoting the general welfare of the citizens by authorizing all municipalities of the state to issue revenue bonds to finance projects comprising real or personal property or both, useful for any of these purposes. The purpose of this chapter is also to promote health services, housing for the elderly and housing for the handicapped at reasonable costs, thus promoting the general welfare of the citizens, by authorizing all municipalities of the state to issue revenue bonds to pay, purchase or discharge all or any part of the outstanding indebtedness of any nonprofit corporation incurred in the purchase, construction, reconstruction, acquisition of sites for, enlargement, improvement, or remodeling of health service facilities, housing for the elderly or housing for the handicapped.

Source: SL 1964, ch 148, § 1; SL 1972, ch 45, § 3; SL 1973, ch 59, § 1; SL 1981, ch 77, § 1; SL 1981, ch 78; SL 1998, ch 46, § 1.

9-54-2. Power to issue bonds, acquire or construct projects and enter revenue agreements--Location of projects. For the purposes stated in § 9-54-1, any municipality may issue revenue bonds, the proceeds of which shall be used only to purchase, construct, reconstruct, acquire sites for, enlarge, improve, or remodel buildings, structures, or equipment, and to enter into revenue agreements as defined in § 9-54-3.1 with any person, firm, limited liability company, corporation, or governmental entity, the projects to be situated in any municipality or its environs without limitation as to distance, providing the governing body of the municipality declares that the project, if in being, would promote the welfare of the municipality.

Source: SL 1964, ch 148, § 2; SL 1972, ch 45, § 4; SL 1973, ch 59, § 2; SL 1981, ch 77, § 2; SL 1984, ch 43, § 98A; SL 1994, ch 351, § 9.

9-54-2.1. Power to issue revenue bonds, purchase or discharge debt of nonprofit corporation operating health care or housing facility and enter revenue agreements--Location of project. With respect to hospitals, nursing homes, other health care facilities, housing for the elderly, housing for the handicapped, wellness centers, or primary, secondary, or postsecondary schools to be operated by any nonprofit corporation, for any purpose stated in § 9-54-1, a municipality may issue revenue bonds to pay, purchase, or discharge all or any part of the outstanding indebtedness of a nonprofit corporation incurred in the purchase, construction, reconstruction, acquisition of sites for, enlargement, improvement, or remodeling of hospitals, nursing homes, other health care facilities, housing for the elderly, housing for the handicapped, wellness centers, or primary, secondary, or postsecondary schools, including, to the extent deemed necessary or desirable by the municipality, any unpaid interest on indebtedness accrued or to accrue to the date on which the indebtedness is finally paid, and any premium the municipality determines to be necessary or desirable to be paid to pay, purchase, or discharge outstanding indebtedness, and to enter into revenue agreements as defined in § 9-54-3.1, with any nonprofit corporation, the projects to be situated in any municipality or its environs without limitation as to distance, providing the governing body of the municipality declares that the project would promote the welfare of the municipality. Nothing in this section is intended to prohibit the use of revenue bonds to pay outstanding indebtedness of any person, firm, limited liability company, corporation, or governmental entity to the extent now permitted by law.

Source: SL 1981, ch 77, § 3; SL 1982, ch 28, § 2; SL 1984, ch 43, § 98B; SL 1991, ch 75, § 1; SL 1994, ch 351, § 10; SL 1998, ch 46, § 2.

9-54-2.2. Restriction on use of bonds for elderly housing projects. Any housing for the elderly financed by revenue bonds shall be operated by either a nonprofit corporation or a corporation wholly owned, either directly or indirectly, by a nonprofit corporation.

Source: SL 1981, ch 77, § 9; SL 1984, ch 62; SL 1990, ch 67; SL 1991, ch 76.

9-54-3. "Revenue bonds" defined. Revenue bonds, as the term is used in this chapter, are bonds to be paid exclusively from the revenue produced by the project financed by the use of the proceeds thereof, including but not limited to payments due under any revenue agreement, or under any bond or other obligation issued in payment therefor or any mortgage, pledge, or security agreement given with respect to the project or any other property of the lessee, purchaser, or borrower with respect to the project.

Source: SL 1964, ch 148, § 7; SL 1973, ch 59, § 3; SL 1981, ch 77, § 4.

9-54-3.1. "Revenue agreement" defined. Revenue agreement, as the term is used in this chapter, is any written agreement between a municipality and another person, firm, limited liability

company, corporation, or governmental entity with respect to a project whereby such other person, firm, limited liability company, corporation, or governmental entity agrees to pay to the municipality or to its order amounts sufficient at all times to pay when due the principal of, premium, if any, and interest on all bonds issued by the municipality with respect to that project. A revenue agreement includes, but is not limited to, a lease, a direct or installment sale contract, or a loan agreement.

Source: SL 1981, ch 77, § 5; SL 1994, ch 351, § 11.

9-54-4. Costs to be covered by bonds--Authorization, issuance and sale of bonds. Bonds may be issued in amounts as may be necessary to provide sufficient funds to pay all the costs of purchase or construction of each project which under accepted accounting practice are capital costs, including goodwill and other intangible costs, as well as site, engineering, and all other expenses of its planning and completion, together with additional amounts as may be agreed to by the lessee, purchaser, or borrower with respect to the project and the purchasers of the bonds as a discount or underwriters' fee, and to pay interest accruing before completion of the project, to establish a reserve securing payment of the bonds, and, with respect to hospitals, nursing homes, other health care facilities, housing for the elderly, housing for the handicapped or wellness centers, comprising a project, the cost of paying, purchasing or discharging any outstanding indebtedness or other cost as authorized in § 9-54-2.1. Bonds issued under the provisions of this chapter shall be authorized, issued and sold in accordance with chapter 6-8B, except that no election is required.

Source: SL 1964, ch 148, § 4; SL 1973, ch 59, § 4; SL 1981, ch 77, § 6; SL 1984, ch 43, § 98C; SL 1991, ch 75, § 2; SL 1998, ch 47, § 1.

9-54-5. Amount of bond issue limited by costs. In no case shall any revenue bonds be issued for an amount in excess of the actual cost of the project, including the site therefor and all other items referred to in § 9-54-4.

Source: SL 1964, ch 148, § 6; SL 1973, ch 59, § 5.

9-54-6. Bonds not general obligations nor payable by taxation--Recitals in bonds. Revenue bonds issued pursuant to this chapter shall not be general obligations of the municipality nor shall they be payable in any manner by taxation. Such revenue bonds shall recite the authority under which they are issued, and shall state that they are issued in conformity with the provisions, restrictions, and limitations of this chapter, and that such bonds and the interest thereon are to be paid from the revenue received from the project financed, in whole or in part, by the issuance of the revenue bonds.

Source: SL 1964, ch 148, § 8; SL 1973, ch 59, § 6; SL 1984, ch 43, § 98E.

9-54-7. Mortgage of project and pledge of revenues to payment of bonds--Trust funds--Other covenants and agreements. The governing body of the municipality may, by ordinance, resolution, or by a trust indenture executed under authority of a resolution or ordinance, pledge the revenues of the project and any other security of whatsoever nature, offered by the lessee, purchaser, or borrower with respect to the project, and may mortgage the project, for the payment of the bonds and the interest thereon, and provide that the revenues shall be set apart in one or more special trust funds for that purpose. The resolution, ordinance, or indenture may include covenants and agreements as the governing body deems necessary or desirable to secure

the bonds, including the establishment of a reserve from the bond proceeds, and may authorize a trustee appointed under an indenture to enforce all rights and remedies of the municipality under the revenue agreement with respect to the project.

Source: SL 1964, ch 148, § 5; SL 1969, ch 188, § 1; SL 1973, ch 59, § 7; SL 1981, ch 77, § 7; SL 1984, ch 43, § 98D.

9-54-8. Lease or sale payments sufficient to pay bonds and costs--Payments in lieu of property taxes. Revenue agreements pursuant to § 9-54-3.1 shall provide for contractual payments sufficient to pay the principal, premium, if any, and interest on any bonds issued by the municipality under the resolution or ordinance or trust indenture, when due or subject to mandatory redemption, and also to pay all taxes, special assessments and other governmental charges levied or imposed with respect to the project, and to pay all costs of insurance, operation, and maintenance thereof. The agreements shall also reimburse the municipality for the cost of any other obligation assumed by it in connection with the project. Revenue agreements in the form of a lease or sale contract shall further provide for payment of a sum equal to the amount of property taxes which would be due if the lessee or purchaser were the owner of the project, to be prorated among the taxing districts involved and taking into consideration reductions permitted pursuant to §§ 10-6-35.1 to 10-6-35.4, inclusive, for the term of the agreement.

Source: SL 1964, ch 148, § 3; SL 1973, ch 59, § 8; SL 1975, ch 93, § 1; SL 1981, ch 77, § 8; SL 1981, ch 79; SL 1984, ch 43, § 98F.

9-54-8.1. Lease with option to purchase--Title acquired before bonds retired--Pledge for payment of bonds. Any lease agreement may grant an option to the lessee to purchase the project at a price and upon other conditions sufficient to assure the payment and redemption of the bonds and payment and reimbursement of all such other charges and costs. Any lease or sale agreement may provide for acquisition of title to the project by the lessee or purchaser in advance of the retirement of the bonds, if such retirement is assured by the deposit with the municipality or the trustee of funds or of bonds or other obligations issued by the lessee or purchaser to the municipality, or bonds or other obligations issued or guaranteed by the United States or an agency thereof, which are payable as to principal and interest at the times and in the amounts required to pay the municipality's bonds at or before maturity and all interest and redemption premiums thereon when due. In this event the payments of principal and interest on such obligations, and any mortgage or pledge of property or funds securing such payments, shall be irrevocably pledged for the payment of the bonds, interest and redemption premiums and payment and reimbursement of all other costs.

Source: SDCL, § 9-54-8 as added by SL 1973, ch 59, § 8.

9-54-9. Municipal obligations restricted by contractual payments from facilities. Nothing in this chapter shall be so construed as to authorize or permit any municipality to make any contract or to incur any obligation of any kind or nature except such as shall be payable solely out of the contractual payments from such facilities.

Source: SL 1964, ch 148, § 4.

9-54-10. County and sanitary district powers. Any county shall have the same powers as a municipality under this chapter. Any sanitary district shall have the same powers as a municipality under this chapter with respect to any project providing sewer service or control of water pollution.

Source: SL 1972, ch 45, § 5.

9-54-11. Municipal joint or cooperative agreements. Any municipality, in order to accomplish the purposes provided in this chapter, may enter into agreements with any other public agency or agencies for joint or cooperative action and such agreements shall be governed by the provisions of chapter 1-24.

Source: SL 1972, ch 45, § 2.

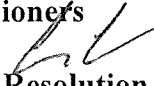
9-54-12. Compliance with federal requirements for tax exemption. Notwithstanding any provision under the laws of the State of South Dakota, a municipality in order to accomplish the purposes provided in this section and chapter 6-8B may perform all acts necessary to comply with the requirements of § 103 of the Internal Revenue Code of 1954, as amended, and any regulation promulgated pursuant to § 103 to insure that all interest from bonds issued under this chapter is tax exempt.

All hearings or acts necessary to comply with § 103(k) of the Internal Revenue Code of 1954, as amended, and any regulations promulgated pursuant to § 103(k) are exempt from the requirements and procedures of chapter 1-26.

The Governor is the approving representative for the state for the purpose of complying with the applicable provisions of § 103(k) of the Internal Revenue Code of 1954, as amended, and any regulation promulgated pursuant to § 103(k) necessary to insure that all interest from bonds issued is tax exempt.

Source: SL 1984, ch 43, § 58.

Memorandum No. 19-64

TO: Mayor and City Commissioners
FROM: Amy Leon, City Manager 
RE: Emergency Declaration – Resolution
DATE: March 19, 2019

The City of Yankton, along with Yankton County and other communities within the Midwest experienced record flooding during the Winter Storm Ulmer that started on March 12, 2019. Although accurate numbers will not be known at this time, preliminary estimates for damage done to public infrastructure owned by the City of Yankton will be in the millions. As such, it is important that we pass an Emergency Declaration Resolution to start the process with FEMA and other government agencies that may provide monetary support.

Recommendation: It is recommended that the City Commission pass the Emergency Declaration Resolution in regards to the storm and flooding of March 12, 2019.

RESOLUTION NO. 19-16

WHEREAS, the City of Yankton, South Dakota has received historic above normal precipitation in March, 2019, resulting in accelerated snow melt and flooding causing severe damage to property and risk to City of Yankton residents' lives; and

WHEREAS, the City of Yankton has evaluated all available resources needed to mitigate potential damage to critical infrastructure and ensure life safety for the residents for the City of Yankton and has found that additional resources are necessary as early as March 15, 2019; and

WHEREAS, the total costs for repair and improvements are not yet fully known but estimated to be in excess to what local resources are able to provide; and

WHEREAS, the State of South Dakota declared a statewide emergency on March 15, 2019; and

WHEREAS, Yankton County declared an emergency due to flooding on March 19, 2019; and

WHEREAS, the resulting damage and destruction will endanger and threaten the health, safety, and welfare of the public and the financial stability of the local governing units and the utility companies and power cooperative generally, now, therefore

BE IT RESOLVED that the City Commissioners for the City of Yankton, South Dakota, do hereby declare an emergency due to the flooding in the City of Yankton, South Dakota.

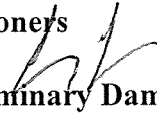
Adopted by City of Yankton City Commission this 25th day of March 2019.

Mayor, Nathan V. Johnson

(SEAL)
ATTEST:

City Finance Officer, Al Viereck

Memorandum No. 19-65

TO: Mayor and City Commissioners
FROM: Amy Leon, City Manager 
RE: Discussion regarding Preliminary Damage Report of Public Infrastructure
DATE: March 19, 2019

I plan to give a verbal Preliminary Damage of Public Infrastructure report at Monday's meeting from the damage of the flooding and storm that started on March 12, 2019. I will also discuss our response plan and adjustments which need to be made in the Capital Improvement Plan in order to respond to our immediate needs.

Memorandum #19-66

To: *Amy Leon, City Manager*
From: *Brittany LaCroix, Events and Promotions Coordinator*
Subject: *Request by Rock'n Rumble for Special Events Parking Ordinance #933 to be in place during their event and request for suspension of alcohol consumption*
Date: *March 19, 2019*

The Rock'n Rumble event will be taking place on July 26-27, 2019 in the Meridian District. The organizing committee is requesting a street closure on 3rd Street from Douglas to Capitol and also a portion of Capitol Street, shown on the map attached, to be in effect from 8:00 AM on July 26, 2019 until 10:00 AM on July 28, 2019 to allow for cleanup and tear down of the event. The event committee has been in contact with all business impacted by the closure.

In 2010, the City Commission adopted an ordinance allowing for a no parking designation for special events designated by a resolution before the governing body. This resolution would authorize the City to tow vehicles that are parked in the defined area and times.

The committee is requesting that Special Events Parking zone identifying boundaries of the zone and Tow Authorization be granted during this event for car traffic. The Rock'n Rumble Committee will place no parking signs 48 hours prior to the event on Tuesday, July 23, 2019. The committee will create a temporary sign to attach identifying details of the event. Rock'n Rumble is also requesting A-frame be provided to hang no parking signs and barricades to be used to close the streets as mentioned above. The committee will coordinate with the Streets & Parks Departments to locate signs in appropriate areas.

The Rock'n Rumble committee is working with the Events and Promotions Coordinator to get picnic tables, barricades, benches, cones, orange fence, garbage barrels, garbage dumpsters and special event A-frames. Exact numbers have not yet been determined. These items will either be picked up or delivered by the Parks & Recreation Department, as well as the Street Department.

The committee is also asking for a suspension of the open container law of the City of Yankton for the mentioned closed area. This request is to have the City of Yankton suspend the law for this event from 3rd Street from Douglas to Capitol and also a portion of Capitol Street from 3:00 PM on Friday, July 26, 2019 until 2:00am on Sunday, July 28, 2019. All alcohol will be sold in either an aluminum can or plastic cups and sold at one designated spot within the event closure. The committee has also been in contact with the bars located within the event closure to ensure any alcohol that leaves their bar needs to be in a plastic cup.

_____ Roll call

Recommendation: It is recommended that the City Commission approve the special event with the special event parking ordinance in force and suspend the open container law for the area of 3rd Street from Douglas to Capitol and also a portion of Capitol Street, shown on the attached map, to be in effect from 8:00 AM on July 26, 2019 until 10:00 AM on July 28, 2019.

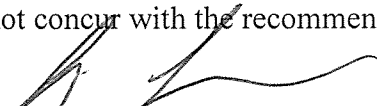
Respectfully submitted,



Brittany LaCroix
Events & Promotions Coordinator

I concur with the recommendation.

I do not concur with the recommendation.



Amy Leon
City Manager

____ Roll call

Resolution #19-15

Special Events Parking Request

WHEREAS, the City Commission adopted an Ordinance allowing for no parking designation for special events within the City of Yankton; and

WHEREAS, this Resolution would authorize the City of Yankton to tow vehicles that are parked in the defined area or areas and times specified for Special Events; and

WHEREAS, the Rock'n Ribfest Committee has made a request to enact this no parking zone for their event on July 26-27, 2019.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Yankton, South Dakota hereby approves the Special Event Parking Request on 3rd Street from Douglas to Capitol and also a portion of Capitol Street, shown on the attached map, to be in effect from 8:00 AM on July 26, 2019 until 10:00 AM on July 28, 2019 to allow for cleanup and tear down of the event.

Adopted:

Nathan V Johnson, Mayor

ATTEST:


Al Viereck, Finance Officer

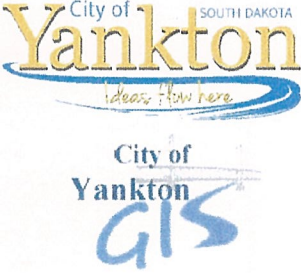
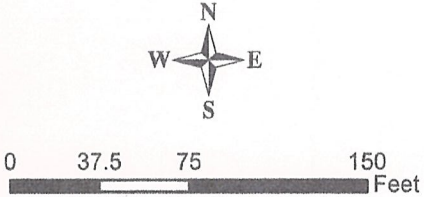
City of Yankton

Rock 'N' Rumble
Event
July 26 - 27, 2019




Legend

 Street Closure with Proposed Open Container



Memorandum No. 19-69

TO: Mayor and City Commissioners
FROM: Amy Leon, City Manager
RE: Funding Request for Yankton USBC Association
DATE: March 19, 2019



Attached is a letter from Charles W Turner and Jan M Putnam of the Yankton USBC Association, requesting financial participation from the City of Yankton for 2019 for their 2019 South Dakota State USBC Youth Tournament.

Representatives from the Yankton USBC Association will be present to answer questions from the Commission in respect to this request.

Recommendation: It is recommended that the City Commission discuss the proposal and take action regarding whether or not to fund, deny, or table the request. If the request is approved, a funding source would need to be determined.



**YANKTON USBC
ASSOCIATION #80476**

March 18, 2019

Yankton City Commissioners,

The Yankton United States Bowling Congress (USBC) #80476 and Yankton Bowl are honored to be hosting the upcoming 2019 South Dakota State USBC Youth Tournament. The tournament will begin on Saturday, March 30th and continue on Saturdays and Sundays through the end of April, excluding Easter weekend. During this period of time, approximately 500 to 600 youth will converge on Yankton to participate in the tournament.

Youth of all ages, along with their family members will make their way to Yankton. Family members may not only be Mom and Dad, but Grandma and Grandpa, Aunts and Uncles and more. They will stay in our hotels, eat at our restaurants and shop at our stores. This tournament may conservatively bring 3000 people to the Yankton community generating tax revenue. When we hosted the SDSUSBC Open Tournament in 2017, the Yankton Chamber of Commerce estimated the tournament would generate between \$2.5 and \$4 million dollars for the City of Yankton. This tournament has the same capabilities, if not more.

These youth are the future of our Sport and our very own YHS bowlers recently won the High School Bowling Championship. They were honored at a Bucks basketball game and what better way to let other youth know that bowling can be done by everyone, no matter your age or ability!! This is also a sport where youth can earn scholarship funds beginning at a young age all the way through high school.

We, as an Association, are required to provide each bowler with a participation gift bag. We have chosen to be different than other towns they have bowled in by providing them with a bag pertaining to their bowling. We want to help them continue in this sport we love and hope this will encourage them to continue to bowl throughout high school, college and into adulthood.

The products in these bags cost \$15 or more and we must have 600 of them prepared for a total of \$9,000.00. We have been putting money aside to help with the cost, but we are now asking for your help. We are requesting a donation of \$2,500.00 to offset some of our expense as we will have another tournament coming to Yankton in 2021.

Thank you for your time and consideration!

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