



**CITY OF YANKTON**

**2019\_10\_28**

**COMMISSION MEETING**



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

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## **YANKTON BOARD OF CITY COMMISSIONERS**

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

**Monday, October 28, 2019**

**City of Yankton Community Meeting Room**

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

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

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### **I. ROUTINE BUSINESS**

1. **Roll Call**
2. **Approve Minutes of regular meeting of October 14, 2019** **Attachment I-2**
3. **Proclamation – Yankton Monarch City USA** **Attachment I-3**
4. **City Manager’s Report** **Attachment I-4**
5. **Public Appearances**

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

### **II. CONSENT ITEMS**

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

1. **Assessment Roll; Noxious Vegetation and Abatement, set public hearing**  
Consideration of Memorandum #19-228 and Resolution #19-61, recommending that November 25, 2019, be established as the date for a public hearing on the special assessment roll for removal of noxious vegetation and abatement

**Attachment II-1**

**2. Establish public hearing for renewal of Alcoholic Beverage Licenses**

Establish November 12, 2019, as the date for a public hearing and consideration of the applications for renewal of Alcoholic Beverage Licenses for the 2019 (January 1, 2020, to December 31, 2020) licensing period

**Attachment II-2**

**3. Fireworks Request by Holiday Lights Committee**

Consideration of Memorandum #19-227 regarding request to shoot small fireworks show during Holiday Lights Parade on December 5, 2019

**Attachment II-3**

**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 #19-221 regarding the request for a Special Events Retail (on-sale) Liquor License for 1 day, November 9, 2019, from Dayhuff Enterprises, Inc. d/b/a O'Malley's Bar (Jeff Dayhuff, President), NFAA, 800 Archery Lane, Yankton, S.D.

**Attachment III-1**

**2. Public Hearing Date for Ordinance - Signs**

Consideration of Memorandum #19-218, public hearing for consideration of Ordinance #1025, an ordinance amending certain language in the definition of "Sign Area" in Section 27-71, Chapter 27, Article III. - Signs of the Yankton City Code of Ordinances.

**Attachment III-2**

**3. Public Hearing Date for Ordinance – Emergency Snow Route**

Consideration of Memorandum #19-211, public hearing of Ordinance #1026, amending the Emergency Snow Route Ordinance Chapter 21-127

**Attachment III-3**

**4. Public Hearing Date for Ordinance – Truck Route**

Consideration of Memorandum #19-212, public hearing of Ordinance #1027, amending the Truck Route Ordinance Chapter 14-205

**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. Planning Commission Recommendation – Plat Review**

Consideration of Memorandum #19-219 regarding Resolution #19-58, a plat of Lot 1 and 2 of Parcel D, Located in the NW 1/4 of the NW 1/4, Less Highway Lot H-1, Section 18, T93N, R55W of the 5th P.M., City and County of Yankton, South Dakota. Address 920 Broadway Avenue. Larry and Peggy Olson, owners.

**Attachment IV-1**

2. **Final Close Out - Permanent Pavement Marking**  
Consideration of Memorandum #19-223 regarding close-out of Permanent Pavement Marking  

**Attachment IV-2**
3. **Bid Award – Surplus Property**  
Consideration of Memorandum #19-220 regarding Bid Award for Surplus Property  

**Attachment IV-3**
4. **Fees Associated with Special Events**  
Consideration of Memorandum #19-224 and Resolution #19-60 regarding establishing a Fee rate structure for Special Events  

**Attachment IV-4**
5. **Holiday Festival of Lights - Special Events Parking Request**  
Consideration of Memorandum #19-222 and Resolution #19-59 regarding request by Holiday Festival of Lights Committee for Special Events Parking Ordinance #933 to be in place during Holiday Festival of Lights on December 5, 2019 and suspension of alcohol Consumption  

**Attachment IV-5**
6. **Downtown Holiday Lighting Partnership Request**  
Consideration of Memorandum #19-225 regarding Downtown Holiday Lighting Partnership Request  

**Attachment IV-6**
7. **Additional Deputy City Attorney**  
Consideration of Memorandum #19-216 regarding Additional Deputy City Attorney  

**Attachment IV-7**
8. **Bid Award for Huether Family Aquatics Center**  
Consideration of Memorandum #19-226 regarding bid award for Huether Family Aquatics Center  

**Attachment IV-8**
9. **Huether Family Aquatics Center Splashpad Grant**  
Consideration of Memorandum #19-217 in support of Resolution #19-57 regarding Land, Water and Conservation Fund Grant for Huether Family Aquatics Center Splashpad  

**Attachment IV-9**
10. **Designating a Complete Count Committee – 2020 Census**  
Consideration of Memorandum #19-229 regarding Resolution #19-62 regarding Designating a Complete Count Committee for 2020 Census  

**Attachment IV-10**
- 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 INTO EXECUTIVE SESSION TO DISCUSS CONTRACTUAL, LITIGATION AND PERSONNEL MATTERS UNDER SDCL 1-25-2**

*Executive or closed meetings may be held by a majority vote of the governing body for the sole purposes of:*

- *Discussing the qualifications, competence, performance, character or fitness of any public officer or employee.*
- *Consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters.*
- *Preparing for contract negotiations or negotiating with employees or employee representatives.*
- *Discussing marketing or pricing strategies by a board or commission of a business owned by the City, when public discussion may be harmful to the competitive position of the business.*

*Any official action concerning such matters shall be made at an open official meeting.*

**VII. RECONVENE AS BOARD OF CITY COMMISSIONERS**

1. Roll Call

**VIII. ADJOURN THE MEETING OF OCTOBER 28, 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  
October 14<sup>th</sup>, 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, Miner, Moser, Schramm and Webber. City Attorney Den Herder and City Manager Leon were also present. Absent: None. Quorum present.

Action 19-260

Moved by Commissioner Miner, seconded by Commissioner Webber, to approve the Minutes of Work Session of September 23<sup>rd</sup>, 2019 and the Minutes of Regular Meeting of September 23<sup>rd</sup>, 2019.

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

Action 19-261

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

4imprint - Police Stickers - \$337.68; Adobe Creative Cloud - Contracted Service - \$53.24; Adobe Stock - Contracted Service - \$31.94; Amazon - Contracted Service - \$8.51; Amazon - Weight Trees - \$213.10; Amazon - Books - \$211.79; Amazon - Rec Supplies - \$18.33; Amazon - Office Supplies - \$267.66; Amazon - Console Mouse - \$26.40; Amazon - Program Supplies - \$221.77; Amazon - Key Locators - \$49.99; Amazon - Office Supplies - \$56.75; Amazon - Cleaning Supplies - \$51.47; Amazon - Card Holders - \$20.99; Amazon - Weight Trees - \$809.36; Amazon - Gloves - \$270.00; Amazon - Office Supplies - \$21.40; Amazon - Rec Supplies - \$61.64; Amazon - Janitorial Supplies - \$66.33; Amazon - Dvd's - \$337.10; Amazon - Adult Craft Night - \$144.77; American - Bag Fee - \$30.00; American - NLC - \$418.00; American - Nlc - \$418.00; American - NLC - \$418.00; AMG Occupational Medicine - CDL/DOT Drug Testing - \$63.00; Aox Welding Supply Co Inc - C02 - \$62.74; Arbys - Training Expense - \$3.63; Arbys - Training Expense - \$3.74; ASCE Purchasing - Membership - \$260.00; AT&T - Cell Phones - \$287.23; AT&T - Cellular - \$521.46; Auto Value - Batteries - \$1,181.93; Auto Value - Van Parts - \$17.43; Autozone - Grease And Latex Gloves - \$150.44; Avenu Insights & Analytics LLC - Maint Program Support - \$1,902.02; Avera Sacred Heart Hospital - Vaccinations - \$106.81; Baker Taylor - Books - \$2,494.04; Bartlett & West Inc - Lift Station - \$15,656.38; Battery Exchange - Equipment Repairs - \$39.95; BHM World Herald - Newspaper Subscription - \$400.32; Bierschbach Equip & Supply - Concrete Supply - \$2,947.92; Bomgaars - Odor Control Plumbing - \$816.35; Bow Creek Metal - Lagoon Boat Repairs - \$114.47; Broadway Chrysler Dodge - Sensor Repair - \$172.95; Brownells Inc - Rifle Parts - \$464.16; Buhl Cleaners - Towels - \$355.52; Carus Corporation - Chemicals - \$3,072.30; Cedar Knox Public Power Dist - Elect - \$1,357.54; Cedar Shore Resort Res - Travel Expense - \$31.74; Cenex - Fuel - \$50.74; Center Point Large - Books - \$134.22; Central Square Tech LLC - Conference - \$150.00; Centurylink - Phone - \$1,277.89; Chamber Of Commerce - Retirement Gift - \$100.00; Chesterman Company - Concessions - \$47.00; Chewy.Com - K9 Medical Care - \$79.86; CHS - Def - \$82.50; City Of Vermillion - Jt Power Cash Trans - \$81,324.26; City Of Yankton-Fire Dept - Landfill Charge - \$12.00; City Of Yankton-Parks - Landfill Charges - \$315.90; City Of Yankton-Solid Waste - Compacted Garbage - \$13,541.58; City Utilities - Wtr/Ww Charges - \$28,247.77; Clarks Rentals Custom - Shop Tool - \$322.00; Concrete

Material - Concrete - \$3,596.00; Conoco - Travel Expense - \$42.71; Cornhusker Intl Truck Inc - Batteries - \$1,156.82; Cornwell DP Tools Inc - Sway Link Kit - \$69.99; Cox Auto Supply - Mower Repairs - \$128.90; Cps Ohio - Gas Range Burner Control - \$80.70; Credit Collection Service Inc - Ut Collection - \$28.18; Rescent Electric - Park Supplies - \$141.63; Culvers Of Arrowhead - Training - \$7.63; Dairy Queen - Program Supplies - \$10.00; Dakotacare Admin Services Inc - Flex Spending Fees - \$38.80; Danko Emergency Equipm - Fire Hoses - \$390.25; Danko Emergency Equipment - Parts - \$76.23; David Stevens Construction Inc - FEMA Flood Damage - \$6,409.50; Defensive Edge Trainin - Armors Training - \$900.00; Delta - Baggage - \$50.00; Delta - Baggage - \$50.00; Den Herder Law Office, P.C. - Contracted Services - \$1,462.50; Dept Of Corrections - Doc Work Program - \$1,700.85; Desktop Supplies.Com - Postcards - \$292.64; Dharma Trading Co - Adult Craft Night - \$118.27; Dollar Tree - Evidence Supplies - \$6.00; Dominos Pizza - Range Clean Up - \$82.93; Echo Electric Supply - Electrical Supplies - \$42.39; Ehresmann Engineering - Cold Roll Steel - \$73.72; Embroidery & Screen Works - Uniform Repair - \$22.00; Endress Hauser Inc - Effluent Meter Wiring - \$1,382.41; Epumps - Chemicals - \$326.00; Ethanol Products LLC - Co2 - \$1,253.38; Expressions Photo - Professional Services - \$85.00; Exxonmobil - Training - \$15.77; Facebook - Advertisement - \$20.00; Facebook - Welcome To Walnut - \$16.76; Fastenal Company 01sdy - Nuts And Bolts - \$115.29; FBI National Academy A - FBI National Academy - \$420.00; Fedex - Evidence Postage - \$13.12; Feimer Construction - Pearl St Const C-11-19 - \$43,841.88; Feld Fire - Service Compressor - \$600.00; Ferguson Waterwrks - Meters - \$3,580.25; Fire Catt LLC - Hose Testing - \$4,977.60; Fred Haar Company Yank - Batteries - \$687.14; Frontera Grill Hk - FEMA Training - \$23.08; Frontier Mills Inc - Grass Seed - \$363.24; Garys Repair - Towing - \$100.00; Geotek Eng & Testing Serv Inc - Water Facility Expansion - \$7,109.00; Gerstner Oil Co - Fuel - \$11,295.98; Girton Adams Co - Sludge Heater Repairs - \$86.10; GPS Industries - Carts - \$1,920.00; Rafix Shoppe - Car Decals - \$52.72; Grainger - PVC Fittings - \$291.24; Graymont Capital Inc - Lime - \$23,536.62; Hach Company - Reagents - \$1,959.18; Hancock Concrete Products Llc - Concrete - \$200.00; Hanson Briggs - Utility Envelopes - \$634.36; Hanson Briggs - Music At Meridian - \$716.44; Hardees - Travel Expense - \$9.29; Have A Better Life - Program Supplies - \$153.35; Hawkins Inc - Azone-Ferric Chloride - \$14,540.95; Hawkins Inc - Hypochlorite - \$541.59; HDR Engineering Inc - Wwtp Pipe Replacement - \$21,169.78; Hertz Rentacar - Rental Car-FEMA Training - \$162.83; Hillcrest Golf & Country Club - Ad - \$100.00; Hobby Lobby - Program Supplies - \$44.28; Holiday Inn Express - Music At Meridian - \$915.00; HyVee - Welcome To Walnut - \$1,522.12; Intl Code Council Inc - Study Guides - \$191.50; Inyo Entertainment - Program - \$260.00; J&H Care & Cleaning Company - Janitorial Services - \$4,000.00; J2 Metrofax - Fax - \$7.95; Jacks Uniforms & Equi - Uniform Patches - \$875.34; JCL Solutions - Cleaning Supplies - \$761.13; Jebro Inc - Liquid Asphalt - \$39,787.50; Jimmy Johns - FEMA Training - \$9.47; John T Jones Construction - Water Plant C-15-19 - \$679,026.08; Johnson Feed Inc - Road Salt - \$4,023.25; Johnson/Craig - Tree Reimbursement - \$100.00; Johnson/Nathan - Conference Reimbursement - \$860.35; Kadrmas Lee & Jackson Inc - Airport Project - \$32,167.42; Kaiser Refrigeration - Shop Supplies - \$68.98; Karls Tv And Appliance - Refrigerator Replacement - \$235.00; Kleins Tree Service - Property Maintenance - \$2,015.00; Koletzky Implement Inc - Ignition Keys - \$13.00; Koletzky Implement Inc - Rebuild Rh Axle On Mower - \$2,801.25; Kopetskys Ace Hdwe - Chemicals - \$263.36; Kwik Case, Inc - Office Supplies - \$536.80; L. Lenae Design - Welcome To Walnut - \$150.00; Language Line - Translation Services - \$61.40; Larry's Heating & Cooling - New HVAC Equipment - \$24,000.00; Lewis And Clark Ford - Onverter Assembly - \$1,657.20; Locators & Supplies Inc - Paint - \$143.26; Locators & Supplies Inc - Paint - \$98.96; Loves Travel - Travel Expense - \$43.00; Luckys - Travel Expense - \$17.05; Luken Memorials Inc - Tree Marker - \$300.00; Marks Machinery Inc - Mower Repair - \$74.31; Mcdonalds - Training - \$6.22; Mcdonalds - Training - \$30.00; Mcgrath North Mullin & Kratz - Professional Services - \$217.00; Mcleods Printing

- Utility Bills - \$939.00; Mead Lumber - Shop Supples - \$11.47; Med Vet International - Sharps Containers - \$447.00; Menards - Sealer - \$25.96; Menards - Bocce Ball - \$6,416.93; Merkel Electric - Hookup Service - \$4,474.66; Michael Todd, Inc - Road Signs - \$4,107.50; Midamerican Energy - Gas Line Repair - \$1,880.64; Midamerican Energy - Fuel - \$805.01; Midwest Alarm - Alarm Management - \$63.00; Midwest Alarm Company Inc - Alarm Monitoring - \$156.00; Midwest Laboratories - Nutrient Testing - \$259.68; Midwest Striping - WCLR Striping - \$8,000.00; Midwest Tape - Ad - \$780.80; Mount Marty College Theatre - Ad - \$125.00; Mozak Inc - Blinds - \$918.00; National League Of - NLC - \$2,360.00; Ational Society - Membership Dues - \$299.00; NBS Calibrations - Thermometer Calibration - \$125.00; Nebraska Journal - Ad - \$31.95; NFPA Natl Fire Protect - NFPA Membership - \$175.00; Nicks Gyros - Investigation Expense - \$11.61; Northwestern Energy - Elect - \$87,839.46; Northwestern Energy - Repairs - \$120.78; Observer - Birthday Ads - \$60.00; Olson/Larry - Irrigation Repairs - \$479.29; Olsons Pest Technician - Pest Control - \$90.00; One Office Solution - Office Chairs - \$1,841.63; Oreilly Auto Parts - Brake Pads And Rotors - \$628.42; OTC Brands, Inc. - Program Supplies - \$107.20; Overhead Door Co - Sectional Door - \$8,707.65; Panera Bread - Training - \$10.73; Ebay Inc - Pump - \$2.48; Image Warehouse - Toner - \$32.99; Nomarsupply - Pump - \$38.20; Pontiacexch - Toner-Housing - \$27.50; PBI Leased Equipment - Postage Machine Lease - \$122.00; Pied Piper Flowers - Funeral Flowers - \$106.90; Pierre Clubhouse Hotel - Travel Lodging - \$1,963.00; Pinetree West Apartments - Irrigation Repairs - \$562.50; Pitney Bowes PBP - Postage - \$200.00; Izza Ranch - Travel Expense - \$21.50; Porter The Hoarder - Books - \$60.00; Powers Port A - Porta Pots - \$500.00; Premier Biotech Inc - Lab Testing Equipment - \$237.43; Press Dakota Mstar Solutions - Minutes - \$4,269.90; PVC Fittings Online - PVC Fitting - \$9.05; Racom Corporation - EDACS Access - \$1,007.98; Redrossa Italian Grill - Travel Expense - \$123.79; Riverfront Broadcastin - Advertising - \$1,140.00; Riverside Hydraulics - Snow Plow Cylinder - \$1,800.87; Sanitation Products Inc - Rear Camera Kit - \$1,720.60; Schmidt/Willard - Sludge Removal - \$66,240.00; SD Senior Games - Registration Fee - \$128.00; SD Water & Was - Water Registrations - \$620.00; Sf Regional Airport - Parking Garage - \$90.00; Shell Oil - FEMA Training - \$1.99; Sheraton Seattle Hotel - Lodging APWA - \$2,133.76; Sherwin Williams - Mural Paint - \$280.53; Sherwin Williams - Paint - \$1,160.05; Sioux Equipment Company Inc - Inspection - \$2,784.61; Soesbe/Brandon - Refund - \$288.47; Sp Nanowrimo Store - Program Supplies - \$16.90; Sprakel/Don - Irrigation Repairs - \$315.00; Squarespace Inc - Welcome To Walnut - \$171.38; Stan Houston Equipment - Park Supplies - \$945.00; Stern Oil Co Inc - Fuel - \$21,288.14; Stockwell Engineers Inc - 8th St Summit To Bwy - \$13,523.80; Subway - FEMA Meeting - \$73.91; Sweeney Controls Company - Computer Repairs - \$1,582.00; Aco Johns - Travel Expense - \$9.33; The Feldhacker Group Inc - Hangar Door - \$24,600.00; The Star Tribune - Newspaper Subscription - \$527.80; The Ups Store - Shipping - \$196.33; TMA Yankton - Tires - \$3,630.52; Tractor Supply Co - Lagoon Boat Repairs - \$132.97; Tristate Turf - Irrigation Repairs - \$630.45; Trk Hosting - Internet Access - \$7.95; Truck Trailer Sales - Bushing, Tank, Filter ,Hose - \$728.05; Tst Obrycki S Bwi - Fema Training Conference - \$26.26; Tumbleweed Press Inc - Subscription - \$1,198.00; U.S. Post Office-Util - Utility Postage - \$1,500.00; Ulmer/Bruce - Safety Gloves - \$60.00; United Laboratories In - UV Sleeve Maintenance - \$267.52; United States Postal Service - Postage Meter - \$642.00; Us Bank Equipment Finance - Copier Lease - \$71.27; USPS - Evidence Postage - \$144.64; Van Diest Supply Company - Chemicals - \$28.00; VCN Yanktonrodctr - Recording Fees - \$62.50; Vegetation Control Ser - Tree Maintenance - \$800.00; Viddler Inc - Video Hosting - \$41.47; Viking Industrial Painting - Radio Project - \$9,500.00; Vogel Paint Inc - Paint - \$475.80; VWR International Inc - Whirpack Bags - \$157.75; Verizon - Internet Access - \$926.38; Walgreens - Office Supplies - \$83.98; Walmart - Dvds - \$612.48; Walmart - Office Supplies - \$339.26; West Marine - Personal Floating Device - \$189.98; Williams & Company Pc - Audit - \$9,125.00; Writing Dreams LLC - Books - \$86.25; Wysiwash - Rec Supplies - \$27.31; Xerox



Corporation - Copier Lease - \$203.21; Xerox Corporation - Copier Lease - \$1,115.72; Yankton Area Chamber - Adopt A Pot Program - \$540.00; Yankton Medical Clinic - Employment Physical - \$129.00; Yankton Medical Clinic - Firefighter Physicals - \$895.00; Yankton Redi Mix - Concrete - \$10,769.50; Yankton Vol Fire Department - Fire Calls - \$530.00; Yankton Winnelson Co - Pump Building Heat - \$82.66; Ykt Janitorial & Dt Sc - Welcome To Walnut - \$1,246.94; Zuercher Technologies Llc - Dispatch Software - \$3,240.00; Zumba Fitness - Training - \$360.00;

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

Motion adopted

September Salaries by Department: Administration \$41,270.82; Finance \$33,872.22; Community Development \$24,130.05; Police/Dispatch \$166,268.89; Fire \$12,507.62; Engineering/Sr. Citizens \$44,362.83; Streets \$42,434.64; Traffic Control \$3,689.48; Library \$25,914.37; Parks / SAC \$80,244.63; Memorial Pool \$510.42; Marne Creek \$3,578.94; Water \$36,515.69; Wastewater \$36,239.37; Cemetery \$5,297.42; Solid Waste \$21,553.67; Landfill / Recycle \$19,069.63; Central Garage \$7,171.01

NEW HIRES: Michael Bouza \$1,314.38 bi-wk. Solid Waste; Caitlyn Brewer \$9.50 hr. Rec Division; Justin Payer \$9.50 hr. Rec Division; Marcus Teel \$11.00 hr. Library

WAGE CHANGES: Dan Mason \$1,978.35 bi-wk. Water Department

Mayor Johnson read the proclamation to celebrate October as National Chiropractic Health Month.

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

During the public appearances of the meeting, Rita Nelson and approximately 50 citizens were present in support of Connecting Cultures. Rita Nelson explained what Connecting Cultures was and what it consisted of. Mayor Johnson, City Manager Amy Leon and the City Commissioners thanked the Connecting Cultures group for their efforts and encouraged more citizens to get involved and volunteer.

#### Action 19-262

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

#### **1. Work Session**

Setting date of October 28, 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 Great Life Golf Course 2019 Season Update

#### **2. Meeting Date Change**

Discussion to establish the date and time for the second City Commission meeting in December. Meeting will be December 19<sup>th</sup> at noon.

**3. Establishing public hearing for sale of alcoholic beverages**

Establish October 28, 2019, as the date for the public hearing on the request for a Special Events Retail (on-sale) Liquor License for 1 day, November 9, 2019, from Dayhuff Enterprises, Inc. d/b/a O'Malley's Bar (Jeff Dayhuff, President), NFAA, 800 Archery Lane, Yankton, S.D.

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

Action 19-263

This was the time and place for the public hearing for the application for a transfer of location of a Retail (on-off sale) Malt Beverage License for July 1, 2019, to June 30, 2020, from TST, Inc. (John Tuttle, Owner), d/b/a Phinney's Pub & Casino adding Rivercity Harbor Conference Room, Yankton Mall, Yankton, S.D. (Memorandum 19-206) No one was present to speak for or against the application.

Moved by Commissioner Miner, seconded by Commissioner Webber, to approve the license.

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

Action 19-264

This was the time and place for the public hearing for the transfer of ownership and location of a Retail (on-off sale) Malt Beverage License for July 1, 2019, to June 30, 2020, from TST, Inc. (John Tuttle, Owner), d/b/a River City Harbor, Yankton Mall to Pump N Stuff Yankton Inc. (David Lockwood, President), d/b/a/ Pump N Stuff, Suite #II, 215 W. 2<sup>nd</sup> Street, Yankton, S.D. (Memorandum 19-205) No one was present to speak for or against the application.

Moved by Commissioner Ferdig, seconded by Commissioner Benson, to approve the license.

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

Action 19-265

Chris Hunhoff, citizen, presented a power point presentation explaining a survey conducted by the Meridian District and their efforts to partner with the city to provide surveillance cameras and signage to be placed near the Walnut Street and Meridian Plaza Area.

Moved by Commissioner Moser, seconded by Commissioner Ferdig, to approve the Meridian Plaza camera partnership and authorize the City Manager to spend up to \$5,000 from the BBB fund to perform the upgrades necessary to execute the project. (Memorandum 19-209)

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

Action 19-266

Moved by Commissioner Ferdig, seconded by Commissioner Carda, to approve Resolution 19-55. (Memorandum 19-210)

**RESOLUTION 19-55**

WHEREAS, David N. McCloud owns property in Block 65 of Lower Yankton Addition that is needed by the City of Yankton for Marne Creek flood mitigation and corridor management purposes, and

WHEREAS, South Dakota Codified Law allows the voluntary transfer of needed property from private landowners to local governmental entities, and

WHEREAS, the City has determined that the Marne Creek area property has a flood mitigation project property value of \$0.30 per square foot commensurate with the value of other similar transfers in the past, and

WHEREAS, the Yankton Board of City Commissioners desires to acquire the land for flood mitigation purposes and the total value of the unsurveyed area, based on the above square footage price, would equal an amount near \$1,800.

NOW, THEREFORE BE IT RESOLVED that the Board of City Commissioners of the City of Yankton, South Dakota, hereby agrees to purchase the below described property from a voluntary seller, David N. McCloud, for a total of \$1,800 with the City also paying all fees over and above that amount associated with the transfer, and

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

The South 28' of Lot 3 and North 11' of Lot 4, Block 65,  
Lower Yankton Addition to the City of Yankton, South Dakota.

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

Action 19-267

This was the time and place for the public hearing of the Bid Award for the Marne Creek Bank Stabilization & Water Main Crossing Project. The following bids were opened on Thursday October 3<sup>rd</sup> at 3:00pm: Slowey Construction, Inc., Yankton, SD, Base Bid of \$628,458.00 and Base Bid plus Alternate of \$600,354.50; Feimer Construction, Inc., Yankton, SD, Base Bid of \$718,096.90 and Base Bid plus Alternate of \$697,976.90; Premier Contracting, Huron, SD, Base Bid of \$820,116.09 and Base Bid plus Alternate of \$813,403.75. (Memorandum 19-214)

Moved by Commissioner Carda, seconded by Commissioner Miner, to approve recommendation from Stockwell Engineers, Inc. for awarding the contract to Slowey Construction, for the Base Bid + Alternative #1 amount of \$600,354.50. The low bidder meets the specifications and is \$30,783.50 lower than the Engineer's estimate of \$631,138.00, for the project.

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

Commissioner Moser introduced and Mayor Johnson read the title of Ordinance No. 1025, AN ORDINANCE AMENDING CERTAIN LANGUAGE IN THE DEFINITION OF "SIGN AREA" IN SECTION 27-71, CHAPTER 27, ARTICLE III. – SIGNS, and set the date of the second reading and public hearing as October 28<sup>th</sup>, 2019.

Commissioner Webber introduced and Mayor Johnson read the title of Ordinance No. 1026, AN ORDINANCE AMENDING THE DESIGNATION OF STREETS AND AVENUES AS SNOW

EMERGENCY ROUTES, and set the date of the second reading and public hearing as October 28<sup>th</sup>, 2019.

Commissioner Miner introduced and Mayor Johnson read the title of Ordinance No. 1027, AN ORDINANCE AMENDING THE DESIGNATION OF STREETS AND AVENUES AS TRUCK ROUTES, and set the date of the second reading and public hearing as October 28<sup>th</sup>, 2019.

Action 19-268

Moved by Commissioner Moser, seconded by Commissioner Miner, to approve Resolution 19-54. (Memorandum 19-204)

**RESOLUTION 19-54**

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

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

SURPLUS PROPERTY TO BE SOLD OR DISPOSED OFF

- 2001 Dodge ½ Ton Pickup - VIN #3B7KC26Z31M267214
- 2003 International Navistar 7400 Truck - VIN #1HTWDAAN23J051743
- 2005 Chevrolet Silverado Pickup –VIN #1GCEK14T75Z285373

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

Action 19-269

Moved by Commissioner Webber, seconded by Commissioner Benson, to approve the recommendation of Life Insurance for City Employees by the Ochs Inc. (Memorandum 19-207)

**Roll Call:** Commissioners voting “Aye” were Benson, Carda, Ferdig, Hoffner, Miner, Schramm, Webber and Mayor Johnson; voting “Nay:” None. Abstain: Commissioner Moser.  
Motion adopted.

Action 19-270

Moved by Commissioner Ferdig, seconded by Commissioner Miner, to approve the Lease Agreement between the City of Yankton and the Soccer Association and authorize the City Manager approval power over all site designs and building plans prior to the commencement of any construction on the leased property. (Memorandum 19-215)

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

Action 19-271

Moved by Commissioner Schramm, seconded by Commissioner Webber, to adjourn into Executive Session at 8:07 p.m. to discuss **contractual litigation** matters under SDCL 1-25-2.

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

Motion adopted.

Regular meeting of the Board of City Commissioners of the City of Yankton was reconvened by Mayor Johnson.

**Roll Call:** Present: Commissioners Benson, Carda, Ferdig, Hoffner, Miner, Moser, Schramm and Webber. City Attorney Den Herder and City Manager Leon were also present. Absent: None. Quorum present.

Action 19-272

Moved by Commissioner Moser, seconded by Commissioner Benson, to adjourn at 8:33 p.m.

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

Motion adopted.

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Nathan V Johnson  
Mayor

ATTEST:

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Al Viereck  
Finance Officer

Published October 23<sup>rd</sup>, 2019

## PROCLAMATION – MONARCH CITY USA DAY

**WHEREAS**, the monarch butterfly is an iconic North American species whose multigenerational migration and metamorphosis from caterpillar to butterfly has captured the imagination of millions of Americans; and

**WHEREAS**, the brilliant orange and black monarchs are among the most easily recognizable of the butterfly species that call the Americas home. Their migration takes them as far north as Canada and, during the winter months, as far south as Mexico City. A single monarch can travel hundreds to thousands of miles; and

**WHEREAS**, 20 years ago, more than one billion Eastern Monarch Butterflies migrated to Mexico, but in the past few winters, only 60 million made the trip; and

**WHEREAS**, cities, towns, states, and counties have a critical role to play to help save the monarch butterfly, and the City of Yankton has played a role by planting six pollinator plot areas at Marne Creek West Greenway; and

**WHEREAS**, every citizen of Yankton can make a difference for the monarch by planting native milkweed and native nectar plants to provide habitat for the monarch and also other pollinators in locations where people live, work, learn, play and worship; and

**WHEREAS**, on behalf of the citizens of Yankton who have already joined the City in creating healthy habitat for the magnificent Monarch Butterfly and other pollinators, we are honored to be among the communities in the United States to be designated as a “Monarch City USA”; and

**WHEREAS**, we encourage other cities across our great nation to take action with us so that the monarch butterfly will once again flourish across the continent.

NOW, THEREFORE, the City of Yankton does claim October 22, 2019, as: “Yankton as Monarch City USA Day” in the City of Yankton.

Dated this 22<sup>nd</sup> day of October, 2019.

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Nathan V Johnson  
Mayor

ATTEST:

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Al Viereck  
Finance Officer



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## OFFICE OF THE CITY MANAGER

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

VOL. 54, NUMBER 20

### Commission Information Memorandum

The Yankton City Commission meeting on Monday, October 28, 2019, will begin at 7:00 pm.

#### Non-Agenda Items of Interest

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

Community and Economic Development Director Dave Mingo attended the South Dakota Planner's Conference in Brookings October 16<sup>th</sup> and 17<sup>th</sup>. Primary topics discussed at the event were storm water management strategies, housing and land use law cases from the past year. As you know, many in the state are experiencing extreme storm water management issues this year so much of the discussion was about ways to help mitigate the current situation and what if this weather trend continues. The housing topics focused on the consideration of density alternatives while the land use law case discussions primarily dealt with hearing processes and quasi-judicial proceedings.

The conference provides the opportunity for our staff to gain experience from hearing about how other communities are addressing issues and get continuing education credit to maintain certifications.

##### 2) Police Department Update

Commander Foote attended the Community Relations Board Breakfast at FPC.

Chief Harris and Commander Foote attended the State of the Community luncheon.

Chief Harris, Cpl. Parker, Det. Erickson, and SRO Crissey will qualify with their duty issued firearms. This will finish out the qualification requirements for the state. This will be completed at the Vermillion Police Department's range.

Chief Harris and Sgt. Murguia are attending the International Association of Chief's Police conference in Chicago.

SRO Crissey is back on duty from his time off on paternity leave. SRO Crissey did a talk on vaping at the Yankton Middle School during conferences on October 21, 2019.

##### 3) Parks and Recreation Department Update

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

##### 4) Human Resources Department Update

The Yankton Medical Clinic assisted us this year with the convenience of on-site flu shots.

We are currently advertising for the following open positions: Deputy Finance Officer, deadline date November 12; and internal applications for Public Works Manager Assistant, deadline date November 1. We are also advertising for part-time Library Circulation Assistant at the Library.

Notification was received from the SD Department of Labor regarding the increase in SD state minimum wage to \$9.30/hr, which was previously \$9.10/hr. When we prepare to advertise for our summer seasonal positions, we will review our rates to see if any adjustments need to be made.

### **5) Library Update**

This year, National Friends of the Library week was celebrated October 20-26. Our Friends of the Library group raises money through membership fees and book sales. The money raised is used to support the library throughout the year. Over the past year, the Friends have sponsored eight special performances or events, including four free performances during the summer reading program, a musical performance of the West African Kora and a genealogy presentation. Beyond that, the Friends help supplement the materials needed for the many activities offered during summer reading-we had over 75 programs in June and July! The Friends have also provided fun additions to the library like our puppet theatre and the new play kitchen set, as well as toys that are used for our weekly Stay and Play program. We are grateful to all of our Friends that help to support and enhance the services the library is able to offer our community!

### **6) Finance Department Update**

This is the second year that the City has utilized the Purple Wave Online Auction service to sell seven large vehicle and equipment items this fall. The online government auction closed shortly after 10:00 a.m. on Tuesday, October 22, 2019. The results with the winning bid amounts are as follows:

2001 Dodge ½ Ton Pickup – \$300.00  
2002 Chevy Silverado ¾ Ton Truck - \$3,600.00  
2003 International Navistar 7400 Spreader Truck - \$7,200.00  
2005 Chevrolet Silverado 1500 Pickup - \$2,000.00  
2005 Chevrolet Impala - \$625.00  
2005 Walking Floor Trailer – \$4,900.00  
2002 Snogo MP3D Snow Blower - \$35,500.00

Purple Wave will send the City a check for \$54,125.00 within 15 business days from the close of the auction. Top bidders pay a 10% premium to Purple Wave so there is no direct cost to the City. We are very pleased with the results along with the professionalism and ease in working with Purple Wave. We recommend utilizing their services again in the future.

Please see the enclosed Monthly Finance Report and the 3<sup>rd</sup> Quarter Revenues and Expenditures Report.

### **7) Public Works Department Update**

Street Department crews have been preparing for winter maintenance operations, grading alleys, and have begun crack filling on asphalt streets throughout the community.

The schools have completed the artwork on the snowplows for the annual Paint the Plow program. The hard work of the students will be showcased in the Holiday Festival of Lights Parade on December 5<sup>th</sup>.

### **Pearl Street--Levee St to 2<sup>nd</sup> St**

The water main has been installed and is complete. The contractor has prepared the base for the installation of the remaining pavement, which is anticipated to take place the week of October 21.



## **8) Environmental Services Department Update**

The wastewater treatment staff continues to work on potential fund sources for improvements at the wastewater facilities. Staff continues to meet with representatives for both FEMA and EDA. Staff is currently working with Planning and Development District III to complete the final EDA grant application.

Wastewater staff has completed the soil sampling for the land application for the biosolids. The samples were sent to a lab to be analyzed for nutrient levels. Once staff receives the results from the lab, staff will calculate the application rates. The rates will be based off the nutrient values and the required agronomic rate for a fertilizer application. The contractor is scheduled to begin application this week. The application process has been approved by the South Dakota Department of Environment and Natural Resources.

The water plant project startup is continuing to move forward. Currently the contractor is pumping raw water from the collector well through the sand filters. The chemical feed systems have been filled and are ready for startup. The plate settler is started up and running. The reverse osmosis membrane units have been pressure tested. Start up for the membranes is scheduled for November 4. A final startup date is scheduled for mid November.

## **9) Monthly reports**

Salary and Joint Powers Solid Waste monthly reports are included for your review.

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

Sincerely,

Amy Leon  
City Manager

Commission Information Memorandum

PARKS AND RECREATION DEPARTMENT

**SUMMIT ACTIVITIES CENTER and RECREATION PROGRAMS**

1st half of October information:

|                            |   |
|----------------------------|---|
| Fitness Classes-           |   |
| Early Bird Boot Camp class | 39 participants                                     |
| Power Abs                  | 58 participants                                     |
| Prime Time Senior class    | 96 participants                                     |
| Tabata class               | 64 participants                                     |
| Water aerobics             | 174 participants                                    |
| Work-Out Express class     | 71 participants                                     |
| Yoga classes               | 63 participants                                     |
| Zumba class                | 31 participants                                     |
| Rentals-                   |   |
| o Birthday rentals-        | 9 parties   |
| o SAC courts-              | 2.5 hours   |
| o Theater-                 | 8 hours   |
| o Meeting rooms-           | 4 hours   |
| o City Hall courts-        | 12.5 hours  |
| o Capital Building-        | 2 dates   |
| o Riverside shelters-      | 0 rentals   |
| o Memorial shelters-       | 0 rentals   |
| o Westside shelter-        | 0 rentals   |
| o Sertoma shelter-         | 0 rentals   |
| o Tripp shelter-           | 0 rentals   |
| o Meridian Bridge-         | 0 rental  |
| SAC members-               | 1,962 people  |
| SAC memberships-           | 1046  |
| SAC attendance-            | 2,321 visits (does not include GreatLIFE attendees) |
| New members-               | 38 people   |

Tuesday, October 1. Yankton Youth Volleyball Program Started. 72 participants.

Friday, October 4. Adult Volleyball League Registrations Due. 43 teams registered.

Brittany LaCroix is working on Holiday Festival of Lights for Thursday night, December 5. The theme for 2019 will be "Christmas Carols."

Todd and Brittany LaCroix will be working with Connecting Cultures on a Bush Connect grant for future programming in Yankton.

Todd is working with Lois Welnick on a bench sponsorship at Westside Park. The bench will be located in the area where the tree sponsorship is located for Lois' daughter, Amber Heimes Ing.

Todd will be working with District III on a Land Water Conservation Fund Grant for funding of the splash pad at The Huether Family Aquatics Center.

## PARKS

Work began to insulate above the ceiling in the concession stand and restroom at the Riverside Baseball Stadium. After the insulation is complete, an HVAC unit will be installed. The electric will be upgraded to the building and the water piping into the building will be changed also.

Brian Frick and Chris Bornitz are working in Fantle Memorial Park to install two artificial turf bocce ball courts. The City is receiving funds from a private citizen to add this amenity to the park.



Lisa Kortan is working with Matt Drake at Fox Run Golf Course to determine which ash trees will be removed this winter. There are approximately 100 ash trees on the course. About 20 trees per year will be removed over the next five years. Planting of new trees will accompany these efforts so some of the trees that are removed will be replaced.

Jim Snook has started the process of turning off water to certain parks facilities. The goal is to have all the water shut off in the parks system by October 30. That date can be earlier as the department monitors nighttime temperatures to avoid damage caused by freezing.

|                                   | 01Jul2019<br>30Sep2019 | 01Jul2018<br>30Sep2018 | YTD<br>2019   | YTD<br>2018  |
|-----------------------------------|------------------------|------------------------|---------------|--------------|
| 101 General Fund                  |                        |                        |               |              |
| Revenues                          | 2,203,858.62           | 1,662,248.01           | 8,409,850.37  | 7,764,427.49 |
| Expenditures                      | 1,978,517.06           | 2,175,582.93           | 6,328,689.21  | 6,076,127.91 |
| 201 Parks                         |                        |                        |               |              |
| Revenues                          | 8,984.37               | 8,890.37               | 20,856.73     | 45,648.08    |
| Expenditures                      | 388,024.94             | 320,457.21             | 993,703.95    | 809,708.32   |
| 202 Memorial Pool                 |                        |                        |               |              |
| Revenues                          | 18,040.12              | 46,918.36              | 38,081.72     | 60,663.38    |
| Expenditures                      | 509,432.35             | 111,649.55             | 756,202.61    | 157,291.13   |
| 203 Summit Activity Center        |                        |                        |               |              |
| Revenues                          | 82,802.71              | 48,352.65              | 373,660.26    | 342,306.82   |
| Expenditures                      | 223,294.54             | 201,195.81             | 582,691.51    | 546,115.50   |
| 204 Marne Creek                   |                        |                        |               |              |
| Revenues                          | 458.60                 | 385.49                 | 1,303.69      | 839.18       |
| Expenditures                      | 171,987.64             | 33,956.75              | 238,067.36    | 71,061.59    |
| 205 Casualty Reserve              |                        |                        |               |              |
| Revenues                          | 329.91                 | 357.63                 | 1,022.18      | 857.08       |
| Expenditures                      |                        |                        | 17,500.00     |              |
| 207 Bridge and Street             |                        |                        |               |              |
| Revenues                          | 124,077.66             | 2.30                   | 124,212.05    | 3.03         |
| Expenditures                      | 2,124.93               |                        | 2,124.93      |              |
| 208 911/Dispatch                  |                        |                        |               |              |
| Revenues                          | 17,272.37              | 17,493.68              | 40,849.48     | 38,856.60    |
| Expenditures                      | 163,292.85             | 153,571.07             | 444,214.00    | 428,688.92   |
| 209 Business Improvement District |                        |                        |               |              |
| Revenues                          | 48,739.20              | 41,940.68              | 105,006.23    | 100,444.18   |
| Expenditures                      | 10,000.00              |                        | 148,256.49    | 224,746.34   |
| 211 Lodging Sales Tax             |                        |                        |               |              |
| Revenues                          | 212,161.81             | 217,040.53             | 456,298.02    | 464,605.41   |
| Expenditures                      | 143,177.89             | 124,177.28             | 470,695.38    | 387,196.48   |
| 241 Infrastructure Improvement    |                        |                        |               |              |
| Revenue                           | 149.05                 | 4,042.16               | 21,244.17     | 64,804.51    |
| Expenditures                      |                        |                        |               |              |
| 501-504 Improvements/Capital      |                        |                        |               |              |
| Revenues                          |                        | 3,325.00               | 6,997.31      | 836.07       |
| Expenditures                      | 284,099.34             | 4,150.00               | 310,162.32    | 5,927.00     |
| 505 Huether Family Aquatic Center |                        |                        |               |              |
| Revenues                          | 14,382,500.00          |                        | 14,382,500.00 |              |
| Expenditures                      | 294,881.25             |                        | 294,881.25    |              |
| 506 Special Capital Improvements  |                        |                        |               |              |
| Revenues                          | 1,403,648.60           | 944,184.93             | 3,397,437.21  | 3,934,986.69 |
| Expenditures                      | 1,156,753.21           | 2,933,453.46           | 1,463,013.30  | 3,875,058.86 |
| 509 TID #2 Morgan Square          |                        |                        |               |              |
| Revenues                          |                        |                        | 55,423.06     | 24,134.86    |
| Expenditures                      |                        |                        | 55,423.06     | 23,823.78    |
| 510 TID #5 Menards                |                        |                        |               |              |
| Revenues                          |                        | 2,411.52               | 72,113.34     | 74,582.41    |
| Expenditures                      |                        |                        |               |              |
| 511 TID #6 Westbrook Estates      |                        |                        |               |              |
| Revenues                          | 12,128.88              | 3,602.36               | 105,819.01    | 98,567.40    |
| Expenditures                      |                        |                        | 86,226.80     | 94,746.41    |

|                              | 01Jul2019<br>30Sep2019 | 01Jul2018<br>30Sep2018 | YTD<br>2019   | YTD<br>2018   |
|------------------------------|------------------------|------------------------|---------------|---------------|
| 512 TID #7 West 10th Street  |                        |                        |               |               |
| Revenues                     |                        |                        | 6,611.89      | 165.29        |
| Expenditures                 |                        |                        | 6,942.47      |               |
| 513 TID #8 Westbrook Phase 2 |                        |                        |               |               |
| Revenues                     |                        |                        |               |               |
| Expenditures                 |                        |                        |               |               |
| 601-608 Water                |                        |                        |               |               |
| Revenues                     | 6,989,396.71           | 1,966,120.50           | 17,321,367.38 | 18,624,901.15 |
| Expenditures                 | 5,057,681.48           | 3,898,462.30           | 14,324,765.91 | 9,868,666.15  |
| 611 Wastewater               |                        |                        |               |               |
| Revenues                     | 1,827,279.73           | 1,021,468.12           | 3,676,458.59  | 3,589,961.04  |
| Expenditures                 | 742,487.72             | 834,886.63             | 2,952,364.44  | 3,139,442.25  |
| 621 Cemetery                 |                        |                        |               |               |
| Revenues                     | 13,420.16              | 7,004.13               | 24,163.99     | 21,316.11     |
| Expenditures                 | 27,327.13              | 23,035.87              | 72,720.23     | 67,011.53     |
| 631 Solid Waste Collection   |                        |                        |               |               |
| Revenues                     | 308,853.33             | 290,700.46             | 915,692.66    | 1,567,779.85  |
| Expenditures                 | 196,880.13             | 273,432.24             | 908,803.34    | 875,166.36    |
| 637 Joint Powers Landfill    |                        |                        |               |               |
| Revenues                     | 437,097.14             | 372,425.30             | 1,150,264.97  | 985,456.76    |
| Expenditures                 | 555,041.93             | 488,981.21             | 1,334,509.15  | 1,194,704.25  |
| 641 Fox Run Golf Course      |                        |                        |               |               |
| Revenues                     | 10,000.02              | 224,205.85             | 34,122.98     | 619,995.79    |
| Expenditures                 | 97,249.49              | 302,468.31             | 224,874.91    | 766,707.69    |

## FINANCE MONTHLY REPORT

| Activity                           | SEPT 2019             | SEPT 2018             | SEPT 2019 YTD         | SEPT 2018 YTD         |
|------------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| <b>UTILITY BILLING:</b>            |                       |                       |                       |                       |
| <b>Water</b>                       |                       |                       |                       |                       |
| Water Sold (in gallons per 1,000)  | 65,076                | 76,514                | 479,226               | 503,194               |
| Water Billed                       | \$599,743.45          | \$617,265.84          | \$4,675,879.26        | \$4,450,859.60        |
| Basic Water Fee/Rate per 1000 gal. | \$24.61/\$5.83        | \$21.71/\$5.55        |                       |                       |
| Number of Accounts Billed          | 5,587                 | 5,543                 | 48,660                | 48,213                |
| Number of Bills Mailed             | 5,587                 | 5,543                 | 48,660                | 48,213                |
| Total Meters Read                  | 5,772                 | 5,712                 | 51,722                | 51,176                |
| Meter Changes/pulled               | 3                     | 5                     | 30                    | 40                    |
| Total Days Meter Reading           | 1                     | 1                     | 9                     | 9                     |
| Misreads found prior to billing    | 0                     | 0                     | 0                     | 0                     |
| Customers requesting Rereads       | 0                     | 0                     | 1                     | 0                     |
| <b>Sewer</b>                       |                       |                       |                       |                       |
| Sewer Billed                       | \$337,330.59          | \$336,860.87          | \$2,881,509.36        | \$2,795,517.58        |
| Basic Sewer Fee/Rate per 1000 gal. | \$10.18/\$6.17        | \$9.69/\$5.87         |                       |                       |
| <b>Solid Waste</b>                 |                       |                       |                       |                       |
| Solid Waste Billed                 | \$105,592.87          | \$99,679.11           | \$943,998.90          | \$890,105.78          |
| Basic Solid Waste Fee              | \$21.83               | \$20.79               |                       |                       |
| <b>Total Utility Billing:</b>      | <b>\$1,042,666.91</b> | <b>\$1,053,805.82</b> | <b>\$8,501,387.52</b> | <b>\$8,136,482.96</b> |
| <b>Adjustment Total:</b>           | \$788.00              | (\$80.00)             | (\$6,517.05)          | \$5,646.53            |
| Misread Adjustments                | \$0.00                | \$0.00                | (\$5,760.04)          | \$6,874.84            |
| Other Adjustments                  | \$778.00              | \$0.00                | (\$7.01)              | (\$298.31)            |
| Penalty Adjustments OFF            | (\$30.00)             | (\$80.00)             | (\$900.00)            | (\$970.00)            |
| Penalty Adjustments ON             | \$40.00               | \$0.00                | \$150.00              | \$40.00               |
| New Accounts/Connects              | 57                    | 57                    | 787                   | 684                   |
| Accounts Finaled/Disconnects       | 88                    | 66                    | 581                   | 736                   |
| New Accounts Set up                | 1                     | 10                    | 39                    | 57                    |
| Delinquent Notices                 | 436                   | 397                   | 3599                  | 3510                  |
| Doorknockers                       | 131                   | 138                   | 1345                  | 1366                  |
| Delinquent Call List               | 75                    | 83                    | 760                   | 771                   |
| Notice of Termination Letters      | 6                     | 11                    | 129                   | 89                    |
| Shut-off for Non-payment           | 6                     | 7                     | 62                    | 52                    |
| Delinquent Notice Penalties        | \$4,360.00            | \$3,970.00            | \$35,990.00           | \$35,100.00           |
| Doorknocker Penalties              | \$1,310.00            | \$1,380.00            | \$13,450.00           | \$13,660.00           |
| <b>Other Office Functions:</b>     |                       |                       |                       |                       |
| Interest Income                    | \$73,079.68           | \$66,480.55           | \$694,734.84          | \$539,556.71          |
| Interest Rate-Checking Account     | 2.36%                 | 2.41%                 |                       |                       |
| Interest Rate-CDs                  | N/A                   | N/A                   |                       |                       |
| # of Monthly Vendor Checks         | 148                   | 176                   |                       |                       |
| Payments Issued to Vendors         | \$4,154,802.93        | \$3,765,851.84        | \$ 29,660,799.87      | \$ 22,980,281.16      |
| # of Employees on Payroll          | 200                   | 225                   |                       |                       |
| Monthly Payroll                    | \$428,412.31          | \$434,554.70          | \$ 4,240,816.27       | \$ 4,308,213.87       |

Joint Powers Solid Waste Authority  
Financial Report Thru September 30, 2019

| Description                           | Yankton<br>Transfer | Vermillion<br>Landfill | Total<br>Joint | 9 Month<br>Budget | Legal<br>2019 Budget |
|---------------------------------------|---------------------|------------------------|----------------|-------------------|----------------------|
| <b>Joint Power Transfer/Landfill</b>  |                     |                        |                |                   |                      |
| <i>Total Revenue</i>                  | \$1,144,879.17      | \$742,105.02           | \$1,886,984.19 | \$1,624,440.00    | \$2,170,920.00       |
| <i>Expenses:</i>                      |                     |                        |                |                   |                      |
| Personal Services                     | 231,054.13          | 256,262.50             | 487,316.63     | 523,128.00        | 697,504.00           |
| Operating Expenses                    | 202,398.46          | 305,190.68             | 507,589.14     | 570,955.50        | 761,274.00           |
| Depreciation (est)                    | 140,621.22          | 240,474.15             | 381,095.37     | 355,647.00        | 474,196.00           |
| Trench Depletion                      | 0.00                | 129,917.06             | 129,917.06     | 132,412.50        | 176,550.00           |
| Closure/Postclosure Resrv             | 0.00                | 7,461.95               | 7,461.95       | 6,795.00          | 9,060.00             |
| Amortization of Permit                | 0.00                | 977.52                 | 977.52         | 885.00            | 1,180.00             |
| <i>Total Operating Expenses</i>       | 574,073.81          | 940,283.86             | 1,514,357.67   | 1,589,823.00      | 2,119,764.00         |
| <i>Non Operating Expense-Interest</i> | 6,408.50            | 33,077.53              | 39,486.03      | 50,488.50         | 67,318.00            |
| <i>Landfill Operating Income</i>      | 564,396.86          | (231,256.37)           | 333,140.49     | (15,871.50)       | (16,162.00)          |
| <b>Joint Recycling Center</b>         |                     |                        |                |                   |                      |
| <i>Total Revenue</i>                  | 0.00                | 65,864.30              | 65,864.30      | 79,275.00         | 105,700.00           |
| <i>Expenses:</i>                      |                     |                        |                |                   |                      |
| Personal Services                     | 0.00                | 157,298.88             | 157,298.88     | 161,856.75        | 215,809.00           |
| Operating Expenses                    | 0.00                | 51,801.23              | 51,801.23      | 87,562.50         | 116,750.00           |
| Depreciation (est)                    | 0.00                | 16,752.44              | 16,752.44      | 27,000.00         | 36,000.00            |
| <i>Total Operating Expenses</i>       | 0.00                | 225,852.55             | 225,852.55     | 276,419.25        | 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                | (159,988.25)           | (159,988.25)   | (197,144.25)      | (262,859.00)         |
| <i>Total Operating Income</i>         | \$564,396.86        | (\$391,244.62)         | \$173,152.24   | (\$213,015.75)    | (\$279,021.00)       |
| <b>Tonage in Trench:</b>              | <u>9/30/2018</u>    | <u>9/30/2019</u>       |                |                   |                      |
| Asbestos                              | 65.52               | 91.37                  | 91.37          | 37.50             | 50.00                |
| Centerville                           | 181.80              | 186.06                 | 186.06         | 825.00            | 1,100.00             |
| Beresford                             | 1,061.01            | 1,084.90               | 1,084.90       | 1,050.00          | 1,400.00             |
| Clay County Garbage                   | 10,776.77           | 11,250.34              | 11,250.34      | 10,875.00         | 14,500.00            |
| Elk Point                             | 791.80              | 825.27                 | 825.27         | 195.00            | 260.00               |
| Yankton County Garbage                | 17,935.33           | 20,489.10              | 20,489.10      | 17,925.00         | 23,900.00            |
| <i>Total Tonage in Trench</i>         | 30,812.23           | 33,927.04              | 33,927.04      | 30,907.50         | 41,210.00            |
| Operating Cost per ton                |                     |                        | \$44.64        | \$53.07           | \$53.07              |

This report is based on the following:

Revenue accrual thru September 30, 2019

Expenses cash thru September 30, 2019 with October's Bills

Joint Powers Solid Waste Authority  
Financial Report Thru September 30, 2019

| Description                           | Yankton<br>Transfer | Vermillion<br>Landfill | Total<br>Joint        | 9 Month<br>Budget     | Legal<br>2019 Budget  |
|---------------------------------------|---------------------|------------------------|-----------------------|-----------------------|-----------------------|
| <b>Source of Funds</b>                |                     |                        |                       |                       |                       |
| <i>Beginning Balance</i>              | \$310,788.00        | \$1,440,861.00         | \$1,751,649.00        | \$1,742,872.00        | \$1,742,872.00        |
| <i>Operating Revenue:</i>             |                     |                        |                       |                       |                       |
| Net Income                            | 564,396.86          | (391,244.62)           | 173,152.24            | (209,265.75)          | (279,021.00)          |
| Depreciation                          | 140,621.22          | 257,226.59             | 397,847.81            | 382,647.00            | 510,196.00            |
| Trench Depletion                      | 0.00                | 129,917.06             | 129,917.06            | 132,412.50            | 176,550.00            |
| Amortization of Permit                | 0.00                | 977.52                 | 977.52                | 885.00                | 1,180.00              |
| <i>Non Operating Revenue:</i>         |                     |                        |                       |                       |                       |
| Grant                                 | 0.00                | 0.00                   | 0.00                  | 187,500.00            | 250,000.00            |
| Loan Proceeds                         | 0.00                | 0.00                   | 0.00                  | 375,000.00            | 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                              | 5,385.80            | 32,338.04              | 37,723.84             | 17,100.00             | 22,800.00             |
| <i>Cash Flow Transfer:</i>            |                     |                        |                       |                       |                       |
| Joint Power Transfer/Landfill         | (674,760.94)        | 674,760.94             | 0.00                  | 44,778.00             | 59,704.00             |
| Joint Recycling Center                | 0.00                | 0.00                   | 0.00                  | 0.00                  | 0.00                  |
| <b>Total Funds Available</b>          | <b>346,430.94</b>   | <b>2,144,836.53</b>    | <b>2,491,267.47</b>   | <b>2,673,928.75</b>   | <b>2,984,281.00</b>   |
| <b>Application of Funds Available</b> |                     |                        |                       |                       |                       |
| <i>Joint Power Transfer/Landfill</i>  |                     |                        |                       |                       |                       |
| Equipment                             | 141,419.40          | 309,870.42             | 451,289.82            | 774,750.00            | 1,033,000.00          |
| Trench                                | 0.00                | 0.00                   | 0.00                  | 0.00                  | 0.00                  |
| Closure/Postclosure Cash Res.         | 0.00                | 7,461.95               | 7,461.95              | 6,795.00              | 9,060.00              |
| <i>Joint Recycling Center</i>         |                     |                        |                       |                       |                       |
| Equipment                             | 0.00                | 33,561.93              | 33,561.93             | 57,000.00             | 76,000.00             |
| <i>Payment Principal</i>              | 30,079.31           | 74,753.82              | 104,833.13            | 132,512.25            | 176,683.00            |
| <i>Appropriation to Reserve</i>       | 0.00                | 0.00                   | 0.00                  | 0.00                  | 0.00                  |
| <b>Total Applied</b>                  | <b>171,498.71</b>   | <b>425,648.12</b>      | <b>597,146.83</b>     | <b>971,057.25</b>     | <b>1,294,743.00</b>   |
| <b>Ending Balance</b>                 | <b>\$174,932.23</b> | <b>\$1,719,188.41</b>  | <b>\$1,894,120.64</b> | <b>\$1,702,871.50</b> | <b>\$1,689,538.00</b> |



| <b>Joint Power Transfer/Landfill<br/>Description</b> | <b>Yankton<br/>Transfer</b> | <b>Vermillion<br/>Landfill</b> | <b>Total<br/>Joint</b> | <b>9 Month<br/>Budget</b> | <b>Legal<br/>2019 Budget</b> |
|--|-----------------------------|--------------------------------|------------------------|---------------------------|------------------------------|
| <i>Revenue: (accrual)</i>                            |                             |                                |                        |                           |                              |
| Asbestos   | \$0.00                      | \$5,938.82                     | \$5,938.82             | \$2,625.00                | \$3,500.00                   |
| Elk Point  | 0.00                        | 38,678.63                      | 38,678.63              | 38,775.00                 | \$51,700.00                  |
| Centerville  | 0.00                        | 8,870.92                       | 8,870.92               | 9,165.00                  | 12,220.00                    |
| Beresford  | 0.00                        | 51,419.05                      | 51,419.05              | 49,350.00                 | 65,800.00                    |
| Clay County Garbage                                  | 0.00                        | 568,831.41                     | 568,831.41             | 522,825.00                | 697,100.00                   |
| Compost-Yd Waste-Wood                                | 0.00                        | 9,332.41                       | 9,332.41               | 4,125.00                  | 5,500.00                     |
| Contaminated Soil                                    | 0.00                        | 12,775.12                      | 12,775.12              | 3,000.00                  | 4,000.00                     |
| White Goods  | 0.00                        | 2,933.85                       | 2,933.85               | 3,750.00                  | 5,000.00                     |
| Tires  | 0.00                        | 5,560.32                       | 5,560.32               | 3,000.00                  | 4,000.00                     |
| Electronics  | 0.00                        | 2,847.21                       | 2,847.21               | 3,750.00                  | 5,000.00                     |
| Other Revenue  | 7,807.38                    | 34,917.28                      | 42,724.66              | 15,075.00                 | 20,100.00                    |
| Less Recycling Tipping Fee                           | 0.00                        | 0.00                           | 0.00                   | 0.00                      | 0.00                         |
| Cash long  | 25.64                       | 0.00                           | 25.64                  | 0.00                      | 0.00                         |
| Yard Waste   | 0.00                        | 0.00                           | 0.00                   | 0.00                      | 0.00                         |
| Rubble   | 36,205.26                   | 0.00                           | 36,205.26              | 39,000.00                 | 52,000.00                    |
| Transfer Fees  | 1,092,593.79                | 0.00                           | 1,092,593.79           | 930,000.00                | 1,240,000.00                 |
| Metal  | 8,046.06                    | 0.00                           | 8,046.06               | 0.00                      | 5,000.00                     |
| Other Operational - Solid Waste                      | 201.04                      | 0.00                           | 201.04                 | 0.00                      | 0.00                         |
| <b>Total Revenue</b>                                 | <b>1,144,879.17</b>         | <b>742,105.02</b>              | <b>1,886,984.19</b>    | <b>1,624,440.00</b>       | <b>2,170,920.00</b>          |
| <i>Expenses: (cash)</i>                              |                             |                                |                        |                           |                              |
| Personal Services                                    | 231,054.13                  | 256,262.50                     | 487,316.63             | 523,128.00                | 697,504.00                   |
| Insurance  | 19,353.90                   | 5,515.50                       | 24,869.40              | 18,261.75                 | 24,349.00                    |
| Professional Service/Fees                            | 12,010.33                   | 51,820.42                      | 63,830.75              | 57,750.00                 | 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                        | 33,927.04                      | 33,927.04              | 30,907.50                 | 41,210.00                    |
| Professional - Legal/Audit                           | 2,856.60                    | 0.00                           | 2,856.60               | 937.50                    | 1,250.00                     |
| Publishing & Advertising                             | 34.80                       | 1,727.04                       | 1,761.84               | 1,725.00                  | 2,300.00                     |
| Rental   | 0.00                        | 0.00                           | 0.00                   | 375.00                    | 500.00                       |
| Hauling fee  | 0.00                        | 0.00                           | 0.00                   | 0.00                      | 0.00                         |
| Equipment repair                                     | 1,370.28                    | 52,816.05                      | 54,186.33              | 42,000.00                 | 56,000.00                    |
| Motor vehicle repair                                 | 0.00                        | 1,849.69                       | 1,849.69               | 17,625.00                 | 23,500.00                    |
| Vehicle fuel & maintenance                           | 96,980.74                   | 42,620.11                      | 139,600.85             | 150,000.00                | 200,000.00                   |
| Equip, Mat'l & Labor                                 | 37,861.30                   | 0.00                           | 37,861.30              | 33,750.00                 | 45,000.00                    |
| Building repair                                      | 11,889.06                   | 4,296.81                       | 16,185.87              | 18,000.00                 | 24,000.00                    |
| Facility repair & maintenance                        | 0.00                        | 17,077.43                      | 17,077.43              | 26,250.00                 | 35,000.00                    |
| Postage  | 439.75                      | 5.77                           | 445.52                 | 562.50                    | 750.00                       |
| Office supplies                                      | 1,717.92                    | 580.00                         | 2,297.92               | 2,400.00                  | 3,200.00                     |
| Copy supplies  | 76.50                       | 155.45                         | 231.95                 | 281.25                    | 375.00                       |
| Uniforms   | 217.72                      | 4,127.23                       | 4,344.95               | 3,525.00                  | 4,700.00                     |
| Small Tools & Hardware                               | 206.11                      | 0.00                           | 206.11                 | 187.50                    | 250.00                       |
| Travel & Training                                    | 0.00                        | 2,264.31                       | 2,264.31               | 3,375.00                  | 4,500.00                     |
| Operating supply                                     | 1,317.66                    | 65,053.21                      | 66,370.87              | 110,700.00                | 147,600.00                   |
| Electricity  | 5,895.07                    | 11,068.53                      | 16,963.60              | 22,650.00                 | 30,200.00                    |
| Heating Fuel - Gas                                   | 6,756.52                    | 8,321.78                       | 15,078.30              | 24,000.00                 | 32,000.00                    |
| Water  | 1,635.12                    | 773.20                         | 2,408.32               | 2,250.00                  | 3,000.00                     |
| WW service   | 738.54                      | 0.00                           | 738.54                 | 975.00                    | 1,300.00                     |
| Landfill   | 196.47                      | 0.00                           | 196.47                 | 150.00                    | 200.00                       |
| Telephone  | 844.07                      | 1,191.11                       | 2,035.18               | 2,317.50                  | 3,090.00                     |
| Depreciation (est)                                   | 140,621.22                  | 240,474.15                     | 381,095.37             | 355,647.00                | 474,196.00                   |
| Trench Depletion                                     |                             | 129,917.06                     | 129,917.06             | 132,412.50                | 176,550.00                   |
| Closure/Postclosure Resrv                            |                             | 7,461.95                       | 7,461.95               | 6,795.00                  | 9,060.00                     |
| Amortization of Permit                               |                             | 977.52                         | 977.52                 | 885.00                    | 1,180.00                     |
| <b>Total Op Expenses</b>                             | <b>574,073.81</b>           | <b>940,283.86</b>              | <b>1,514,357.67</b>    | <b>1,589,823.00</b>       | <b>2,119,764.00</b>          |

Joint Powers Solid Waste Authority  
Financial Report Thru September 30, 2019

| Joint Power Transfer/Landfill<br>Description | Yankton<br>Transfer | Vermillion<br>Landfill | Total<br>Joint | 9 Month<br>Budget | Legal<br>2019 Budget |
|--|---------------------|------------------------|----------------|-------------------|----------------------|
| <i>Non Operating Expense-Interest</i>        | 6,408.50            | 33,077.53              | 39,486.03      | 50,488.50         | 67,318.00            |
| <i>Operating Income (Loss)</i>               | \$564,396.86        | (\$231,256.37)         | \$333,140.49   | (\$15,871.50)     | (\$16,162.00)        |
| <i>Capital:</i>                              |                     |                        |                |                   |                      |
| Capital Outlay                               | \$141,419.40        | \$309,870.42           | \$451,289.82   | \$774,750.00      | \$1,033,000.00       |
| Landfill Development                         | 0.00                | 0.00                   | 0.00           | 168,750.00        | \$225,000.00         |
| Capital Lease                                | 0.00                | 0.00                   | 0.00           | 0.00              | \$0.00               |
| <i>Total Capital Expenditures</i>            | \$141,419.40        | \$309,870.42           | \$451,289.82   | \$943,500.00      | \$1,258,000.00       |
| <i>Grant Reimbursement</i>                   | \$0.00              | \$0.00                 | \$0.00         | \$187,500.00      | \$250,000.00         |
| <i>Equipment Sale Proceeds</i>               | \$0.00              | \$0.00                 | \$0.00         | \$0.00            | \$0.00               |
| <i>Cash Flow Transfer</i>                    | (\$674,760.94)      | \$674,760.94           | \$0.00         | \$0.00            | \$0.00               |
| <i>Tonage in Trench:</i>                     |                     |                        |                |                   |                      |
| Asbestos                                     |                     | 91.37                  | 91.37          | 37.50             | 50.00                |
| Beresford                                    |                     | 1,084.90               | 1,084.90       | 1,050.00          | 1,400.00             |
| Centerville Garbage                          |                     | 186.06                 | 186.06         | 825.00            | 1,100.00             |
| Clay County Garbage                          |                     | 11,250.34              | 11,250.34      | 10,875.00         | 14,500.00            |
| Elk Point                                    |                     | 825.27                 | 825.27         | 195.00            | 260.00               |
| Yankton County Garbage                       |                     | 20,489.10              | 20,489.10      | 17,925.00         | 23,900.00            |
| <i>Total Tonage in Trench</i>                |                     | 33,927.04              | 33,927.04      | 30,907.50         | 41,210.00            |
| Operating Cost per ton                       |                     |                        | \$44.64        | \$53.07           | \$53.07              |

| Joint Recycling Center<br>Description | Yankton<br>Transfer | Vermillion<br>Center  | Total<br>Joint        | 9 Month<br>Budget     | Legal<br>2019 Budget  |
|---------------------------------------|---------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| <i>Revenue:</i>                       |                     |                       |                       |                       |                       |
| Tipping Fees                          | \$0.00              | 0.00                  | \$0.00                | 0.00                  | 0.00                  |
| Magazines                             | 0.00                | 1,243.55              | 1,243.55              | 2,250.00              | 3,000.00              |
| Metal/Tin                             | 0.00                | 2,347.40              | 2,347.40              | 900.00                | 1,200.00              |
| Plastic                               | 0.00                | 17,449.95             | 17,449.95             | 11,250.00             | 15,000.00             |
| Aluminum                              | 0.00                | 11,585.00             | 11,585.00             | 9,000.00              | 12,000.00             |
| Newsprint                             | 0.00                | 4,776.88              | 4,776.88              | 6,750.00              | 9,000.00              |
| Cardboard                             | 0.00                | 26,094.30             | 26,094.30             | 30,000.00             | 40,000.00             |
| High Grade Paper                      | 0.00                | 0.00                  | 0.00                  | 6,000.00              | 8,000.00              |
| Other Material                        | 0.00                | 2,367.22              | 2,367.22              | 6,750.00              | 9,000.00              |
| Contributions/Operating Grants        | 0.00                | 0.00                  | 0.00                  | 6,375.00              | 8,500.00              |
| <b>Total Revenue</b>                  | <b>0.00</b>         | <b>65,864.30</b>      | <b>65,864.30</b>      | <b>79,275.00</b>      | <b>105,700.00</b>     |
| <i>Expenses:</i>                      |                     |                       |                       |                       |                       |
| Personal Services                     | 0.00                | 157,298.88            | 157,298.88            | 161,856.75            | 215,809.00            |
| Insurance                             | 0.00                | 722.93                | 722.93                | 2,850.00              | 3,800.00              |
| Professional Service/Fees             | 0.00                | 50.00                 | 50.00                 | 2,250.00              | 3,000.00              |
| Hazardous Waste Collection            | 0.00                | 0.00                  | 0.00                  | 25,500.00             | 34,000.00             |
| Professional-Legal                    | 0.00                | 0.00                  | 0.00                  | 0.00                  | 0.00                  |
| Publishing & Advertising              | 0.00                | 813.55                | 813.55                | 750.00                | 1,000.00              |
| Rental                                | 0.00                | 0.00                  | 0.00                  | 0.00                  | 0.00                  |
| Equipment repair                      | 0.00                | 3,834.22              | 3,834.22              | 7,125.00              | 9,500.00              |
| Vehicle repair & maintenance          | 0.00                | 470.37                | 470.37                | 562.50                | 750.00                |
| Vehicle fuel                          | 0.00                | 4,329.60              | 4,329.60              | 3,750.00              | 5,000.00              |
| Building repair & maintenance         | 0.00                | 2,826.62              | 2,826.62              | 1,875.00              | 2,500.00              |
| Postage                               | 0.00                | 1.37                  | 1.37                  | 112.50                | 150.00                |
| Freight                               | 0.00                | 9,080.00              | 9,080.00              | 13,125.00             | 17,500.00             |
| Office supplies                       | 0.00                | 754.07                | 754.07                | 375.00                | 500.00                |
| Uniforms                              | 0.00                | 859.82                | 859.82                | 375.00                | 500.00                |
| Materials Purchases                   | 0.00                | 3,654.41              | 3,654.41              | 3,375.00              | 4,500.00              |
| Travel & Training                     | 0.00                | 1,536.60              | 1,536.60              | 1,125.00              | 1,500.00              |
| Operating Supplies                    | 0.00                | 4,636.10              | 4,636.10              | 7,500.00              | 10,000.00             |
| Copy Supply                           | 0.00                | 46.77                 | 46.77                 | 112.50                | 150.00                |
| Electricity                           | 0.00                | 4,579.28              | 4,579.28              | 4,875.00              | 6,500.00              |
| Heating Fuel-Gas                      | 0.00                | 2,719.59              | 2,719.59              | 3,375.00              | 4,500.00              |
| Water                                 | 0.00                | 296.17                | 296.17                | 487.50                | 650.00                |
| WW service                            | 0.00                | 840.37                | 840.37                | 900.00                | 1,200.00              |
| Telephone                             | 0.00                | 604.01                | 604.01                | 637.50                | 850.00                |
| Revenue Sharing                       | 0.00                | 9,145.38              | 9,145.38              | 6,525.00              | 8,700.00              |
| Depreciation (est)                    | 0.00                | 16,752.44             | 16,752.44             | 27,000.00             | 36,000.00             |
| <b>Total Op Expenses</b>              | <b>0.00</b>         | <b>225,852.55</b>     | <b>225,852.55</b>     | <b>276,419.25</b>     | <b>368,559.00</b>     |
| <i>Non Operating Expense-Interest</i> | 0.00                | 0.00                  | 0.00                  | 0.00                  | 0.00                  |
| <b>Operating Income (Loss)</b>        | <b>\$0.00</b>       | <b>(\$159,988.25)</b> | <b>(\$159,988.25)</b> | <b>(\$197,144.25)</b> | <b>(\$262,859.00)</b> |
| <b>Capital Outlay</b>                 | <b>\$0.00</b>       | <b>\$33,561.93</b>    | <b>\$33,561.93</b>    | <b>\$57,000.00</b>    | <b>\$76,000.00</b>    |
| <b>Grant Reimbursement/Donations</b>  | <b>\$0.00</b>       | <b>\$0.00</b>         | <b>\$0.00</b>         | <b>\$0.00</b>         | <b>\$0.00</b>         |
| <b>Cash Flow Transfer</b>             | <b>\$0.00</b>       | <b>\$0.00</b>         | <b>\$0.00</b>         | <b>\$0.00</b>         | <b>\$0.00</b>         |

This report is based on the following:

Revenue accrual thru September 30, 2019

Expenses cash thru September 30, 2019 with October's 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)      |
| March     | 53,611.83        | (12,809.95)         | 40,801.88  | 3,791.92   | 43.83      | 0.00      | (13,430.92)  | (13,430.92)  | 53,611.83          | (26,240.87)           | 27,370.96        |
| Subtotal  | 105,750.49       | (61,092.27)         | 44,658.22  | 9,445.77   |            | 0.00      | (56,045.55)  | (56,045.55)  | 105,750.49         | (117,137.82)          | (11,387.33)      |
| April     | 70,002.81        | (41,275.15)         | 28,727.66  | 3,964.91   | 47.75      | 0.00      | (10,402.13)  | (10,402.13)  | 70,002.81          | (51,677.28)           | 18,325.53        |
| Subtotal  | 175,753.30       | (102,367.42)        | 73,385.88  | 13,410.68  | 47.11      | 0.00      | (66,447.68)  | (66,447.68)  | 175,753.30         | (168,815.10)          | 6,938.20         |
| May       | 82,310.61        | (36,500.11)         | 45,810.50  | 4,557.81   | 43.70      | 0.00      | (24,960.50)  | (24,960.50)  | 82,310.61          | (61,460.61)           | 20,850.00        |
| Subtotal  | 258,063.91       | (138,867.53)        | 119,196.38 | 17,968.49  | 46.24      | 0.00      | (91,408.18)  | (91,408.18)  | 258,063.91         | (230,275.71)          | 27,788.20        |
| June      | 63,815.55        | (24,181.68)         | 39,633.87  | 3,875.74   | 45.16      | 0.00      | (19,780.72)  | (19,780.72)  | 63,815.55          | (43,962.40)           | 19,853.15        |
| Subtotal  | 321,879.46       | (163,049.21)        | 158,830.25 | 21,844.23  | 45.87      | 0.00      | (111,188.90) | (111,188.90) | 321,879.46         | (274,238.11)          | 47,641.35        |
| July      | 90,084.02        | 7,194.00            | 97,278.02  | 4,208.26   | 36.43      | 0.00      | (16,188.49)  | (16,188.49)  | 90,084.02          | (8,994.49)            | 81,089.53        |
| Subtotal  | 411,963.48       | (155,855.21)        | 256,108.27 | 26,052.49  | 44.50      | 0.00      | (127,377.39) | (127,377.39) | 411,963.48         | (283,232.60)          | 128,730.88       |
| August    | 77,625.23        | (10,059.46)         | 67,565.77  | 4,040.72   | 42.97      | 0.00      | (15,575.81)  | (15,575.81)  | 77,625.23          | (25,635.27)           | 51,989.96        |
| Subtotal  | 489,588.71       | (165,914.67)        | 323,674.04 | 30,093.21  | 44.29      | 0.00      | (142,953.20) | (142,953.20) | 489,588.71         | (308,867.87)          | 180,720.84       |
| September | 77,378.97        | (32,264.17)         | 45,114.80  | 3,833.83   | 47.33      | 0.00      | (17,035.05)  | (17,035.05)  | 77,378.97          | (49,299.22)           | 28,079.75        |
| Subtotal  | 566,967.68       | (198,178.84)        | 368,788.84 | 33,927.04  | 44.64      | 0.00      | (159,988.25) | (159,988.25) | 566,967.68         | (358,167.09)          | 208,800.59       |

10/1/2019

City of Yankton Transfer Station  
Landfill Tons

| Date           | City                | Licensed Haulers |               |                        |                 | Sub-Total | All Other | Total Transfer |
|----------------|---------------------|------------------|---------------|------------------------|-----------------|-----------|-----------|----------------|
|                | Compactors<br>(577) | Janssen<br>(547) | Arts<br>(586) | Loren Fischer<br>(648) | Kortan<br>(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       |
| March 2019     | 227.93              | 571.65           | 491.34        | 96.90                  | 24.64           | 1,184.53  | 761.73    | 2,174.19       |
| April 2019     | 256.85              | 600.51           | 598.67        | 84.66                  | 18.68           | 1,302.52  | 828.34    | 2,387.71       |
| May 2019       | 283.49              | 719.23           | 639.98        | 93.26                  | 27.15           | 1,479.62  | 959.69    | 2,722.80       |
| June 2019      | 238.73              | 674.24           | 596.15        | 97.21                  | 23.01           | 1,390.61  | 640.63    | 2,269.97       |
| July 2019      | 272.66              | 737.54           | 678.68        | 102.49                 | 19.45           | 1,538.16  | 661.78    | 2,472.60       |
| August 2019    | 271.79              | 716.67           | 646.85        | 96.51                  | 25.81           | 1,485.84  | 646.49    | 2,404.12       |
| September 2019 | 250.77              | 706.64           | 647.37        | 90.18                  | 19.83           | 1,464.02  | 677.10    | 2,391.89       |
| 2019 Total     | 2,228.97            | 5,724.22         | 5,086.63      | 811.12                 | 187.62          | 11,809.59 | 5,807.35  | 19,845.91      |

CITY OF VERMILLION  
LANDFILL TONS

|                 | 2019  | Independence<br>Waste | Fischer<br>Disposal | Art's<br>Garbage | Verm.<br>Garbage | City of<br>Elk Point | Loren<br>Fischer | Turner<br>County | City of<br>Beresford | Waste Mgmt<br>of Sioux City | Other   | 2019<br>Tons |
|-----------------|-------|-----------------------|---------------------|------------------|------------------|----------------------|------------------|------------------|----------------------|-----------------------------|---------|--------------|
| \$47.00 PER TON | Jan   | 251.85                | 160.44              | 1.38             | 40.19            | 89.90                | 460.19           | 18.60            | 107.72               | 95.90                       | 77.24   | 1303.41      |
|                 | Feb   | 208.12                | 129.89              | 0.00             | 34.79            | 64.92                | 391.81           | 17.25            | 88.78                | 87.13                       | 121.22  | 1143.91      |
|                 | Mar   | 285.37                | 157.90              | 0.00             | 36.76            | 86.23                | 461.80           | 22.06            | 103.14               | 97.45                       | 354.21  | 1604.92      |
|                 | April | 109.02                | 196.50              | 18.06            | 44.91            | 95.41                | 534.63           | 22.06            | 126.91               | 96.98                       | 259.07  | 1503.55      |
|                 | May   | 0.00                  | 237.28              | 11.05            | 52.41            | 118.72               | 716.97           | 24.39            | 148.43               | 135.51                      | 217.08  | 1661.84      |
|                 | June  | 0.00                  | 231.29              | 4.26             | 39.19            | 88.62                | 703.50           | 18.65            | 117.18               | 98.28                       | 287.07  | 1588.04      |
|                 | July  | 0.00                  | 243.62              | 6.14             | 39.03            | 92.44                | 686.59           | 22.05            | 133.57               | 132.19                      | 253.62  | 1609.25      |
|                 | Aug   | 0.00                  | 237.61              | 13.14            | 44.78            | 101.02               | 631.45           | 20.60            | 130.51               | 164.45                      | 317.85  | 1661.41      |
|                 | Sept  | -                     | 216.84              | 24.49            | 45.03            | 87.91                | 570.31           | 20.40            | 128.66               | 148.41                      | 0.00    | 1242.05      |
|                 | Oct   |                       |                     |                  |                  |                      |                  |                  |                      |                             |         | 0.00         |
|                 | Nov   |                       |                     |                  |                  |                      |                  |                  |                      |                             |         | 0.00         |
|                 | Dec   |                       |                     |                  |                  |                      |                  |                  |                      |                             |         | 0.00         |
|                 |       | 854.36                | 1811.37             | 78.52            | 377.09           | 825.17               | 5157.25          | 186.06           | 1084.90              | 1056.30                     | 1887.36 | 13318.38     |

|                 | 2018  | Independence<br>Waste | Fischer<br>Disposal | Art's<br>Garbage | Verm.<br>Garbage | City of<br>Elk Point | Loren<br>Fischer | Turner<br>County | City of<br>Beresford | Waste Mgmt<br>of Sioux City | Other   | 2018<br>Tons |
|-----------------|-------|-----------------------|---------------------|------------------|------------------|----------------------|------------------|------------------|----------------------|-----------------------------|---------|--------------|
| \$46.50 PER TON | Jan   | 290.99                | 166.96              | -                | 42.97            | 80.77                | 272.32           | 15.56            | 104.43               |                             | 147.12  | 1121.12      |
| \$47.00 PER TON | Feb   | 290.57                | 141.68              | -                | 34.32            | 71.59                | 215.28           | 15.64            | 90.69                |                             | 56.69   | 916.46       |
|                 | Mar   | 301.17                | 154.91              | -                | 41.03            | 83.11                | 271.25           | 20.20            | 110.58               |                             | 116.78  | 1099.03      |
|                 | April | 385.78                | 182.97              | -                | 43.23            | 81.41                | 333.34           | 21.78            | 119.38               |                             | 266.64  | 1434.53      |
|                 | May   | 361.18                | 206.38              | -                | 51.19            | 110.99               | 603.75           | 25.15            | 134.72               |                             | 372.91  | 1866.27      |
|                 | June  | 321.90                | 193.81              | -                | 40.75            | 87.05                | 458.25           | 19.79            | 122.71               |                             | 326.37  | 1570.63      |
|                 | July  | 357.03                | 213.87              | 11.01            | 40.24            | 90.31                | 460.84           | 19.75            | 125.80               | 32.96                       | 202.59  | 1554.40      |
|                 | Aug   | 357.37                | 208.27              | 19.49            | 44.98            | 100.80               | 558.34           | 22.34            | 133.87               | 97.56                       | 285.41  | 1828.43      |
|                 | Sept  | 337.16                | 168.72              | 8.85             | 38.88            | 85.70                | 458.52           | 21.59            | 118.83               | 73.01                       | 174.77  | 1486.03      |
|                 | Oct   | 282.89                | 196.27              | 8.97             | 45.64            | 94.02                | 594.99           | 24.17            | 125.57               | 90.48                       | 156.37  | 1619.37      |
|                 | Nov   | 321.29                | 172.92              | 4.89             | 37.78            | 91.76                | 640.85           | 22.85            | 123.91               | 80.73                       | 68.55   | 1565.53      |
|                 | Dec   | 237.84                | 155.80              | 1.91             | 38.57            | 79.82                | 488.70           | 15.02            | 106.66               | 58.45                       | 70.25   | 1253.02      |
|                 |       | 3845.17               | 2162.56             | 55.12            | 499.58           | 1057.33              | 5356.43          | 243.84           | 1417.15              | 433.19                      | 2244.45 | 17314.82     |

| DEPARTMENT NAMES           |  | \$           |
|----------------------------|--|--------------|
| ADMINISTRATION             |  | \$41,963.85  |
| FINANCE                    |  | \$33,872.23  |
| COMMUNITY DEVELOPMENT      |  | \$24,130.04  |
| POLICE/A.C./DISPATCH       |  | \$155,306.90 |
| FIRE                       |  | \$12,507.62  |
| ENGINEERING / SR. CITIZENS |  | \$43,918.20  |
| STREETS                    |  | \$43,678.50  |
| SNOW & ICE                 |  | \$50.05      |
| TRAFFIC CONTROL            |  | \$3,801.19   |
| LIBRARY                    |  | \$27,429.41  |
| PARKS / SAC                |  | \$76,952.08  |
| MEMORIAL POOL              |  | \$0.00       |
| MARNE CREEK                |  | \$3,733.98   |
| WATER                      |  | \$37,779.65  |
| WASTEWATER                 |  | \$35,966.16  |
| CEMETERY                   |  | \$3,874.21   |
| SOLID WASTE                |  | \$21,719.06  |
| LANDFILL / RECYCLE         |  | \$19,401.34  |
| CENTRAL GARAGE             |  | \$7,319.32   |
|                            |  | \$593,403.79 |

#### Personnel Changes & New Hires

##### NEW HIRES

|                  |             |                     |
|------------------|-------------|---------------------|
| Audrey Bringgold | \$16.23 hr. | Library             |
| Krista Haringa   | \$11.00 hr. | Library             |
| Addison Peitz    | \$12.00 hr. | Recreation Division |
| Lacey Sprakel    | \$10.25 hr. | Recreation Division |
| Geneva Wollman   | \$10.25 hr. | Recreation Division |

##### WAGE CHANGE

|                 |                   |                          |
|-----------------|-------------------|--------------------------|
| Jason Foote     | \$2,456.58 bi-wk. | Police                   |
| Brad Moser      | \$2,997.27 bi-wk. | Engineering & Inspection |
| Lucca Shimanuki | \$10.50 hr.       | Recreation Division      |
| Kelli Steffen   | \$11.00 hr.       | Recreation Division      |

# Recycle Used Toys Event



In observance of America Recycles Day, the City of Yankton and Keep Yankton Beautiful will be holding a Recycle Gently Used Toys Collection on November 16, 2019 from 10:00 am to 1:00 pm.

Gently used toys may be dropped off at North Ace Hardware during the hours of the collection times.

Please, no broken or damaged toys. All toys collected will be going to the Yankton Contact Center.

This is a great opportunity to give those no longer used toys to a good home and to brighten a child's holiday!





**Introduction and Establishment of Date for a Hearing  
Memorandum # 19-228**

**To:** *Amy Leon, City Manager*  
**From:** *Brad Bies, Community Development Manager*  
**Subject:** *2019 Assessment Roll—Nuisance Vegetation Abatement*  
**Date:** *October 22, 2019*

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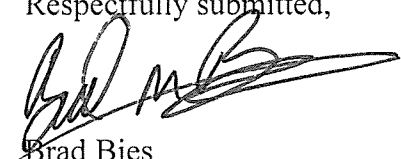
In order for City staff to begin the special assessment process it is recommended that the City Commission, at their meeting on October 28, 2019, set a public hearing date on the special assessment roll for Monday, November 25, 2019.

The following schedule of events should be undertaken to complete the special assessment process:

|                   |   |
|-------------------|---|
| October 15, 2019  | Department of Community Development files special assessment roll with Finance Officer.                                   |
| October 28, 2019  | City Commission sets public hearing for November 25, 2019   |
| October 29, 2019  | Department of Community Development sends notice of hearing to affected property owners.                                  |
| October 31, 2019  | Department of Community Development publishes notice of hearing in Press & Dakotan. Publishing dates of October 31, 2019. |
| November 25, 2019 | City Commission holds public hearing on assessment roll and approves resolution.  |
| November 26, 2019 | Finance Department sends notice to property owners giving amount of assessment, installments, etc.                        |
| November 2019     | Finance Department publishes resolution with November 25 <sup>th</sup> Commission Minutes.                                |
| December 26, 2019 | Final date property owners can pay entire assessment without interest.  |
| January 1, 2020   | First special assessment installment due.   |

**Recommendation: It is recommended that the Board of Commissioners set November 25, 2019 as the date for a public hearing for the special assessment roll.**

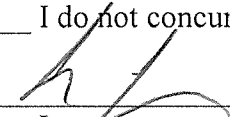
Respectfully submitted,



Brad Bies  
Community Development Manager

Attachments

I concur with the recommendation.  
 I do not concur with the recommendation.

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

\_\_\_\_ Introduce and Establish hearing

**RESOLUTION #19-61**

A RESOLUTION APPROVING THE 2019 SPECIAL ASSESSMENT ROLL FOR  
NUISANCE VEGETATION ABATEMENT

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

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

SECTION 2. The assessments set forth in the assessment role will become due and payable in one (1) annual installment together with interest at a rate prescribed by the Board of City Commissioners, by resolution, per annum, in accordance with SDCL 9-43.

The above assessments may be paid without interest to the City Finance Officer on or before December 26, 2019, thereafter, the entire assessment may be paid with interest from the date of filing with the City Finance Officer at the rate established by resolution of the Board of City Commissioners.

Adopted:

\_\_\_\_\_  
Nathan V. Johnson  
Mayor

ATTEST:

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

**2019 Special Assesment Roll  
for  
Nuisance Vegetation Abatement  
City of Yankton, South Dakota**

TO THE CITY FINANCE OFFICER OF THE CITY OF YANKTON

I, Brad Bies, Community Development Manager, herewith file with you, as provided by law, the Special Assessment Roll within the City of Yankton.

The description of the property so assessed, with the names of the owners, and the amount assessed to each lot, piece or parcel is shown as follows, to wit:

| PROPERTY OWNER (Deed Holder)             | PROPERTY OWNER MAILING ADDRESS                 | PROPERTY DESCRIPTION Legal Description                           | PROPERTY ADDRESS         | ASSESSMENT AMOUNT | ABATEMENT CATEGORY  |
|--|--|--|--------------------------|-------------------|---------------------|
| BROOK WOEHL                              | 4517 BROADWAY AVENUE<br>YANKTON, SD 57078      | N42' LT 16 & ALL LTS 17 & 18 BLK 28 LOWER<br>YANKTON             | 417 MULBERRY STREET      | \$ 191.70         | Nuisance Vegetation |
| ALLAN JONES                              | 608 PEARL STREET YANKTON, SD<br>57078          | LTS 3, 4 & 5 BLK 53 LOWER YANKTON                                | 608 PEARL STREET         | \$ 181.05         | Nuisance Vegetation |
| DUANE JANSEN                             | 43386 310TH STREET YANKTON,<br>SD 57078        | OUTLOT 146 EXC N80' PYNCHON OUTLOTS                              | 1915 LOCUST STREET       | \$ 234.30         | Nuisance Vegetation |
| ANDREA MURPHY                            | 412 CAPITAL STREET YANKTON,<br>SD 57078        | LT 3 BLK 21 LOWER YANKTON  | 412 CAPITAL STREET       | \$ 101.18         | Nuisance Vegetation |
| YANKTON RIVERCITY APTS LLC               | 412 BURLEIGH ST #2 YANKTON,<br>SD 57078        | W2 LT 2 & ALL LTS 3 & 4 BLK 3 NORTH ELM'S                        | Lots on West 22nd Street | \$ 234.30         | Nuisance Vegetation |
| Ryan Haggan & Kassandra Fiechuk          | 900 West 15th Street Yankton,<br>SD 57078      | S150' OUTLOT 135 AUDITOR'S OUTLOTS                               | 900 West 15th Street     | \$ 207.68         | Nuisance Vegetation |
| TYLER ALMOND                             | 2400 DOUGLAS AVE #24<br>Yankton, SD 57078      | LT 2 EXC N31.5' & ALL LT 3 & N24'3" LT 4 BLK<br>57 LOWER YANKTON | 1006 PEARL ST            | \$ 181.05         | Nuisance Vegetation |
| Lorena Zamora                            | 504 West 8th Street Yankton, SD<br>57078       | M43' LT 10 & M43' S38' LT 11 BLK 85 B.C.<br>FOWLER'S             | 504 West 8th Street      | \$ 85.20          | Nuisance Vegetation |
| Veronica Kuchta c/o Elite Payer Services | PO BOX 211 Sioux Falls, SD 57101               | W2 LT 8 BLK 21 WITHERSPOON'S                                     | 302 Green Street         | \$ 181.05         | Nuisance Vegetation |
| Veronica Kuchta c/o Elite Payer Services | PO BOX 211 Sioux Falls, SD 57101               | W2 LT 7 BLK 21 WITHERSPOON'S                                     | 304 Green Street         | \$ 175.73         | Nuisance Vegetation |
| MEGAN KOHN                               | 1223 MULBERRY ST Yankton, SD<br>57078          | N105' LTS 5, 6, 7 & 8 EXC N23' BLK D LOWER<br>YANKTON            | 1223 MULBERRY ST         | \$ 101.18         | Nuisance Vegetation |
| Rebecca & John Stoddard                  | 39292 239th Street Letcher, SD<br>57359        | W80' LTS 8 & 9 BLK 29 LOWER YANKTON                              | 300 East 5th Street      | \$ 101.18         | Nuisance Vegetation |
| Brian Fox                                | 715 Capital Street Yankton, SD<br>57078        | LT 16 BLK 7 LOWER YANKTON  | 715 Capital Street       | \$ 101.18         | Nuisance Vegetation |
| Mike & Linda Scott                       | 7628 S. Beal Avenue Sioux Falls,<br>SD 57078   | LT 4 BLK 3 TRIPP & HARRIS  | 1020 Broadway Avenue     | \$ 154.43         | Nuisance Vegetation |
| Hans Kinsey                              | 117 East Merril St. Castlewood,<br>SD 57223    | LT 9 EXC SMALL TRACT IN SE CORNER BLK 74<br>TODD'S               | 700 Walnut Street        | \$ 127.80         | Nuisance Vegetation |
| Jamie Lorenz or Aaron Gereaux            | 207 Murphy Lane Yankton, SD<br>57078           | LT 21 BLK 1 HIGHLAND PARK  | 207 Murphy Lane          | \$ 287.55         | Nuisance Vegetation |
| Rodney Sherman                           | 1206 Whiting Street Yankton, SD<br>57078       | LT 27 DAKOTA NATL SUB DIV  | 1206 Whiting Street      | \$ 127.80         | Nuisance Vegetation |
| Amy Stephenson                           | 514 Maple Street Yankton, SD<br>57078          | E2 LTS 8 & 9 BLK 37 WITHERSPOON'S                                | 508 West 4th Street      | \$ 197.02         | Nuisance Vegetation |
| Darlene Johnson c/o Stephani Johnson     | 1215 Whiting Street Yankton, SD<br>57078       | LT 34 & W4 LT 35 DAKOTA NATL S/DIV                               | 1215 Whiting Street      | \$ 575.10         | Nuisance Vegetation |
| Andrew Hayward                           | 840 N SPRUCE ST LT 139 Rapid<br>City, SD 57701 | LT 16 BLK 44 CENTRAL YANKTON                                     | 513 Green Street         | \$ 218.33         | Nuisance Vegetation |
| <b>TOTAL ASSEMENTS</b>                   |  |  |                          | \$ 3,764.78       |                     |

The assessments set forth in the assessment role will become due and payable in one (1) annual installment together with interest at a rate prescribed by the Board of City Commissioners, by resolution, per annum, in accordance with SDCL 9-43.

The above assessments may be paid without interest to the City Finance Officer on or before December 26, 2019, thereafter, the entire assessment may be paid with interest from the date of filing with the City Finance Officer at the rate established by resolution of the Board of City Commissioners.

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Brad Bies  
Community Development Manager

Filed in the office of the City Finance Officer on October 22, 2019.

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Al Viereck  
Finance Officer

NOTICE OF PUBLIC HEARING ON APPLICATIONS  
FOR SALE OF ALCOHOLIC BEVERAGES FOR 2020

NOTICE IS HEREBY GIVEN THAT: The Board of City Commissioners will consider the following renewal of applications for Alcoholic Beverages Licenses, at their regular session on the 12<sup>th</sup> day of November, 2019, in the City of Yankton Community Meeting Room at the Career Manufacturing Technical Education Academy, 1200 West 21<sup>st</sup> Street, Yankton, South Dakota. Said applications have been presented to the Board of City Commissioners and filed in the Finance Officer's Office.

RETAIL (ON-SALE) LIQUOR-FULL SERVICE RESTAURANT

Czeckers, Inc., d/b/a Czeckers, Inc., 407 Walnut St.  
El Tapatio Family Mexican, Inc., d/b/a El Tapatio Family Mexican, Inc., 2502 Fox Run Pkwy.  
Bernard Properties, LLC, d/b/a Riverfront Events Center & Emporium, 121 W. 3<sup>rd</sup> St.

RETAIL (ON-SALE) LIQUOR

Hanten, Inc., d/b/a Ben's Brewing Company, 222 W. 3<sup>rd</sup> St.  
Black Steer, Inc., d/b/a The Black Steer, 300 E. 3<sup>rd</sup> St.  
Boomer's, Inc., d/b/a Boomer's Lounge, 100 E. 3<sup>rd</sup> St.  
YC Library, LLC, d/b/a Capitol Street Pub, 401 Capitol St.  
B.P.O. Elks Lodge 994, 504 W. 27<sup>th</sup> St.  
Hillcrest Golf-Country Club, 2206 Mulberry St.  
JoDeans Corp., d/b/a JoDeans, 2809 Broadway Ave.  
WR Capital I, LLC, d/b/a Minerva's Grill & Bar, 1607 E. Hwy 50, Suite A  
Dayhuff Enterprises, Inc., d/b/a MoJo's Pizza & Spirits, 102-104 E. 3<sup>rd</sup> St.  
Dayhuff Enterprises, Inc., d/b/a O'Malley's Bar, 204 W. 3<sup>rd</sup> St.  
Bernard Properties, LLC, d/b/a The Brewery, 200-204 Walnut St.  
Flusswerks, LLC, d/b/a The Landing, 104 Capital St.  
Upper Deck, Inc., d/b/a Upper Deck, 311-315 Broadway Ave.  
VFW Post 791, 209 Cedar St.  
Walnut Tavern, Inc., 100 W. 3<sup>rd</sup> St.  
Yankton Bowl, Inc., 3010 Broadway Ave., & Suite 1  
Dayhuff Enterprises, Inc., d/b/a Zebra Club & Cockatoo Bar, 106-112 E. 3<sup>rd</sup> St.

PACKAGE (OFF-SALE) LIQUOR

Cork 'N Bottle, Inc., d/b/a Cork 'N Bottle, 1500 Broadway Ave.  
The Fox Stop, Inc., d/b/a The Fox Stop, 1316 W. 30<sup>th</sup> St.  
Hy-Vee Food Stores, Inc., d/b/a Hy-Vee Wine & Spirits, 2100 N. Broadway Ave.  
T C Corner, LLC, d/b/a JR's Oasis, 2404 E. SD Hwy 50  
Annis Properties, Inc., d/b/a Patriot Express 02, 100 E. 4<sup>th</sup> St.  
Annis Properties, Inc., d/b/a Prairie Pumper, 909 Broadway Ave.  
ZACCON, Inc., d/b/a Roadrunner Convenience Mart, 300 W. 23<sup>rd</sup> St.  
Theresa Wick d/b/a Sportsman's, 901 Broadway Ave.  
Wal-Mart Stores, Inc., d/b/a Wal-Mart Store #1483, 3001 Broadway Ave.  
Yankton Drug, Inc., d/b/a Yankton Drug Co., 109 W. 3<sup>rd</sup> St.  
Dayhuff Enterprises, Inc., d/b/a Zebra Club & Cockatoo Bar, 106-112 E. 3<sup>rd</sup> St.

\_\_\_\_\_ Voice vote

RETAIL (ON-OFF SALE) WINE

ANGELAS LA MEXICANA, LLC, d/b/a ANGELAS LA MEXICANA HISPANIC MARKET, 401 Picotte St.

Charlies Pizza House, Inc., d/b/a Charlie's Pizza House, 804 Summit St.

Cheers Bar & Grill, LLC, d/b/a Cheers Bar & Grill, LLC, 310 Walnut St.

Czeckers, Inc., d/b/a Czeckers Inc., 407 Walnut St.

The Fox Stop, Inc., d/b/a The Fox Stop, 1316 W. 30<sup>th</sup> St.

SYMS, LLC, d/b/a Holiday Inn Express, PO Box 113

San Jose, Inc., d/b/a Mexico Viejo, 1809 Broadway Ave.

TST, Inc., d/b/a Phinney's Pub & Casino, Yankton Mall

To Be Free, LLC d/b/a RB Beer & Burgers, 2901 Broadway Ave. Suite C

Morgen, LLC, d/b/a South Point Gaming Lounge, 1101 Broadway Ave., Suite 109

Flusswerks, LLC, d/b/a The Landing, 104 Capital St.

Tokyo Japanese Cuisine of Ykt, Inc. d/b/a Tokyo Japanese Cuisine, 2007 Broadway Ave. Ste. J

Wal-Mart Stores, Inc., d/b/a Wal-Mart Store #1483, 3100 Broadway Ave.

Walgreen Co. d/b/a Walgreen #9806, 2020 Broadway Ave.

Willa B's LLC d/b/a Willa B's, 215 West 3<sup>rd</sup> St.

NOTICE IS FURTHER GIVEN THAT any person, persons or their attorney may appear and be heard at said scheduled Public Hearing, who are interested in the approval or rejection of any such application.

Dated at Yankton, South Dakota, this  
28<sup>th</sup> day of October, 2019



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Al Viereck  
Finance Officer

\_\_\_\_ Voice vote

**Memorandum #19-227**

**To:** Amy Leon, City Manager  
**From:** Brittany LaCroix, Events and Promotions Coordinator  
**Subject:** Request by the Holiday Festival of Lights for a Fireworks Public Display on December 5, 2019  
**Date:** October 21, 2019

---

The Holiday Festival of Lights Committee is requesting the approval of a public fireworks display within the city limits on December 5, 2019 located on the top level of the Meridian Bridge. The committee will follow City procedure of closing the bridge to pedestrians during this time. Per municipal code, this request needs to be approved by the City Commission. The fire department has reviewed the request and is comfortable with the request being approved.

**Recommendation: It is recommended that the Commission approve the request for a public firework display hosted by Holiday Festival of Lights on December 5, 2019.**

Respectfully submitted,



Brittany LaCroix  
Events & Promotions Coordinator

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

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

\_\_\_\_ Roll call

FIREWORKS PUBLIC DISPLAY PERMIT FOR YANKTON COUNTY

PERMIT # 20192710  
(USE APPLICATION PICKUP DATE FOR PERMIT #)

NAME OF APPLICANT Brittany LaChoiX - Holiday Festival of Lights

ADDRESS 416 Walnut CITY Yankton STATE SD ZIP 57078

PHONE 605.668.5232 CELL 605.661.0656 OTHER \_\_\_\_\_

PERSONS(S) ACTUALLY IN CHARGE OF/SHOOTING DISPLAY:

NAME Yankton Fire Dept ADDRESS \_\_\_\_\_ CITY Yankton STATE SD ZIP 57078

NAME \_\_\_\_\_ ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

DATE/TIME DISPLAY TO DISCHARGED Thursday, December 5th 2019 7:00-7:30pm

LOCATION DISPLAY WILL BE DISCHARGED Top deck of Meridian Bridge

TYPE OF FIREWORKS TO BE DISCHARGED: CLASS B EXPLOSIVES (SPECIAL FIREWORKS) \_\_\_\_\_  
CLASS C COMMON FIREWORKS X

IF APPLYING FOR CLASS B FIREWORKS, HAVE YOU ATTENDED A SHOOTERS SCHOOL \_\_\_\_\_ YES \_\_\_\_\_ NO

I, Brittany LaChoiX, DECLARE AND AFFIRM UNDER THE PENALTY OF PERJURY THAT THIS FIREWORKS DISPLAY PERMIT HAS BEEN EXAMINED BY ME AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IS TRUE AND CORRECT.

DATED THIS 21 DAY OF October, 2019. Brittany LaChoiX  
Signature of applicant

Notary public only  
Subscribed and sworn to (or affirmed) this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_  
Notary Public \_\_\_\_\_ expires \_\_\_\_\_

FIRE DEPARTMENT SIGNATURE /TITLE Larry Moffitt DATE 10/21/19

LAW ENFORCEMENT SIGNATURE/TITLE James C. Vlachos Sheriff DATE 10/21/19

Permit issued subject to applicable laws and regulations. SDCL 34-36, SDCL 34-37. NFPA 1123 - CURRENT EDITION, AND LOCAL ADOPTED FIRE CODES. This permit may not be transferred or reassigned without issuing authority permission (2010)



***Memorandum #19-221***

*To: City Manager*  
*From: Finance Department*  
*Date: October 18, 2019*  
*Subject: Special Events RETAIL (on-sale) Liquor License*

We have received an application for a Special Events RETAIL (on-sale) Liquor License for one day, November 9, 2019 from Dayhuff Enterprises, Inc. (Jeff Dayhuff, President), dba O'Malley's Bar, NFAA, 800 Archery Lane, Yankton, South Dakota.

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

**Second Reading and Public Hearing  
Memorandum #19-218**

**To:** Amy Leon, City Manager  
**From:** Dave Mingo, AICP, Community and Economic Development Director  
**Subject:** Sign Ordinance Amendment  
**Date:** October 15, 2019

Attached is an amendment to the sign code to clarify that both on-premise and off-premise two sided signs may be considered as one sign in cases where the sign faces are no more than two feet apart. The words "on-premise" were inadvertently included in the definition of "Sign Area" when the ordinance was created in 2013. As a consequence of that inclusion, in some situations the installation of a two sided off-premise sign may not be permitted at a location where an identically sized two-sided on-premise sign would be permitted.

It was the intent at the time of ordinance adoption, and the long-standing industry practice, to regulate two sided signs as one sign so long as the sign faces were reasonably close together and facing opposite directions. This makes practical sense as construction techniques and materials often mean the sign faces are slightly separated. By being constructed back-to-back only one face is visible to the traveling public at one time, which is traditionally why each face is not separately calculated against the total sign area allowed on a lot. Signs with faces set further apart are by their nature intended to increase visibility and are physically larger, as such each face is treated as a separate sign counting against total allowable sign area.

The goal of the amendment is to clarify a long-standing industry practice and to allow the greatest flexibility to property owners and installers in constructing two-sided signage while maintaining the reasonable regulation of total signage on any property.

Respectfully submitted,



Dave Mingo, AICP  
Community & Economic Development Director

**Recommendation: It is recommended that the Board of Commissioners adopt ordinance #1025 amending the sign ordinance in the manner herein described.**

I concur with the recommendation.

I do not concur with the recommendation.



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

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

**ORDINANCE NO. 1025**

**AN ORDINANCE AMENDING CERTAIN LANGUAGE IN THE DEFINITION OF  
"SIGN AREA" IN SECTION 27-71, CHAPTER 27, ARTICLE III. - SIGNS.**

**BE IT ORDAINED, BY THE BOARD OF CITY COMMISSIONERS OF THE  
CITY OF YANKTON, SOUTH DAKOTA THAT THE FOLLOWING SECTION  
OF THE CITY ORDINANCES BE AMENDED AND RECREATED TO WIT:**

**CHAPTER 27**

**Sec. 27-71. – Definitions.**

*Sign area.* The area of a sign shall be determined by the smallest circle, triangle or rectangle that can be used to enclose the sign, exclusive of supporting members that bear no message. An ~~"on-premises"~~ sign designed to be viewed from two (2) opposite directions shall be considered as one (1) sign, provided that the two (2) faces shall not be more than two (2) feet apart if angular. Where more than one (1) sign is permitted on a lot, the net sign area shall be the sum of those signs to be viewed from one (1) direction. Each individual word or illustration on a wall sign shall be considered a separate sign area.

Adopted:  
1st Reading:  
2nd Reading:  
Publication Date:  
Effective Date:

---

Nathan V. Johnson, Mayor

Attest:

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Al Viereck, Finance Officer

**ORDINANCE NO. 1025**

**AN ORDINANCE AMENDING CERTAIN LANGUAGE IN THE DEFINITION OF  
“SIGN AREA” IN SECTION 27-71, CHAPTER 27, ARTICLE III. - SIGNS.**

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Adopted:  
1st Reading:  
2nd Reading:  
Publication Date:  
Effective Date:

---

Nathan V. Johnson, Mayor

Attest:

---

Al Viereck, Finance Officer

## Memorandum #19-211


**To:** Amy Leon, City Manager  
**From:** Adam Haberman PE, Public Works Director  
**Subject:** Amendment to the Ordinance for Chapter 21, Section 21-127 Designation of snow emergency routes.  
**Date:** October 7, 2019

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Many of the streets in the Meridian District have a snow removal process in which City crews windrow the snow to the center of the streets, then load it into trucks and haul it away. To be effective and safe with this manner of snow removal process, the streets need to be clear of parked vehicles. Designating the streets as snow emergency routes ensures the routes will be cleared of vehicles before the snow removal process begins. Cedar Street, from Second Street to Fourth Street, has historically been maintained during the winter using the windrow/haul away snow removal method, but is not currently listed in the snow emergency route list of the City Ordinance. In an effort to continue to provide safe and effective snow removal on Cedar Street, from Second Street to Fourth Street, it is recommended it be added to the snow emergency route ordinance.

Attached is an ordinance amending Chapter 21, Section 21-127, to include Cedar Street from Second Street to Fourth Street as a snow emergency route.

Respectfully submitted,



Adam Haberman, PE  
Public Works Director

**Recommendation:** It is recommended that the Board of Commissioners hold the public hearing to consider Ordinance #1026.

I concur with the recommendation.

I do not concur with the recommendation.

---

Amy Leon  
City Manager

Roll call

**ORDINANCE #1026**  
**AN ORDINANCE AMENDING THE DESIGNATION OF STREETS AND AVENUES**  
**AS SNOW EMERGENCY ROUTES**

BE IT ORDAINED, BY THE CITY COMMISSION OF THE CITY OF YANKTON,  
SOUTH DAKOTA, THAT:

**Sec. 21-127. - Designation of snow emergency routes.**

The following streets and avenues or portions thereof within the City of Yankton are designated as snow emergency routes:

(1) *Commercial districts:*

Third Street from Mulberry Street to Linn Street.

Broadway Avenue from Second Street to Fifth Street.

Capital Street from Second Street to Fourth Street.

Cedar Street from Second Street to Fourth Street.

Douglas Avenue from Riverside Drive to Fourth Street.

Walnut Street from Second Street to Fourth Street.

(2) *Other streets and avenues:*

Second Street from Broadway Avenue to South Dakota Highway 50.

Fourth Street (Highway 50) from Fifth Street to Ferdig Avenue.

Eighth Street from West City Limits Road to South Dakota Highway 50.

Ninth Street from West City Limits Road to Summit Street.

Fifteenth Street from Summit Street to Ferdig Avenue.

Nineteenth Street from Broadway Avenue to Ferdig Avenue.

Twenty-first Street from west city limits to Peninah Street.

Thirty-first Street from Broadway Avenue to Peninah Street.

Broadway Avenue from Fifth Street to Thirty-first Street.

Burleigh Street from Fourth Street to Twenty-fifth Street.

Douglas Avenue from Fourth Street to Thirty-first Street.

Mulberry Street from Fifteenth Street to Twenty-fifth Street.  
Peninah Street from Eighth Street to Twenty-fifth Street.  
Summit Street from Fifth Street to Twenty-first Street.  
Whiting Drive from Burleigh Street to east city limits.  
Kellen Gross Drive from Twenty-first to Twenty-third Street.  
Twenty-third Street from Kellen Gross Drive to Mulberry Street.  
Twenty-fifth Street from Broadway to Mulberry Street.  
Mulberry Street from Twenty-fifth to Donohoe Boulevard.  
Donohoe Boulevard from Mulberry Street to Regal Drive.  
Burleigh Street from Fourth Street to Peninah Street.  
Peninah Street from Twenty-fifth Street to Thirty-first Street.  
West City limits road from Eighth Street to Thirty-first Street.  
Adkins Drive from Thirty-first Street to Abbott Drive.

First Reading:

Second Reading and Adoption:

Publication:

Effective Date:

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Nathan V. Johnson, Mayor

Attest: \_\_\_\_\_  
Al Viereck, Finance Officer

## Memorandum #19-212

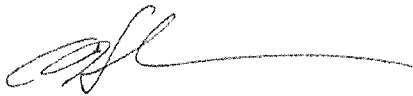
**To:** Amy Leon, City Manager  
**From:** Adam Haberman PE, Public Works Director  
**Subject:** Amendment to the Ordinance for Chapter 14, Section 14-205 Truck Routes Established  
**Date:** October 7, 2019

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It was recently brought to City staff's attention that the current established truck routes list in the City Ordinance are not current. Before the Discovery Bridge was constructed, the Meridian Bridge was used as a highway bridge to travel north and south across the Missouri River. Truck routes were established on Second Street from Fourth Street to Broadway Avenue as well as on Walnut Street from the Meridian Bridge to Second Street in order to use the Meridian Bridge to cross the river. With the past conversion of the Meridian Bridge to a pedestrian bridge as well as the construction of the Discovery Bridge as a replacement highway bridge, the ordinance establishing truck routes north and south across the Missouri River needs to be updated. It is recommended to remove from the truck route ordinance Second Street from Fourth Street to Broadway Avenue and Walnut Street from the Meridian Bridge to Second Street, and add Broadway Avenue from the Discovery Bridge to Second Street.

Attached is an ordinance amending Chapter 14, Section 14-205.-Truck Routes Established.

Respectfully submitted,

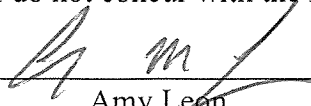


Adam Haberman, PE  
Public Works Director

**Recommendation: It is recommended that the Board of Commissioners hold the public hearing to consider Ordinance #1027.**

I concur with the recommendation.

I do not concur with the recommendation.

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

\_\_\_\_ Roll call



ORDINANCE #~~1027~~\_\_\_\_\_

AN ORDINANCE AMENDING THE DESIGNATION OF STREETS AND AVENUES  
AS TRUCK ROUTES

BE IT ORDAINED, BY THE CITY COMMISSION OF THE CITY OF YANKTON,  
SOUTH DAKOTA, THAT:

**Sec. 14-205. - Truck routes established.**

There are hereby established within the city the truck routes designated below, ~~and illustrated in Exhibit A attached hereto:~~

Truck routes:

- (1) Fourth Street (South Dakota Highway 50) from the east city limits to Broadway Avenue.
- (2) Broadway Avenue (U.S. Highway 81) from ~~Second Street~~ Discovery Bridge to the north city limits.
- ~~(3) — Second Street from Fourth Street to Broadway Avenue.~~
- ~~(5) — Walnut Street from the Meridan Bridge to Second Street.~~
- ~~(7)~~(3) Burleigh Street from Fourth Street to Eighth Street.
- ~~(8)~~(4) Whiting Drive from Eighth Street to the east city limits.

An illustrated map of the foregoing established truck routes shall be made available for public inspection in the Finance Office at Yankton City Hall or shall be made available to the public for download at no charge from the official website of the City of Yankton.

First Reading:

Second Reading and Adoption:

Publication:

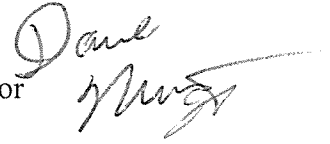
Effective Date:

\_\_\_\_\_  
Nathan V. Johnson, Mayor

Attest: \_\_\_\_\_  
Al Viereck, Finance Officer

**Memorandum #19-219**

**To:** Amy Leon, City Manager  
**From:** Dave Mingo, AICP Community and Economic Development Director  
**Subject:** Planning Commission Action #19-40 / Resolution #19-58  
**Date:** October 15, 2019



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**PLAT REVIEW**

**ACTION NUMBER: 19-40**

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

**APPLICANT / OWNER:** Larry and Peggy Olson.

**ADDRESS / LOCATION:** 920 Broadway Avenue (reference the attached map).

**PROPERTY DESCRIPTION:** Lot 1 and 2 of Parcel D, Located in the NW 1/4 of the NW 1/4, Less Highway Lot H-1, Section 18, T93N, R55W of the 5th P.M., City and County of Yankton, South Dakota.

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

**PREVIOUS ACTION:** Previously platted Parcel D.

**COMMENTS:** The proposed plat would provide for multiple ownerships of the former Slumberland property at 920 Broadway Avenue. The property would be divided along a common wall much the same way as separately owned parcels share walls downtown or in twin homes. It is important for the common wall to meet all structural and fire code requirements.

We have been through the off street parking requirement calculations with the owner. Subdividing the property in the described manner will have an impact on the eventual occupancies of the structure. The owner, or future owner's occupancies will all be included in the calculations for parking requirements. Their preliminary plans for use of the structures do comply with the requirements.

All adjacent infrastructure is in place so there are no subdivision related public improvements necessary to approve the plat.

Staff recommends approval of the proposed plat.

**HEARING SCHEDULE:**

October 14, 2019: Planning Commission reviews the plat and makes a recommendation to the City Commission.

October 28, 2019: City Commission reviews the plat and makes a final decision.

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

**RESOLUTION #19-58**

WHEREAS, the plat of Lot 1 and 2 of Parcel D, Located in the NW 1/4 of the NW 1/4, Less Highway Lot H-1, Section 18, T93N, R55W of the 5th P.M., City and County of Yankton, South Dakota has been prepared by Thomas Lynn Week, a registered land surveyor in the state of South Dakota, and

WHEREAS, such plat has been prepared according to law and is consistent with the City's overall Comprehensive Development Plan.

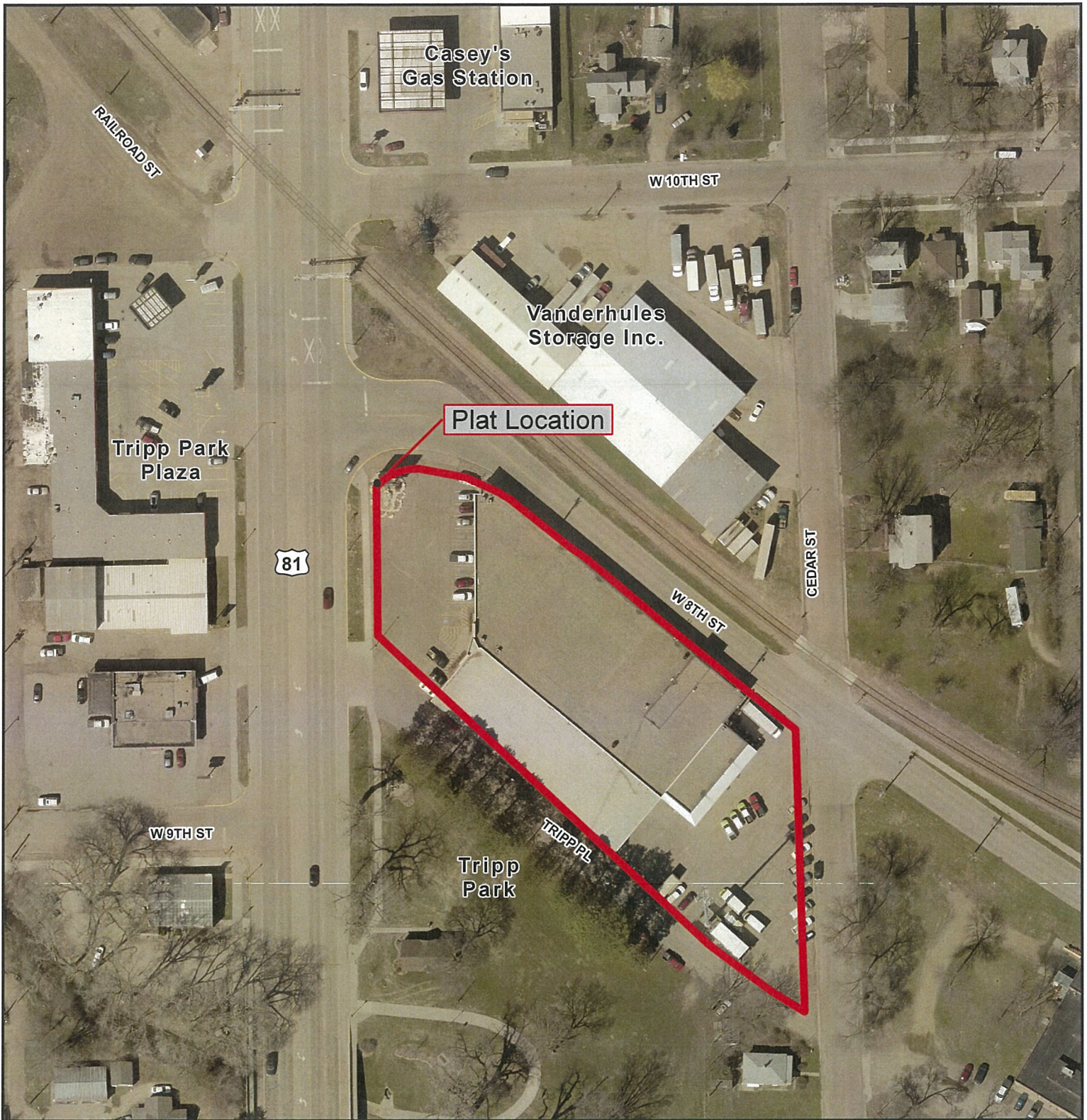
NOW, THEREFORE BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota, that the plat for the above described property is hereby approved.

Adopted:

\_\_\_\_\_  
Nathan V. Johnson, Mayor

ATTEST:

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

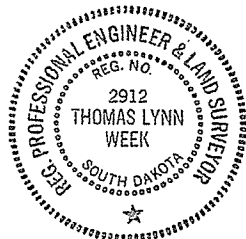
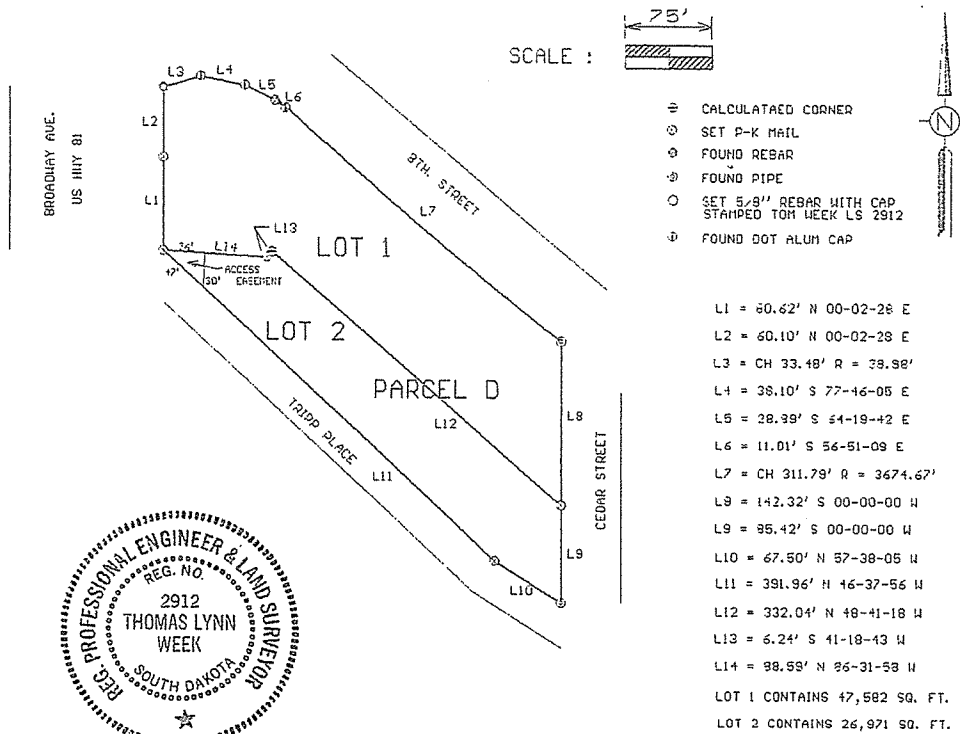


# City of Yankton

## Plat Location Map

Plat of Lot 1 & Lot 2 of Parcel D, located in the N1/4 of the N1/4, Less Highway Lot H-1 Thereof, Section 18, T93N, R55W, of the 5th, P.M., City and County Of Yankton, South Dakota.

PLAT OF LOT 1 AND LOT 2 OF PARCEL D, LOCATED IN THE NW1/4 OF THE NW1/4, LESS HIGHWAY LOT H-1 THEREOF, SECTION 18, T93N, R55W, OF THE 5TH. P.M., CITY AND COUNTY OF YANKTON, SOUTH DAKOTA.



SURVEYORS CERTIFICATE

I, THOMAS LYNN WEEK, REGISTERED LAND SURVEYOR IN YANKTON, SOUTH DAKOTA, HAVE AT THE DIRECTION OF THE OWNERS, MADE A SURVEY OF LOT 1 AND LOT 2 OF PARCEL D, LOCATED IN THE NW1/4 OF THE NW1/4, LESS HIGHWAY LOT H-1 THEREOF, SECTION 18, T93N, R55W OF THE 5TH. P.M., CITY AND COUNTY OF YANKTON, SOUTH DAKOTA. I HAVE SET IRON PINS AS SHOWN, AND SAID SURVEY AND PLAT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATED THIS 17TH. DAY OF SEPTEMBER, 2019.

*Thomas Lynn Week*  
 THOMAS LYNN WEEK  
 REGISTERED LAND SURVEYOR  
 REG. NO. 2912

CERTIFICATE OF STREET AUTHORITY

NO ACCESS TO US HIGHWAY 81 IS APPROVED. THIS ACCESS APPROVAL DOES NOT REPLACE THE NEED FOR ANY PERMITS REQUIRED BY LAW TO ESTABLISH THE PRECISE ACCESS LOCATION. INCLUDING PERMIT REQUIREMENTS SET FORTH IN ADMINISTRATIVE RULE OF SOUTH DAKOTA 70:09:01:02.

DATED THIS 3rd DAY OF October, 2019.

*Randy Bell*  
 STATE AUTHORITY

DIRECTOR OF EQUALIZATION CERTIFICATE

THE UNDERSIGNED, COUNTY DIRECTOR OF EQUALIZATION OF YANKTON COUNTY, SOUTH DAKOTA, HEREBY CERTIFIES THAT SHE HAS RECEIVED A COPY OF THE FOREGOING PLAT. DATED THIS 3 DAY OF October.

*Lou Mackey*  
 DIRECTOR OF EQUALIZATION, YANKTON COUNTY, S.D.

## *Memorandum #19-223*

**To:** Amy Leon, City Manager  
**From:** Corey Potts, Public Works Manager  
**Subject:** Cold Applied Plastic Pavement Marking Installation Project Change order and Acceptance  
**Date:** October 21, 2019

---

The following is a change order and final acceptance with payment request for the 2019 Cold Applied Plastic Pavement Marking Installation Project #2019-11. All the work for this project has been completed and meets the requirements of the specifications. City Staff has inspected the project and recommends payment, with one change order, be made to Dakota Traffic Services, LLC of Tea, South Dakota in the amount of \$6,025.10.

Below is a summary of one (1) change order and final payment.

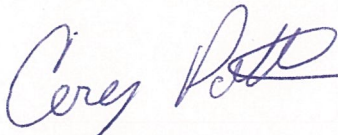
|                                      |                    |
|--------------------------------------|--------------------|
| Original Contract Sum:               | \$49,595.60        |
| Schedule II Change Order (decrease): | (\$6,025.10)       |
| <b>Payment Due:</b>                  | <b>\$43,570.50</b> |

**Change Order #1:** Decrease \$6,025.10 per actual field measurement quantities.

With the above Change Order, the project came in \$6,025.10 under the original contract sum of \$49,595.60. The amount to be paid to Dakota Traffic Services, LLC is \$43,570.50.

City Staff recommends that the City Commission approve Memorandum #19-223 to accept the project authorizing the Finance Officer to issue a manual check in the amount of \$43,570.50 to Dakota Traffic Services, LLC of Tea, South Dakota.

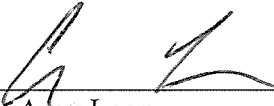
Respectfully submitted,



Corey Potts  
Public Works Manager

**Recommendation: It is recommended that the City Commission approve Change Order #1, accept the project and authorize the final payment request for the 2019 Cold Applied Plastic Pavement Marking Installation Project and directing the Finance Officer to issue a manual check in the amount of \$43,570.50 to Dakota Traffic Services, LLC. of Tea, South Dakota.**

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

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

\_\_\_\_ Roll call



## *Memorandum #19-220*

**To:** City Commission  
**From:** Finance Officer  
**Date:** October 22, 2019  
**Subject:** Surplus Property Bid Awards

---

On October 21, 2019 eight sealed bids were received on the following surplused equipment items acted on at the September 9, 2019 regular commission meeting. The results of the sealed bid process are as follows:

### **1996 Seated Dip**

| <u>Bidder Name</u>   | <u>Bid Price</u> |
|----------------------|------------------|
| <b>Jordan Groves</b> | <b>\$10.00</b>   |

### **1998 Seated Bicep**

| <u>Bidder Name</u>     | <u>Bid Price</u> |
|------------------------|------------------|
| <b>Brian Hunhoff *</b> | <b>\$30.00</b>   |
| Jordan Groves          | \$30.00          |

\*Due to a tie, the winning bidder's name was drawn by lot.

### **2000 C546 Precor Elliptical Crosstrainer**

| <u>Bidder Name</u>   | <u>Bid Price</u> |
|----------------------|------------------|
| <b>Jordan Groves</b> | <b>\$105.00</b>  |
| Sonya Wattier        | \$51.00          |

### **2002 Precor Dual Elliptical**

| <u>Bidder Name</u> | <u>Bid Price</u> |
|--------------------|------------------|
| <b>Jenny Cole</b>  | <b>\$150.00</b>  |
| Ashley Olivier     | \$66.00          |

### **2006 True Recumbent Bike**

| <u>Bidder Name</u> | <u>Bid Price</u> |
|--------------------|------------------|
| <b>Jason Orr</b>   | <b>\$51.00</b>   |

### **Sturdy Solid Wood Bookshelf – 73.5”x30.5”x15” with 8 compartments**

| <u>Bidder Name</u> | <u>Bid Price</u> |
|--------------------|------------------|
| <b>Ann Clough</b>  | <b>\$5.00</b>    |

NO BIDS WERE RECEIVED ON THE FOLLOWING ITEMS:

Vicon Spreader-Model 888401A; wooden TV entertainment center; 5-shelf bookshelf (particle board); Hitachi projector/case; metal/vinyl office task chair; and the 1998 seated tricep workout equipment.

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

Pursuant to SDCL 6-13-5 "The governing board may reject any and all bids. However, if the governing board accepts a bid it must be the bid of the highest bidder." It is recommended that the commission approve the disposition of property as noted below.

Respectfully submitted,




Al Viereck  
Finance Officer

**Recommendation:** It is recommended that the City Commission authorize the following surplus equipment bids be awarded to the highest bidders: Workout Equipment-1996 seated dip to Jordan Groves of Yankton for \$10.00; 1998 seated bicep to Brian Hunhoff of Yankton for \$30.00; 2000 C546 Precor elliptical crosstrainer to Jordan Groves of Yankton for \$105.00; 2002 Precor dual elliptical to Jenny Cole of Yankton for \$150.00, and the 2006 True recumbent bike to Jason Orr of Yankton for \$51.00. Other surplus: Sturdy solid wood bookshelf - 73.5-inch X 30.5-inch X 15-inch to Ann Clough of Yankton as detailed in Memorandum #19-220.

I concur with the above recommendation

I do not concur with the above recommendation

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

\_\_\_\_ Roll call

## *Memorandum #19-224*

**To:** Amy Leon, City Manager  
**From:** Brittany LaCroix, Events and Promotions Coordinator  
**Subject:** Special Events Application Fees  
**Date:** October 21, 2019

---

In 2019, there are/were 31 events within the City of Yankton that required a Special Events Application and 4 events that required a Street Closure Application. The purpose of the Special Events Application is for the event organizer to put down on paper what is expected and needed for the event to run successfully and also for City staff to determine what license, permits and permissions need to be obtained for the event to follow code, ordinances and laws. It is suggested that all event organizers submit their application at least 90 days prior to the event to allow for ample time for processing and discussions. The Street Closure Application is primarily for specialized parking only. This application is requested at least 30 days prior to closure as it requires City Manager approval.

The Parks, Recreation and City Events Department believes that by implementing a fee system, event organizers will be more encouraged to get applications submitted on time and that it will help with the planning process for all those involved. Yankton's peak season is from June – August for events. When applications come in last minute it takes away from other City staff duties.

With the increased number of events comes more time spent delivering and picking up materials for events such as picnic tables, signage, barricades, etc. This takes time away from Parks and Streets Departments regular duties. Since the application process was put in place, it has been recommended that events make a donation based on what is delivered for their specific event. In three years of events, there has been one donation of \$50.

The 2020 Proposed Special Events Application Fees are as followed:

\$0 – 90 day prior to event

\$50 – 60 days prior to event

\$100 – 30 days prior to event

\*any applications turned in within 30 days of the event may not be approved.

The 2020 proposed Street Closure Application Fee is as followed:

\$0 – 30 days prior to event

\$25 – less than 30 days prior to event

\*any applications turned in within 30 days of the event may not be approved

The 2020 Proposed Equipment Use for Special Events is as followed:

\$25 – delivery fee for any materials needing delivered and picked up from event. This includes, but is not limited to, picnic tables, garbage barrels, benches, signage, and cones.

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

As always, the number one goal is to make sure outside events have the tools, materials and permits, license and permissions in place to have a successful event. With a fee system in place it creates better organization for both the event organizers and City staff, while also giving City staff more time for discussion and changes if needed.

Events are a staple to the Yankton community and a benefiting factor when trying to attract and retain residents. The City of Yankton staff encourages and supports outside organizations to host public events to help enhance our community.

**Recommendation: It is recommended that the City Commission approved the proposed fees for the Special Events Application, Street Closure Application and Equipment Use for Special Events.**

Respectfully submitted,



Brittany LaCroix  
Events & Promotions Coordinator

I concur with this recommendation.

I do not concur with this recommendation.

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

**RESOLUTION 19-60**

WHEREAS, the City of Yankton has determined that it is necessary to collect fees to a level which will help ease the current parks and special events subsidy, help maintain the current parks equipment used at events, and promote the submission of requests well in advance of events, and

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

The rates adopted shall be:

2020 Special Events Application Fee:

\$0 – 90 days or more prior to event

\$50 – 60 to 89 days prior to event

\$100 – 30 to 59 days prior to event \*

\*any applications turned in within 30 days of the event may not be approved.

2020 Street Closure Application Fee:

\$0 – 30 days or more prior to event

\$25 – less than 30 days prior to event\*

\*any applications turned in within 30 days of the event may not be approved

2020 Equipment Use for Special Events Fee:

\$25 – delivery fee for any City of Yankton materials needing delivered and picked back up from event. Including, but not limited to, picnic tables, garbage barrels, benches, signage, and cones.

ADOPTED:

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Nathan V. Johnson  
Mayor

ATTEST:

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Al Viereck  
Finance Officer

## *Memorandum #19-222*

**To:** *Amy Leon, City Manager*  
**From:** *Brittany LaCroix, Events and Promotions Coordinator*  
**Subject:** *Request for Special Events Parking Ordinance #933 to be in place during Holiday Festival of Lights on December 5, 2019 and suspension of open container*  
**Date:** *October 21, 2019*

---

Yankton Holiday Festival of Lights, organized by the City of Yankton and Meridian District, is requesting Special Events Parking for Thursday, December 5, 2019 from 3pm-9pm. The Special Events Parking would take place on 3<sup>rd</sup> Street from Capitol Street to Cedar Street. The purpose of the request is to clear any obstruction during the parade for both participants and spectators. Downtown businesses have been notified of the request being made.

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.

Holiday Festival of Lights is requesting that Special Events Parking zone identifying boundaries of the zone and Tow Authorization be granted during this event for traffic. Holiday Festival of Lights will place no parking signs 48 hours prior to the event on Tuesday, December 3, 2019. Holiday Festival of Lights will create a temporary sign to attach identifying details of the event. Holiday Festival of Lights is also requesting A-frames be provided to hang no parking signs and barricades to be used to close the streets as mentioned above. Holiday Festival of Lights will coordinate with the Streets & Parks Departments to locate signs in appropriate areas.

Holiday Festival of Lights is working with the appropriate departments to get barricades, bleachers, and police traffic control. Exact numbers have not yet been determined.

The committee is also requesting a suspension of the open container law for the same closed off area. In years past, bar owners have requested to serve adult warm drinks during the parade. After 4 years of utilizing roughly the same route and attracting the same audience, the event organizers agree it would be beneficial for both the bar establishments and the event. The suspension of the open container law is requested from 5:30pm-7:30pm. Bar owners are responsible for providing the Styrofoam or plastic cups for the drinks allowed on 3<sup>rd</sup> Street from Cedar Street to Capitol Street during that time. Holiday Festival of Lights will provide the bar owners with a sticker that will go on the cup.

**Recommendation:** It is recommended that the City Commission approve the special event with the special event parking ordinance in force for 3<sup>rd</sup> Street from Cedar Street to Capitol Street from 3:00 PM to 9:00 PM on December 5, 2019 and allow suspension of the open container law from 5:30 PM to 7:30 PM on 3<sup>rd</sup> Street from Cedar Street to Capitol Street.

Respectfully submitted,



Brittany LaCroix  
Events and Promotions Coordinator

I concur with this recommendation.

I do not concur with this recommendation.

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

\_\_\_\_ Roll call

*Resolution #19-59*

**Request for Special Events Parking Ordinance #933 to be in place during Yankton Holiday Festival of Lights**

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 are or areas and times specified for Special Events; and

WHEREAS, the Holiday Festival of Lights Committee has made a request to enact this no parking zone for their event on December 5, 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 Third Street from Capitol Street to Cedar Street to be closed from 3:00pm to 9:00 pm on December 5, 2019.

Adopted:

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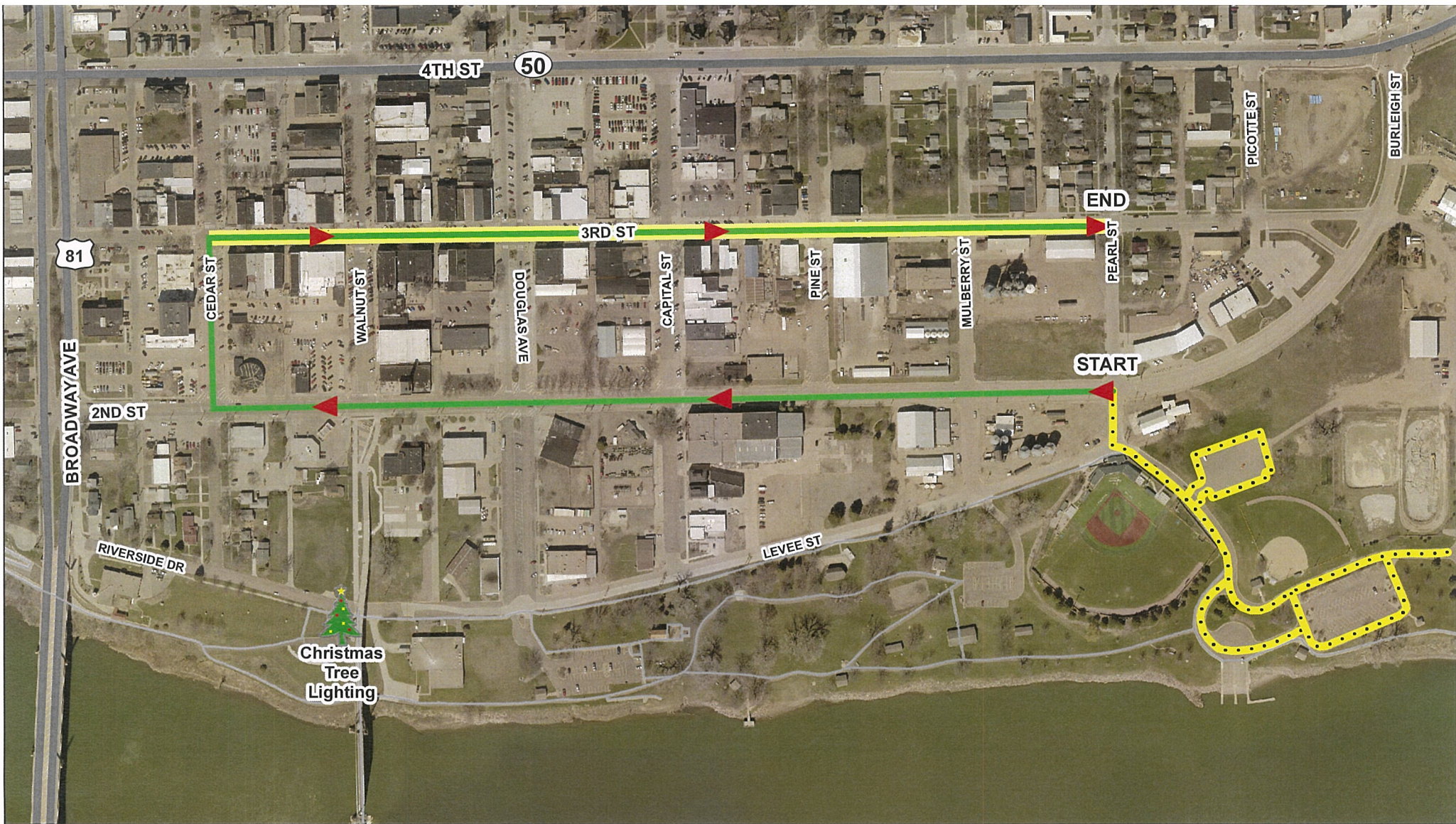
Nathan V Johnson, Mayor

ATTEST:

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Al Viereck, Finance Officer






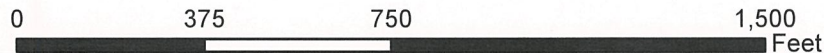


# City of Yankton


## Holiday Festival of Lights Parade

### Legend

-  Parade Route
-  Float Staging Area / Special Event - No Parking
-  Special Event - No Parking



## Memorandum No. 19-225

**TO:** Mayor and City Commissioners  
**FROM:** Amy Leon, City Manager   
**RE:** Downtown Holiday Lighting Partnership Request  
**DATE:** October 22, 2019

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Larry Olson would like to partner with the City of Yankton to bring more holiday lighting to the downtown. Mr. Olson has offered to purchase string lights for approximately 150 light poles on 3<sup>rd</sup> and 4<sup>th</sup> Street in the Meridian District and downtown area.

The lights will be purchased by Larry Olson and he will install them on the poles.

While it is staff's understanding this is independent from the efforts of Light Up Yankton, it is in keeping with the goal of that organization to add holiday lighting to the community and will not conflict with their plans this year.

Many of the outlets on our light poles are in disrepair and need to be replaced. In some cases, outlets do not exist. Staff is currently working on an inventory of these poles to determine necessary improvements. Cost of materials to perform the upgrades has not been budgeted. Staff is requesting that the City Commission authorize an "up to" amount of \$1,000 from the BBB fund be expended to perform the needed electrical upgrades.

The Parks Department will install existing holiday decorations on poles in other areas of the community.

If approved by the City Commission, staff will do its best to upgrade as many poles as possible before the holiday season.

**Recommendation: Staff recommends that the City Commission enter into this partnership and authorize staff to spend up to \$1,000 from the BBB to fund outlet upgrades and installation of outlets on light poles in the Meridian District and downtown area.**

## Memorandum No. 19-216

**TO:** Mayor and City Commissioners  
**FROM:** Ross DenHerder, City Attorney  
**RE:** Additional Deputy City Attorney  
**DATE:** October 22, 2019

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I, City Attorney Den Herder, have hired another staff attorney at my law firm, whose name is Beau C. Barrett. Mr. Barrett graduated from the University of South Dakota Law School in May, 2014. Prior to joining our firm, Mr. Barrett was an associate attorney at Marlow, Woodward, & Huff, Prof. LLC, here in Yankton. He has great experience in the areas of legal research, legal writing, and civil litigation. His skills would be quite useful in the legal services we provide to the City.

I would like the Commission to appoint Mr. Barrett as another Deputy City Attorney granting him authority to assist with certain City matters, cases and projects. Mr. Barrett would only work with my authority, direction, supervision. If the Commission is agreeable, I have attached a *Second Addendum to the Professional Services Agreement*, which amends my Agreement with the City by naming Mr. Barrett as an additional Deputy City Attorney.

**Recommendation: It is recommended that the Commission approve the Second Addendum to the Professional Services Agreement.**

## SECOND ADDENDUM TO PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT, is made and entered into by and between **Ross K. Den Herder** (“City Attorney”) and the **City of Yankton** (“City”).

### RECITALS

1. City Attorney was hired to act as legal counsel for the City.
2. City Attorney has an occasional conflict in his time and clients and needs to rely upon the assistance of staff attorneys that the City Attorney employs or upon outside attorneys not subject to conflicts of interest. As a result, Attorney has asked the City if it would approve the appointment of three Deputy City Attorneys who will provide legal services to the City only as directed by the City Attorney consistent with the terms of the Professional Services Agreement as amended by the First Addendum to the Professional Services Agreement.
3. The purpose of this Addendum is to provide for the appointment of three Deputy City Attorneys, Lindsay Hovden, Beau Barrett, and John Billings.

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

**The following paragraph replaces paragraph I. of the *First Addendum to Professional Services Agreement*, and the highlighted and italicized portion thereof is new additional language:**

I. **Appointment.** The City does hereby appoint Ross Den Herder as City Attorney for the City of Yankton on the date first written above. As such, he shall have full authority and responsibility to act on the City’s behalf as required or provided in City Code, State Statute, Federal Law, or as hereinafter provided. In addition, the City also appoints Lindsay Hovden *and Beau Barrett as Deputy City Attorneys*, who shall have such powers and responsibilities as may be delegated to *them* by the City Attorney for purposes of assisting the City Attorney in the performance of his responsibilities set forth herein. If the City Attorney is unable to prosecute a municipal ordinance violation due to a conflict of interest, then John Billings, Deputy States Attorney, may act on behalf of the City as a Deputy City Attorney. Any compensation owed to any

Deputy City Attorney shall be separately and independently contracted for and paid by the City Attorney and not the City.

**The Parties reaffirm all other provisions of the *Professional Services Agreement* and the *First Addendum to the Professional Services Agreement* not inconsistent with terms set forth herein.**

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

Dated this the \_\_\_\_ day of October, 2019.

\_\_\_\_\_  
**Ross K. Den Herder**

Dated this the \_\_\_\_ day of October, 2019.


**CITY OF YANKTON**

\_\_\_\_\_  
By: Nathan Johnson  
Its: Mayor

Attest:

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

## Memorandum No. 19-226

**TO:** Mayor and City Commissioners  
**FROM:** Amy Leon, City Manager   
**RE:** Huether Family Aquatics Center Bid Award  
**DATE:** October 22, 2019

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As you are aware a bid opening was held on Thursday, October 17, 2019 for the Huether Family Aquatics Center. The bid package included the base bid and three alternatives. Alternatives include additional irrigation, sidewalk/trail replacement along the perimeter of the project, and accommodation for future security cameras in the parking lot area of the facility. Eight bids were received. The low bidder was Welfl Construction from Yankton with a base bid with alternates of \$10,386,500. This bid is well below the engineer's estimate of \$14,155,800.00

Having reviewed the bids, Stockwell is recommending awarding the base bids and all alternatives.

While the project bid is significantly under the engineers estimate, we do not recommend changing our financing or the scope of the project at this time. Following substantial completion of construction, staff may be making recommendations associated with financing. Also, as the project progresses, staff may be offering recommendations to upgrade or enhance the project. Some upgrades or enhancements may include suggestions such as paving the parking lot in concrete as opposed to asphalt, or purchasing all new pool furniture instead of mixing and matching new furniture with existing. This is not meant to imply any significant design changes that would change the timeline of the project or modify the features and amenities that were desired by those who provided input into the project design.

**Recommendation: Staff recommends approving Memorandum #19-226 awarding the bid of the Huether Family Aquatics Center to Welfl Construction of Yankton, South Dakota and authorizing the City Manager to sign all associated contracts and notice to proceed with construction.**



18323 | SEI No.

Todd Larson, City of Yankton | Cc  
Adam Haberman, City of Yankton | Cc

October 21, 2019

Amy Leon  
City of Yankton  
City Manager  
ALEon@cityofyankton.org

Re: The Huether Family Aquatics Center  
Yankton, SD

Dear Ms. Leon:

We have completed our review of bids received for the referenced project. The total bid amounts are as follows:

| Bidders   | Total Project Base Bid Price | Alternate #1 | Alternate #2 | Alternate #3 | Total Project Bid with All Alternates |
|---|------------------------------|--------------|--------------|--------------|---------------------------------------|
| <b>Welfl Construction</b><br>Yankton, SD          | \$10,265,000.00              | \$78,000.00  | \$36,500.00  | \$7,000.00   | \$10,386,500.00                       |
| <b>Puetz Corporation</b><br>Mitchell, SD          | \$10,318,039.00              | \$106,500.00 | \$36,250.00  | \$8,000.00   | \$10,468,789.00                       |
| <b>Jans Corporation</b><br>Sioux Falls, SD        | \$10,520,000.00              | \$123,000.00 | \$36,585.00  | \$7,000.00   | \$10,686,585.00                       |
| <b>Peska Construction</b><br>Sioux Falls, SD      | \$10,619,000.00              | \$106,000.00 | \$48,000.00  | \$9,500.00   | \$10,782,500.00                       |
| <b>WA Klinger</b><br>Sioux City, IA               | \$10,695,000.00              | \$110,534.00 | \$50,000.00  | \$8,175.00   | \$10,863,709.00                       |
| <b>Gil Haugan Construction</b><br>Sioux Falls, SD | \$10,872,900.00              | \$129,900.00 | \$54,200.00  | \$8,300.00   | \$11,065,300.00                       |
| <b>Lloyd Companies</b><br>Sioux Falls, SD         | \$10,998,500.00              | \$93,461.00  | \$61,365.00  | 10,641.00    | \$11,163,967.00                       |

Our estimate for the project was \$14,155,800.00. We attribute the difference in price to fluctuating material costs and a competitive bid environment.

Regarding the low bidder, our office has researched their past history on similar type projects. No record of suspension or debarment was reported. We consider the bidder to be a responsible contractor.

In conclusion, we find the bids to be in order and recommend award of the contract to the low bidder, Welfl Construction, in the amount of \$10,386,500.00. This

amount includes and we recommend award of all the alternates based on the project budget. If there are questions, please contact our office at your earliest convenience.

Respectfully submitted,

STOCKWELL ENGINEERS, INC.



David Locke, PLA  
Project Landscape Architect



**Memorandum #19-217**

To: Amy Leon, City Manager  
 From: Todd R. Larson, Director of Parks, Recreation, and City Events  
 Date: October 24, 2019  
 Subject: Agreement for a Land Water Conservation Fund Assistance between State of South Dakota and City of Yankton for Splash Pad at The Huether Family Aquatics Center

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Outdoor recreation projects sponsored by city, county, township and tribal governments are eligible to receive grant money from the Land & Water Conservation Fund (LWCF). The Land & Water Conservation Fund provides up to 50 percent reimbursement for approved outdoor recreation projects, and for the upcoming year they have removed the maximum amount that can be requested. Examples of eligible projects include acquisition and development of outdoor recreation projects that may include, but are not limited to playgrounds, ballfields, sport and play fields, picnic facilities, pools, ice rinks, golf courses, amphitheaters, winter sports facilities, visitor information facilities and land acquisitions. LWCF funds are federal dollars that are apportioned to states by Congress to fund public outdoor recreation projects. In the 2020 budget year, the Parks Department CIP has budgeted for building a splash pad at The Huether Family Aquatics Center. The Department will apply for LWCF funds to be paid in the amount of \$200,000. The matching dollars for the project can include the \$100,000 sponsorship from First Dakota National Bank. Also, the City budgeted funds to complete the splash pad as part of the overall aquatics center project. The budgeted amount and grant would allow for a \$543,420 splash pad to be completed. This park enhancement will be noticed by not only the local residents but those out-of-town visitors as the splash pad can be open to the general public, with no staffing, prior to the normal outdoor swim season at the facility and into the fall after the normal outdoor swim season also. This same grant request and procedure was used to replace the old play equipment in Sertoma Park in 2013 and Riverside Park in 2016.

**Recommendation: It is recommended that the City Commission support the resolution to apply for the 2019 LWCF grant for building the splash pad at The Huether Family Aquatics Center in the amount of \$200,000 in Fantle Memorial Park in 2020.**

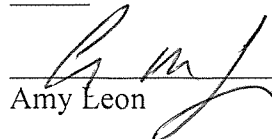
Respectfully submitted,



Todd R. Larson  
 Director of Parks, Recreation, & City Events

I concur with this recommendation.

I do not concur with this recommendation.

  
 Amy Leon

10/24/19  
 Date

\_\_\_\_ Roll call

**RESOLUTION #19-57**

WHEREAS, the United States of America and the State of South Dakota have authorized the making of grants from the Land and Water Conservation Fund (LWCF) to public bodies to aid in financing the acquisition and/or construction of specific public outdoor recreation projects;

NOW, THEREFORE BE IT RESOLVED;

1. That **Amy Leon** is hereby authorized to execute and file an application on behalf of the **City of Yankton** with the National Park Service, U.S. Department of the Interior, through the State of South Dakota, Department of Game, Fish, and Parks, Division of Parks and Recreation, for an LWCF grant to aid in financing the **Splash Pad at the Huether Family Aquatics Center** for the **City of Yankton**, South Dakota and its Environs.
2. That **Al Viereck, Finance Officer of the City of Yankton** is hereby authorized and directed to furnish such information as the above mentioned federal and/or state agencies may reasonably request in connection with the application which is hereby authorized to be filed.
3. That the **City of Yankton** shall provide a minimum of 50% of the total cost of the project; and will assume all responsibility in the operation and maintenance of the project upon completion of construction, for the reasonable life expectancy of the facility.
4. That the **City of Yankton** shall dedicate for park and recreation purposes in perpetuity, the real property identified in the authorized application.

Adopted:

\_\_\_\_\_  
Nathan V. Johnson, Mayor

Attest:

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

**ATTACHMENT**

**CERTIFICATE OF RECORDING OFFICER**

The undersigned duly qualified and acting as the **Finance Officer** of the **City of Yankton** does hereby certify:

That the attached Resolution is a true and correct copy of the Resolution, authorizing the filing of application with the National Park Service as regularly adopted at a legally convened meeting of the **City of Yankton** duly held on the \_\_\_\_\_ day of \_\_\_\_\_, **2019** and further that such Resolution has been fully recorded in the journal of proceedings and records in my office.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, **2019**.

\_\_\_\_\_  
Signature of Recording Officer

**SEAL(Notary or City)**

Finance Officer  
Title of Recording Officer

**Memorandum # 19-229**

**To:** Amy Leon, City Manager  
**From:** Brad Bies, Community Development Manager  
**Subject:** Census 2020 City of Yankton Complete Count Committee  
**Date:** October 23, 2019

---


Staff has been actively working with the Census Bureau for nearly two years preparing for Census 2020. We have provided the Census Bureau with important information that allows them to accurately represent our corporate boundaries as well as supply addresses for newly constructed dwelling units. Through the use of GIS tools and reviews of building permit information, staff also conducted a Local Update of Census Addresses (LUCA) to provide the most accurate list of homes, which will allow the Census Bureau the best possible chance of reaching every household in our community.

The official “Census Day” is April 1, 2020. By that date every home in the United States will have received an invitation to participate in the 2020 Census. Once the invitation arrives, households can in one of three ways: online, by phone, or by mail.

However, we know that not every resident is aware of the importance of participating in the decennial count. Some may even be reluctant to participate. Federal funds, grants, and support to states and communities are based on population totals and breakdowns by sex, age, race and other factors. Our community benefits the most when the census counts everyone. Businesses use census data to decide where to build or expand and create jobs. Developers use the census to understand population trends and construct new housing and revitalize neighborhoods. Internally the City of Yankton use census data for public safety, emergency preparedness, infrastructure planning, and economic development.

The Census Bureau encourages communities to reach out to residents through local Complete Count Committees (CCC) to encourage every resident to participate in the census. This volunteer group works to increase awareness and motivate residents to respond to the 2020 Census. CCCs serve as local “census ambassadors.” A portion of the 2019 Leadership Yankton class has expressed an interest in serving as our community’s CCC, and the attached resolution would establish the Census 2020 City of Yankton Complete Count Committee and appoint the membership. Complete Count Committees often include local elected official representation. I recommend that the Commission also select a representative to service as Commission Liaison.

Respectfully submitted,

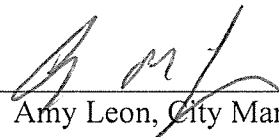


Brad Bies  
Community Development Manager

**Recommendation: It is recommended that the Board of Commissioners adopt the attached resolution establishing the Census 2020 City of Yankton Complete Count Committee and appoint a Commission Liaison.**

I concur with the recommendation.

I do not concur with the recommendation.

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

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

**RESOLUTION #19-62**

A RESOLUTION CREATING THE CENSUS 2020 CITY OF YANKTON COMPLETE  
COUNTY COMMITTEE

WHEREAS the U.S. Census Bureau is required by the United States Constitution to conduct a count of all persons every 10 years; and

WHEREAS, the next decennial census of the population will be taken on April 1, 2020; and

WHEREAS the Census count requires extensive work, and the Census Bureau requires partners at the state and local level to insure a complete and accurate count; and

WHEREAS, the decennial census data compiled in the 2020 Census will be used to determine the allocation of federal and state funds for the next decade; and

WHEREAS, it is vitally important that every person in the City of Yankton, South Dakota, is counted in the 2020 Census; and

WHEREAS the Census 2020 City of Yankton Complete Count Committee will bring together a cross section of community members who will utilize their local knowledge and expertise to reach out to all persons of our community; and

WHEREAS, the Census 2020 City of Yankton Complete Count Committee will develop and implement an awareness campaign that motivates residents to respond to the 2020 Census and encourages participation by population groups that are often undercounted; and

WHEREAS the Census 2020 City of Yankton Complete Complete Count Committee will work with the Census Bureau and the State of South Dakota to strive for an accurate count; and

WHEREAS a portion of the 2019 Leadership Yankton participants have expressed an interest in organizing the 2020 City of Yankton Complete Count Committee.

NOW THEREFORE, BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota as follows:

1. The Census 2020 City of Yankton Complete Count Committee be established and the individuals listed below be appointed as Committee Members:
  - a. Committee Members - Kody Bruggeman, Matt Malloy, Nikki Doherty, Rajiv Somepalli, and Erica Aguilar
  - b. Commission Liaison – Mayor Nathan V Johnson
  - c. Staff Liaison – Brad Bies

2. The Committee shall undertake an awareness campaign that motivates residents to respond to the 2020 Census and encourages participation by population groups that are often undercounted;

Adopted:

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Nathan V. Johnson  
Mayor

ATTEST:

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Al Viereck  
Finance Officer