

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
JUNE 14TH, 2021**

Board of City Commissioners of the City of Yankton was called to order by Mayor Moser.

Roll Call: Present: Commissioners Benson, Brunick, Johnson, Maibaum, Miner, Schramm, Webber and Villanueva. City Attorney Den Herder and City Manager Leon were also present.

Quorum present.

Action 21-148

Moved by Commissioner Benson, seconded by Commissioner Johnson, to approve Minutes of work session of May 24, 2021 and regular meeting of May 24, 2021.

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

Motion adopted.

Action 21-149

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

1 Office Solution - Laminator - \$315.30; Accucut - Summer Reading Program - \$248.50; Adobe Creative Cloud - Computer Program - \$85.18; Adobe Stock - Computer Program - \$31.94; AFSCME Council 65 - AFSCME Deductions - \$1,007.05; Aliexpress - Helmet Ear Protection - \$779.51; Allegiant Emergency Svs Inc. - Saw Blades - \$448.00; Amazon - HFAC Supplies - \$25.21; Amazon - DVD's - \$33.21; Amazon - DVD's - \$43.99; Amazon - Bookshelf - \$415.01; Amazon - Summer Program Supplies - \$17.88; Amazon - Office Supplies - \$16.98; Amazon - HFAC-Network Supplies - \$54.09; Amazon - Snap Covers - \$21.98; Amazon - First Aid Supplies - \$33.90; Amazon - DVD - \$17.96; Amazon - DVD - \$17.96; Amazon - Summer Program Supplies - \$233.70; Amazon - Summer Program Supplies - \$93.61; Amazon - Air Filter - \$49.31; Amazon - Access Points - \$212.46; Amazon - Gas Struts - \$27.38; Amazon - DVD - \$18.12; Amazon - Summer Program Supplies - \$232.28; Amazon - Office Supplies - \$17.20; Amazon - Umbrellas - \$335.95; Amazon - Avery Stock, Thermal Roll - \$42.86; Amazon - Umbrellas - \$418.45; Amazon - Summer Program Supplies - \$59.98; Amazon - Whistles/Sunscreen - \$159.98; Amazon - Cables - \$69.94; Amazon - Book - \$11.12; Amazon - Cables - \$31.87; Amazon - HFAC Supplies - \$230.42; Amazon - Summer Program Supplies - \$323.24; American Assoc. Of Code - Conference-Code Enforce - \$565.00; American Red Cross - Lifeguard Certifications - \$1,126.00; Animal Health Clinic - K9 Max Care-Annual Check - \$58.56; A-Ox Welding Supply - Chemicals - \$303.65; Argus Leader - Subscription - \$274.47; AT&T Bill Payment - Cell Phone - \$81.46; Auto Value Yankton - Filters - \$1,466.05; Automatic Building Controls - Fire Inspection - \$4,317.00; AutoZone - Battery - \$566.45; Avera Health CRP - CPR Card - \$20.00; Avera Sacred Heart - Employment Tests - \$82.00; Awwa.Org - Membership Dues - \$143.50; Axon - 4 Tasers - \$5,946.08; Ax Voice Inc. - Dialer Service - \$21.44; Backdraft Magazine - Advertisement - \$155.00; Badge And Wallet - Badge/Wallet Holder - \$37.00; Baker-Taylor - Books - \$4,363.16; Balfany/Don - Tree Reimbursement - \$45.00; Benjamin/Jeff And Jaci - Sac Pens - \$392.02; Best Buy - Office Supplies - \$191.67; Big Time Clocks - Clocks HFAC - \$1,847.45; Blackburn Manufacturing - Survey Supplies - \$195.38; Bomgaars - Drill Bit Set - \$2,180.02; Brightway Electric LLC - City Hall Core Drilling - \$589.29; Brock White - Sealant - \$28,644.00; Buhl's Cleaners - Towel Cleaning - \$715.71; Burger King - Travel Expense-Pierre - \$5.81; C & B Yankton - Truck Repairs -

\$40.50; Camp/Samuel - Tree Reimbursement - \$100.00; Campbell/Stu - Books - \$60.64; Cedar Knox Public Power Dist - Electricity - \$1,243.16; Cenex - Fuel - \$69.57; Center Point - Books - \$133.62; Central Divers LLC - Dive Inspection - \$5,791.80; CenturyLink - Phone - \$1,298.83; CHS - Chemicals - \$166.80; Cimpl's - Born Learning Trail - \$140.00; City Of Vermillion - Jt Power Cash Trans - \$70,814.52; City Of Yankton-Central Garage - Rubbish - \$12.00; City Of Yankton-City Clean-Up - City Wide Clean Up - \$7,574.45; City Of Yankton-Parks - Landfill Charges - \$264.51; City Of Yankton-Sac - HFAC Cash - \$900.00; City Of Yankton-Solid Waste - Compacted Garbage - \$14,559.21; City Utilities - Wtr-Ww Charges - \$5,367.24; City Utilities - Wtr-Ww Charges - \$99.58; City Utilities - Water-Ww Charges - \$112.68; Clark - Fuel-Pierre - \$35.09; Clark - Background Investigation - \$18.19; Clark's Rental - Jack Hammer Rental - \$50.00; Clarks Rentals Custom - Jackhammer Rental - \$743.48; Co2 Systems Inc. - Safety Upgrades - \$9,675.00; Concrete Material - Concrete - \$3,021.00; Concrete Material - Park Supplies - \$102.21; Core & Main - Parts - \$724.36; Cornwell D-P Tools Inc. - Scanner - \$4,815.93; Credit Collection Service Inc. - Ut Collection - \$340.99; Crescent Electric - Lights - \$953.93; Culligan Water Condition - Water Filter Rental - \$50.00; D & G Concrete Const. - Reconstruction - \$93,189.26; Data Axle - Books - \$390.00; Davis Equipment - Equipment Repairs - \$99.03; Den Herder Law Office, P.C. - Contracted Services - \$10,470.05; Department Of Environment - Permit - \$256.25; Dept Of Social Services - State Sd Child Support - \$1,951.84; Design Solutions & Integration - Tech Support - \$21.44; Diane's Greenhouse - Flowers - \$2,541.91; Dollar Tree - Summer Reading Program - \$23.00; Dropbox - Professional Services - \$127.67; Echo Electric Supply - Wire Connectors - \$194.70; Efting/William - Consulting - \$1,200.00; Election System & Software Inc. - Election Ballots - \$839.91; Embroidery & Screen Works - Shirts - \$445.50; Ethanol Products LLC - Chemicals - \$1,523.16; Exc Adv Dep - Motel Room Reservation - \$23.81; Facebook - Advertisement - \$50.02; Fastenal - Washers - \$78.08; FedEx - Shipping - \$14.87; FedEx - Shipping - \$14.87; Fejfar Plumbing & Heat - Softball Bathroom Parts - \$353.40; Ferguson Enterprises - Meter Suds - \$851.25; First Dakota Nat'l Bank HSA - HSA Contributions - \$10,321.16; First National Bank FSA - Das Flex-FNB Cafeteria - \$1,178.32; Fluent IMS - Who's Responding Subscript - \$386.00; Flynn's Flowing Flags - Ground Sleeves - \$1,389.50; Frontier Mills - Grass Seed - \$580.85; General Repair Service - Oil - \$1,491.53; Gerstner Oil Co - Fuel - \$26,964.64; Girton Adams Co - Sludge Heater Ignition - \$29.84; GPSI Club Car Connect - Connect Rental - \$3,840.00; Granicus - Website Customizations - \$1,245.04; Graymont - Chemicals - \$4,855.18; Guardian Alliance - Background Invst Company - \$100.00; H & K Oil Inc. - Balance Steer Tires - \$80.00; Hach Company - Probe - \$457.38; Hanson Briggs - Dry Erase Board Chart - \$112.30; Hanson Briggs Advertising Inc. - Recycle Flyers - \$372.94; Harding Glass - Temporary Glass - \$52.60; Harn Ro Systems Inc. - Chemicals - \$4,900.00; Harris/John W - Travel Reimbursement - \$271.44; Hawkins Inc. - Chemicals - \$37,731.19; HDR Engineering Inc. - WWTP EDA Improvements - \$142,966.38; Health Partners - Health Partners Insur - \$93,148.50; Heatec Inc. - Fire Box Replacement - \$4,587.44; Huhot Mongolian Grill - Exam Travel Expense - \$14.71; Hy-Vee - Employee Appreciation - \$293.20; Hy-Vee Gas - Post Fire Call Supplies - \$19.14; ICMA Retirement Trust - ICMA Contributions - \$6,592.02; Info People - Staff Training - \$200.00; IPY Midwest Alarm - Alarm Line - \$66.00; J & H Care & Cleaning Company - Janitorial Services - \$4,000.00; J2 Metrofax - Fax - \$9.95; Jacks Uniforms - Pants And Shirts - \$5,527.63; Jansen Roofing & Construction - Metal Roof Installation - \$19,912.65; JCL Solutions - Cleaning Supplies - \$1,845.93; JJ Benjis LLC - Polos - \$395.00; Johns Service - Tires - \$436.00; Kaiser Heating And Cooling - Riverside Pk Renovations - \$1,227.55; Kaiser Refrigeration - Staff Room Appliances - \$1,758.37; Kindle Svcs - Reimbursed Charge - \$5.31; Kindle Svcs - Reimbursed Charge - \$5.31; Kinsman Garden - Flowers - \$119.76; Kites In The Sky - Summer Reading Program - \$226.52; Klein's Tree Service - Tree Removal - \$11,550.00; Know Ink - Election Pollbooks - \$3,900.00; Kopetsky's Ace - Flowers - \$1,302.16; Language Line -

Interpretation Service - \$107.21; Larrys Heating And Cooling - Furnace Filters - \$97.92; Lewis And Clark Ford - Replace Egr Assembly - \$2,196.91; Lifeguard Store - Reels For Lane Lines - \$7,370.72; Locators & Supplies - Marking Paint - \$637.80; Los Designs LLC - Window Decal - \$25.00; Lucky Luke LLC - Books - \$104.74; Lumen - Internet Bill - \$2,570.48; Mark's Machinery - Tractor Battery - \$917.28; Mead Lumber - Survey Lumber - \$1,216.85; Menards - Mulch - \$3,675.07; Merkel Electric - Replace Light Base - \$892.86; MidAmerican Energy - Fuel - \$7,118.44; MidAmerican Energy - Fuel - \$2,374.84; Midwest Alarm Company Inc. - Professional Services - \$132.00; Midwest Laboratories - Wastewater Supplies - \$181.84; Midwest Mini Melts - Concessions - \$1,344.00; Midwest Tape - Av - \$662.82; Midwest Tire And Muffler - Tires, Foam Fill Tires - \$6,173.88; Midwest Turf & Irrigation - Equipment Repairs - \$1,664.32; Millenium Recycling - Single Stream Fee - \$2,537.50; Minnesota Life Insurance Co - Minnesota Life - \$1,312.29; Morrow/Joseph C. - Design Work - \$9,180.00; Mudder/Madilyn - Refund - \$213.00; Mueller/Pete - Boot Reimbursement - \$130.00; Municipal Code Corp. - Annual Subscription - \$550.00; Napa Auto Parts - Lamp - \$213.56; National Audubon Society - Subscription - \$30.00; NBS Calibrations - Field Temperature Equip - \$479.41; Nebraska Child Support - Child Support Payment - \$943.00; Nebraska DOR - Ne State Income Tax - \$1,068.41; NITV Federal Services - Recertification CVSA - \$790.00; Northern Truck Equipment Corp - Service Body - \$103,407.00; Northtown Automotive - Repair Towed Vehicle - \$205.53; Northwestern Energy - Electricity - \$1,397.71; NRA Membership Interne - NRA Membership Dues - \$75.00; Nursery Wholesalers - Memorial Park Flowers - \$1,648.66; Observer - Advertisement - \$60.00; Olson's Pest Technician - Pest Control - \$90.00; OPIS Energy Group - OPIS Rack Report - \$1,944.00; O'Reilly Auto Parts - Rotors, Brake Pads - \$1,670.74; Overdrive Dist. - E-Books - \$2,302.64; Overhead Door Co - Door Repair - \$416.23; PayPal - Srt Helmet Nvg Mounts - \$238.99; PayPal - Toner - \$149.89; PayPal - NTOA Cert Course - \$297.00; PayPal - Ups-Batteries - \$55.54; Phenova, Inc.. - DMRQA Testing Kit - \$982.88; Pilot - Fuel-Training - \$65.64; Pitney Bowes - Postage - \$200.00; Police Chiefs' Assn - Online Post Testing - \$245.00; Polo/RI Glendale - Reimbursed Charge - \$60.06; Pool Web - Uniforms - \$34.94; Powers Port-A-Pot - Porta Potties - \$500.00; Prendable/Daniel - Tree Reimbursement - \$100.00; Press Dakota - Election Ballot - \$1,973.19; Provantage - Software - \$668.00; Quill Corporation - Office Supplies - \$152.89; Racom Corporation - Program Key - \$1,571.51; Restaurant Design Equipment - Freezers HFAC - \$9,415.11; Retirement, SD - SDRS Pension - \$80,181.72; Retirement, SD System - 401a Special Pay - \$5,643.24; Riverside Hydraulics I - Hose, Fittings, O-Rings - \$713.82; Rivistas Subscription - Subscriptions - \$4,372.68; Robert Sharp & Associates - Website - \$5,096.50; Ron's Auto Glass - Replace Windshield - \$254.80; Ron's Auto Glass - Park Repairs - \$200.00; Roth/Jerry - Tree Reimbursement - \$79.08; Royal Sport Shop - Plaque For Donated Bench - \$20.00; Sanitation Products Inc. - Parts - \$2,606.51; Scheels - Flashlight Battery - \$22.99; Schuurman's Farm Supply - Equipment Maintenance - \$162.82; SD Firefighters Association - Fire School Registration - \$250.00; Sd Public Assurance Alliance - Insurance - \$20,218.42; SDSRP - SD Supplemental Retire - \$15,427.00; Sherwin Williams - Traffic Paint - \$2,439.73; Sioux City Journal - Advertising - \$2,000.00; Sioux City Journal - Ads - \$943.00; Small/Gracie - Refund - \$213.00; Smartsign - Signs - \$1,072.34; Snow & Associates Inc./Gary - Asbestos Inspection - \$1,750.00; South Dakota 811 - Locate Fee - \$725.85; South Dakota Amateur Softball - Softball Registration - \$600.00; South Dakota Dept Of Labor - Federal Withholding Tax - \$152,382.94; South Dakota Humanitie - Summer Reading Program - \$25.00; Sprinkler Warehouse - Irrigation Supplies - \$2,099.87; Staples Direct - Summer Reading Program - \$180.33; Stockwell Engineers - Aquatics Facility Design - \$52,312.19; Sturdevant's - Filters - \$100.49; Subway - Travel Expense - \$8.75; Subway - Travel Expense - \$8.48; Subway - Travel Expense - \$11.27; Sweeney Controls Company - VPN Connection - \$780.00; Taco Johns - Travel Expense - \$83.19; Tessman Company Sioux - Agricultural Supplies - \$3,760.33; The Icee Company - Concessions - \$868.53; The Ups Store -

Postage - \$667.83; Third Millennium Asso Inc. - Utility Billing - \$614.69; Tiger Supplies - Survey Supplies - \$109.95; Toms Electric - Labor & Materials - \$3,224.80; Top Golf River Walk - Reimbursed Charge - \$128.95; Tractor Supply Co - Oil - \$65.97; Tramp/Kim - Refund - \$201.00; Transource - Switch Button - \$67.67; Transportation Dept/S.D. - Cedar Street - \$6,479.56; Tre Environmental Strategies - Wet Test - \$650.00; TRK Hosting - Web Hosting - \$7.95; Truck Trailer Sales - Pump - \$1,348.40; Truck Trailer Sales - Dot Inspection - \$136.74; Trugreen - Lawn Service - \$97.33; Tuff-Go LLC - Picnic Tables - \$37,530.00; U.S. Post Office - USPS Utility Billing POs - \$2,016.85; UKG Workforce Ready - Payroll/Hr.TLM Software - \$2,177.25; United States Postal Service - Postage Meter - \$556.33; United Way - United Way - \$118.00; Us Bank Equipment Finance - Copier Lease - \$349.31; Us Bank Spa Lockbox Cm9695 - Drink Water 6 C462038-06 - \$894,452.56; USA Blue Book - Pipets And Ph Electrode - \$495.56; USPS Po - Postage - \$102.95; Vast Broadband Vexus - Internet - \$3,860.99; Vellek/Rich - Safety Glasses - \$60.00; Verizon - Internet Access - \$73.02; Verizon - Internet Access - \$1,126.30; Viddler Inc. - Video Hosting - \$41.49; Vista Print - Business Cards - \$77.74; Walgreens - Office Supplies - \$83.43; Walmart - Office Supplies - \$427.22; Walmart - Office Supplies - \$90.82; Walmart - Desk Phone - \$47.99; Walmart - HFAC Supplies - \$1,062.11; Watchguard Video - Parts For Body Cameras - \$104.00; Welfl Construction Corp - HFAC Construction - \$1,034,291.79; Wholesale Supply Inc. - Concessions - \$3,840.90; Williams & Company Pc - Audit - \$9,050.00; Work Place Pro - T-Shirts - \$152.35; Www.Dji.Com - Repair Service For UAV - \$232.00; Wynia/Larry - Refund - \$129.00; Xerox Financial Services - Copier Lease - \$1,474.40; Xtreme Car Wash - Car Washes - \$193.20; Yankton Area Progressive Growth - Summer Programs Ad - \$125.00; Yankton Area Prog. Growth - Sales Tax Reimbursement - \$13,491.32; Yankton Chamber Of Com - Employee Appreciation - \$207.26; Yankton County Auditor - YC Capital Improve - \$15,740.81; Yankton County Director Of - Pictometry Payment - \$9,521.57; Yankton Medical Clinic - Employee Exam - \$536.00; Yankton Nurseries LLC - Flowers - \$1,508.00; Yankton Pizza Ranch - Employee Appreciation - \$177.00; Yankton Redi Mix Inc. - Concrete - \$1,121.50; Yankton Rexall Drug - K9 Meds Reno - \$16.98; Yankton USBC Association - Funding Request-USBC - \$3,500.00; Yankton Vol Fire Department - Fire Calls-April/May - \$1,160.00; Yankton Winnelson Co - Park Maintenance - \$473.17; YanktonmediaInc. - P & D Subscription - \$139.64; Ykt Janitorial & Dt Sc - Trash Bags, Paper Product - \$330.35

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

May 2021 - Salaries by Department: Administration \$51,654.45; Finance \$32,876.35; Community Development \$26,459.76; Police/Dispatch \$175,210.90; Fire \$13,465.33; Engineering / Sr. Citizens \$48,047.41; Streets \$54,147.91; Traffic Control \$4,012.18; Library \$29,758.25; Parks / SAC \$81,379.39; Huether Aquatic Center \$1,203.63; Marne Creek \$4,824.26; Water \$39,518.49; Wastewater \$42,142.71; Cemetery \$5,468.99; Solid Waste \$22,650.65; Landfill / Recycle \$20,351.49; Central Garage \$7,681.60

New Hires: Tatum Hohenthauer \$11.00 hr., Life Guard, Rec Div.; Lauren Tereshinki \$11.00 hr., Life Guard, Rec Div.; Jana Lane \$23.4423 hr., HR/Payroll Benefits Specialist, Human Resources; Michael Villanueva \$498.22 Mthly, City Commissioner; Justin Paddock \$1,898.35 bi-wkly, Police Officer, Police Dept.; Madisyn Bietz \$10.00 hr. Summer Program Instructor, Rec Div.; Heather Bicknell \$10.00 hr., Pool Cashier, Rec Div.; Katelyn Sternhagen \$11.00 hr., Lifeguard, Rec Div.; Dylan Prouty \$10.00 hr., Pool Cashier, Rec Div.; Tyson Prouty \$10.00 hr., Pool Cashier, Rec Div.; Bailey Kortan \$11.00 hr., Park Maintenance, Parks Div.; Jaden Kral \$10.00 hr., Pool Cashier, Rec Div.; Lauren

Haberman \$11.00 hr., Lifeguard, Rec Div.; Justin Cap \$10.00 hr., Pool Cashier, Rec Div.; Braylen Bietz \$10.00 hr., Pool Cashier, Rec Div.; Jess Jussel \$10.00 hr., Pool Cashier, Rec Div.; Nicholas Taylor \$11.00 hr., Lifeguard, Rec Div.; Adley Swanson \$11.00 hr., Park Maintenance, Parks Div.; Kyra Liebig \$12.75 hr., Lifeguard Manager, Rec Div.; Blake Wieseler \$11.50 hr., Summer Programs, Rec Div.; Olivia Liebig \$10.00 hr., Pool Cashier, Rec Div.; Katie LaCroix \$10.00 hr., Pool Cashier, Rec Div.; Jordynn Salvatori \$10.00 hr., Pool Cashier, Rec Div.; Max Raab \$10.00 hr., Pool Cashier, Rec Div.; Tierney Faulk \$10.00 hr., Pool Cashier, Rec Div.; Rachel Hejna \$10.00 hr., Pool Cashier, Rec Div.; Porter Cuka \$10.00 hr., Pool Cashier, Rec Div.; Gavin Fortner \$10.00 hr., Pool Cashier, Rec Div.; Bergen O'Brien \$10.00 hr., Pool Cashier, Rec Div.; Jillian Schulte \$10.00 hr., Pool Cashier, Rec Div.; Emily Reinhardt \$10.00 hr., Pool Cashier, Rec Div.; Brianna Berger \$11.00 hr., Lifeguard, Rec Div.; Johannah DeVries \$11.00 hr., Lifeguard, Rec Div.; Aspen Ruth \$11.00 hr., Lifeguard, Rec Div.; Kayla Bryant \$11.00 hr., Lifeguard, Rec Div.

Wage Changes: Diane Schramm \$10.75 hr., Summer Programs, Rec Div.; Keaton List \$10.50 hr., Tennis Instructor, Rec Div.; Ryan Schulte \$10.50 hr., Tennis Instructor, Rec Div.; Kayla Loecker \$14.50 hr., Safety City Instructor, Rec Div.; Lisa Yardley \$2,856.57 bi-wkly, Deputy Finance Officer, Finance Dept.; Robert Marlow \$12.00 hr., Cemetery Maintenance, Cemetery; Adam Lange \$12.00 hr., Parks Maintenance, Parks Div.; Emilee LaBarge \$11.00 hr., Pool Cashier, Rec Div.; Skyler Olson \$14.00 hr., Park Maintenance, Parks Rec; Alexandre Irwin \$11.00 hr., Trail Maintenance, Parks Div.

Position Changes: William Jensen from Grounds Maintenance Worker at \$22.1038 hr. to Fleet Mechanic/Ground Maintenance at \$22.9168 hr.; Nathan Johnson from City Mayor at \$685.06 monthly to City Commissioner at \$498.22 monthly; Stephanie Moser from City Commissioner at \$498.22 to City Mayor at \$685.06; Camille Mertens from Housing Manager at \$1,423.35 bi-wkly to Executive Director Yankton Housing at \$24.0385

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

There were no public appearances at that time.

Action 21-150

Moved by Commissioner Maibaum, seconded by Commissioner Benson, to approve the following consent agenda items.

1. **Budget Workshop Discussion**
Discussion to set Budget workshop meeting dates for June 28, 2021 starting at 5:30 pm & August 9-10, 2021 starting at 5:30 pm
2. **Possible Quorum Event**
June 16, 2021, at River Rock Event Center no official commission action

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

Motion adopted.

Action 21-151

This was the time and place for the second reading and public hearing for Ordinance No. 1052, AN ORDINANCE ESTABLISHING LICENSING REGULATIONS FOR MEDICAL CANNABIS DISPENSARY BUSINESSES, A NEW DIVISION NUMBERED DIVISION 7 OF CHAPTER 13, ARTICLE III, OF THE CITY OF YANKTON CODE OF ORDINANCES. (Memorandum 21-117) No one was present to speak for or against the adoption of the ordinance.

Moved by Commissioner Miner, seconded by Commissioner Benson, to adopt Ordinance No.1052.

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

Motion adopted.

Action 21-152

Jeff Koster, business owner, appeared to request Commission to support his variance request.

The City Commission acting as the Board of Adjustment. Moved by Commissioner Johnson, seconded by Commissioner Maibaum, to deny the request of a variance from the front yard setback requirements in a B-2 Highway Business District on Lot 4, Block 1, Walmart Addition in the City of Yankton, South Dakota. Address, 3007 Broadway Avenue. Jeff Koster, owner. (Memorandum 21-126)

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

Motion adopted.

Action 21-153

This was the time and place for the second reading and public hearing for Ordinance No. 1049, AN ORDINANCE TO REZONE PROPERTY FROM AN EXISTING ZONING OF R-2 SINGLE FAMILY RESIDENTIAL TO B-2 HIGHWAY BUSINESS, THE NORTH 220 FEET OF THE WEST 700 FEET OF THE SW 1/4 OF THE NW 1/4, EXCEPT KYNT ADDITION THAT FRONTS 21ST STREET IN SECTION 12, T93N, R56W OF THE 5TH P.M., YANKTON, SOUTH DAKOTA. (Memorandum 21-127) No one was present to speak for or against the adoption of the ordinance.

Moved by Commissioner Benson, seconded by Commissioner Schramm, to adopt Ordinance No. 1049.

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

Motion adopted.

Action 21-154

This was the time and place for the second reading and public hearing for Ordinance No. 1050, AN ORDINANCE TO REZONE PROPERTY FROM AN EXISTING ZONING OF R-2 SINGLE FAMILY RESIDENTIAL TO R-3, TWO FAMILY RESIDENTIAL, FUTURE LOTS 1A, 1B, 6A, 6B, 7A AND 7B, IN BLOCK 9 AND 1A AND 1B IN BLOCK 10; AND, FROM R-2 SINGLE FAMILY RESIDENTIAL TO R-4 MULTIPLE FAMILY RESIDENTIAL, FUTURE OUTLOTS 4 AND 5 AND ALL IN SUMMIT HEIGHTS ADDITION TO THE CITY OF YANKTON IN THE SW 1/4 OF THE NW 1/4, SECTION 12, T93N, R56W OF THE 5TH P.M., YANKTON, SOUTH DAKOTA. (Memorandum 21-128) No one was present to speak for or against the adoption of the ordinance.

Moved by Commissioner Schramm, seconded by Commissioner Benson, to adopt Ordinance No. 1050.

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

Motion adopted.

Action 21-155

This was the time and place for the second reading and public hearing for Ordinance No. 1051, AN ORDINANCE AMENDING CERTAIN LANGUAGE IN IDENTIFIED SECTIONS OF CHAPTER 27, ARTICLE II. (Memorandum 21-129) No one was present to speak for or against the adoption of the ordinance.

Moved by Commissioner Maibaum, seconded by Commissioner Benson, to adopt Ordinance No. 1051.

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

Motion adopted.

Action 21-156

This was the time and place for the public hearing for a New Retail (on-off sale) Malt Beverage & SD Farm Wine License for July 1, 2021, to June 30, 2022, from South Dakota Publishing, LLC d/b/a Muddy Mo’s Coffee House (Katie Hunhoff, Owner), 233 Broadway Avenue, Yankton, S.D. (Memorandum 21-119) No one was present to speak for or against the application.

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

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

Motion adopted.

Action 21-157

Moved by Commissioner Maibaum, seconded by Commissioner Webber, to approve the increase in the SAC rental rates for 2023. (Memorandum 21-106)

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

Motion adopted.

Action 21-158

Kyle Goodmanson, Director of Environmental Services and Bill Moran, HDR Vice President of the Dakotas & Wyoming Water Lead, were present to give an explanation and answer questions.

Moved by Commissioner Brunick, seconded by Commissioner Miner, to approve the City Manager to execute the HDR Contract for EDA Distribution and Collection Master Planning in an amount not to exceed \$387,729.00. (Memorandum 21-99)

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

Motion adopted.

Action 21-159

Moved by Commissioner Johnson, seconded by Commissioner Miner, to approve Resolution 21-43. (Memorandum 21-120)

RESOLUTION 21-43

RESOLUTION GIVING APPROVAL TO CERTAIN SEWER FACILITIES IMPROVEMENTS; GIVING APPROVAL TO THE ISSUANCE AND SALE OF A REVENUE BOND TO FINANCE, DIRECTLY OR INDIRECTLY, THE IMPROVEMENTS TO THE FACILITIES; APPROVING THE FORM OF THE LOAN AGREEMENT AND THE REVENUE BOND AND PLEDGING REVENUES AND COLLATERAL TO SECURE THE PAYMENT OF THE REVENUE BOND; AND CREATING SPECIAL FUNDS AND ACCOUNTS FOR THE ADMINISTRATION OF FUNDS FOR OPERATION OF THE SYSTEM AND RETIREMENT OF THE REVENUE BOND.

WHEREAS, one of the purposes of SDCL Chapter 9-40 (the “Act”) as found and determined by the Legislature is to provide for financing the acquisition, maintenance, operation, extension or improvement of any system or part of any system for the collection, treatment and disposal of sewage and other domestic, commercial and industrial wastes; or any system for the control of floods and drainage; or any combination thereof, together with extensions, additions, and necessary appurtenances; and,

WHEREAS, a municipality is authorized to issue revenue bonds to defray the cost of extensions, additions and improvements to any utility previously owned and is authorized to pledge the net income or revenues from the system in accordance with Section 15 of the Act; and,

WHEREAS, the City of Yankton (the “City”) currently operates a sewer system for the collection, treatment and disposal of sewage and other domestic, commercial and industrial wastes; and for the control of floods and drainage and has determined that improvements to the sewer facilities are necessary for the conduct of its governmental programs and qualifies as an improvement, extension or addition to its sewer system; and,

WHEREAS, the City has determined to issue its revenue bonds to finance the improvements to its sewer system for the purpose of collecting, treating and disposing of sewage and other domestic, commercial and industrial wastes (the “System”) and has applied to the South Dakota Conservancy District (the “District”) for a Clean Water State Revolving Fund Loan to finance the improvements;

WHEREAS, the City shall adopt rates and charges for the improvements to be pledged, segregated and used for the payment of the Bonds.

NOW THEREFORE BE IT RESOLVED by the City as follows:

SECTION 1. Definitions. The terms when used in this Resolution shall have the following meanings set forth in this section unless the context clearly requires otherwise. All terms used in this Resolution which are not defined herein shall have the meanings assigned to them in the Loan Agreement unless the context clearly otherwise requires.

“**Act**” means South Dakota Codified Laws Chapter 9-40.

“**Loan**” means the Loan made by the South Dakota Conservancy District to the City pursuant to the terms of the Loan Agreement and as evidenced by the Revenue Bond.

“**Project**” means the City of Yankton Wastewater Treatment Plant Improvements.

“**Revenue Bond**” means the revenue bond or bonds issued the date of the Loan Agreement by the City to the South Dakota Conservancy District to evidence the City’s obligation to repay the principal of and pay interest and Administrative Expense Surcharge on the Loan.

“**System**” means the City’s system of collecting, treating and disposing of sewage and other domestic, commercial and industrial wastes.

SECTION 2. Declaration of Necessity and Findings.

2.1. Declaration of Necessity. The City hereby determines and declares it is necessary to construct and finance improvements to its System described as the Project.

2.2. Findings. The City does hereby find as follows:

2.2.1. The City hereby expressly finds that if the Project is not undertaken, the System will pose a health hazard to the City and its inhabitants, and will make the City unable to comply with state and federal law.

2.2.2. Because of the functional interdependence of the various portions of the System, the fact that the System may not lawfully operate unless it complies with State and federal laws, including SDCL Chapter 34A-2, and the federal Clean Water Act, and the nature of the improvements financed, the City hereby finds and determines that the Project will substantially benefit the entire System and all of its users within the meaning of Sections 15 and 17 of the Act.

2.2.3. The City hereby determines and finds that for the purposes of the Act, including, in particular, Sections 15 and 17 of the Act, that only the net income from the system as improved, financed by the Revenue Bond, be pledged for its payment.

SECTION 3. Authorization of Loan, Pledge of Revenue and Security.

3.1. Authorization of Loan. The City hereby determines and declares it necessary to finance up to \$4,500,000 of the costs of the Project through the issuance of bonds payable from net revenues of the system and other funds secured by the City. The City hereby determines that because the Revenue Bond is issued in connection with a financing agreement described in SDCL 46A-1-49, pursuant to Section 15 of the Act no election is required to issue the Revenue Bond.

3.2. Approval of Loan Agreement. The execution and delivery of the Revenue Obligation Loan Agreement (the "Loan Agreement"), the form of which is on file with the City Finance Officer (the "Finance Officer") and open to public inspection, between the City as Borrower and the District, are hereby in all respects authorized, approved and confirmed, and the Mayor and Finance Officer are hereby authorized and directed to execute and deliver the Loan Agreement in the form and content attached hereto, with such changes as the attorney for the City deems appropriate and approves, for and on behalf of the City. The Mayor and Finance Officer are hereby further authorized and directed to implement and perform the covenants and obligations of the City set forth in or required by the Loan Agreement. The Loan Agreement herein referred to and made a part of this Resolution is on file in the office of the Finance Officer and is available for inspection by any interested party.

3.3. Approval of Revenue Bond. The issuance of a revenue bond in a principal amount not to exceed \$4,500,000 as determined according to the Loan Agreement in the form and content set forth in Appendix B attached to the form of Loan Agreement (the "Revenue Bond") shall be and the same is, in all respects, hereby authorized, approved, and confirmed and the Mayor, Finance Officer, and other appropriate officials shall be and are hereby authorized and directed to execute and seal the Revenue Bond and deliver the Revenue Bond to the District, for and on behalf of the City, upon receipt of the purchase price, and to use the proceeds thereof in the manner set forth in the Loan Agreement. The Mayor and Finance Officer are hereby authorized to approve the final terms of the Revenue Bond and their execution and delivery thereof shall evidence that approval. The Revenue Bond shall be issued under the authority of SDCL Chapter 9-40 and SDCL Chapter 6-8B, and the provisions of the Act are hereby expressly incorporated herein as provided in Section 19 of the Act.

3.4. Pledge of Revenues. The Revenue Bond together with the interest thereon, shall not constitute a charge against the City's general credit or taxing power, but shall be a limited obligation of the City payable solely out of the Project Debt Service Account, which payments, revenues and receipts are hereby and in the Loan Agreement pledged and assigned for the equal and ratable payments of the Revenue Bond and shall be used for no other purpose than to pay the principal of, interest and Administrative Surcharge on the Revenue Bond, except as may be otherwise expressly authorized in the Loan Agreement (including the purpose of securing Additional Bonds issued as permitted by the terms thereof). The City hereby irrevocably pledges to the South Dakota Conservancy District all income and revenues of the System, including, without limitation, fees, charges to users of the System, penalties and hook-up fees, sign-up fees, proceeds of business interruption insurance, proceeds from the sale of property constituting part of the System and investment income on all such revenues, but only to the extent that the revenues exceed the amounts necessary to operate and maintain the System, provided there shall be excluded from this pledge the proceeds of any federal or state grant or loan, and the investment income therefrom, to the extent such exclusion is a condition of such grant or loan. The City covenants and agrees to charge rates for all services from the System or establish charges or rates which will be sufficient to provide for the payments upon the Revenue Bond issued hereunder as and when the same become due, and as may be necessary to provide for the operation and maintenance and repairs of the System, and depreciation, and the Rate Ordinance shall be revised from time to time so as to produce these amounts. The City hereby reserves the right to determine on a periodic basis the appropriate allocation of operation and maintenance expenses, depreciation, repair and reserves associated with the facilities financed with the Revenue Bond, provided that such determination of allocable operation and maintenance expenses shall in no event abrogate, abridge or otherwise contravene the covenant of the City set forth in this Section 3 or any other covenant or agreement in the Loan Agreement.

SECTION 4. Rates, Certification, Segregation and Review.

4.1. Rates and collection There shall be charged rates for each fiscal year which shall ensure that its Net Revenues Available for Debt Service will equal at least 110% of its System Debt Service for such fiscal year.

4.2. Certification. In each fiscal year, or as soon as practicable, and in any event by the date of the delivery of the unaudited financial statements required in the Loan Agreement, the City shall (a) calculate its Net Revenues Available for Debt Service and System Debt Service for the fiscal year, and (b) certify such figures to the South Dakota Conservancy District. The certification described in clause (b) of the preceding sentence shall be substantially in the form of the certificate attached as Appendix E to the Loan Agreement. If the City fails to meet the Rate Covenant set forth in Section 6.4 of the Loan Agreement, the City shall supply the District with quarterly reports on the actions it is taking to correct its coverage deficiency until it delivers an annual coverage certificate showing compliance with the first sentence of this Section.

4.3. Segregation. The Finance Officer shall setup bookkeeping accounts in accordance with South Dakota Legislative Audit guidelines for the segregation of the revenue.

4.4. Periodic review. The sewer rates shall be reviewed from time to time, not less than yearly, and shall be modified in order to produce such funds as are necessary and required to comply with the Loan Agreement's rate covenant and to pay principal of, interest and

Administrative Surcharge on the Revenue Bond when due. The rates may be set by ordinance or resolution in accordance with this Section. The rate ordinance or resolution shall be necessary for the support of government and shall be effective upon passage.

SECTION 5. Additional Bonds. As permitted by Sections 8 and 9 of the Act, Additional Bonds payable from revenues and income of the System may be issued, as permitted in the Loan Agreement, and no provision of this Resolution shall have the effect of restricting the issuance of, or impairing the lien of, such additional parity bonds with respect to the net revenues or income from the extensions, additions or improvements. The City shall have the right to issue additional bonds secured by a lien subordinate to the lien from the Revenue Bond pursuant to the Loan Agreement.

SECTION 6. Project Fund Accounts. For the purpose of application and proper allocation of net income of the System and to secure the payment of principal, Administrative Surcharge and interest on the Revenue Bond, the following mandatory asset segregations shall be included in the sewer system account of the City and shall be used solely for the following respective purposes until payment in full of the principal of and interest on the Revenue Bond:

6.1. Project Revenue Account. There shall be deposited periodically into the Project Revenue Account the net revenues as defined in Section 17 of the Act derived from the operation of the Project collected pursuant to the ordinances and resolutions of the City of Yankton, South Dakota (collectively the "Rate Ordinance"). Moneys from the Project Revenue Account shall be transferred periodically into separate funds and accounts as provided below.

6.2. Project Debt Service Account. Out of the revenues in the Project Revenue Account, there shall be set aside no later than the 25th day of each month into the account designated Project Debt Service Account, a sum sufficient to provide for the payment as the same become due of the next maturing principal, interest and Administrative Surcharge on the Revenue Bonds and any reserve determined by the City's governing body to be necessary. The amount set aside monthly shall be not less than one-third of the total principal, interest, and Administrative Surcharge payable on the following January 15, April 15, July 15 and October 15 and if there shall be any deficiency in the amount previously set aside, then the amount of such deficiency shall be added to the current requirement.

6.3. Depreciation Account. There shall be established a General Depreciation Account. Out of the revenues of the Project Revenue Account there shall be set aside each month into the General Depreciation Account an amount determined by the City Council to be a proper and adequate amount for repair and depreciation of the Project.

6.4. Project Surplus Account. There shall be established the Project Surplus Account. Revenues remaining in the Project Revenue Account at the end of any fiscal year after all periodic transfers have been made therefrom as above required, shall be deemed to be surplus and shall be transferred to the Project Surplus Account. If at any time there shall exist any default in making any periodic transfer to the Project Debt Service Account, the Commission shall authorize the City Finance Officer to rectify such default so far as possible by the transfer of money from the Project Surplus Account. If any such default shall exist as to more than one account or fund at any time, then such transfer shall be made in the order such funds and accounts are listed above.

When not required to restore a current deficiency in the Project Debt Service Account, moneys in the Project Surplus Account from time to time may be used for any of the following purposes and not otherwise:

- (a) To redeem and prepay the Revenue Bond when and as such Revenue Bond becomes prepayable according to its terms;
- (b) To pay for repairs of or for the construction and installation of improvements or additions to the System; and, if the balances in the Project Debt Service Account and the Project Depreciation Account are sufficient to meet all payments required or reasonably anticipated to be made there from prior to the end of the then current fiscal year, then:
- (c) To be held as a reserve for redemption and prepayment of any bonds of the System which are not then but will later be prepayable according to their terms; or
- (d) To be used for any other authorized municipal purpose designated by the Commission.
- (e) No moneys shall at any time be transferred from the Project Surplus Account or any other account of the Fund to any other fund of the City, nor shall such moneys at any time be loaned to other municipal funds or invested in warrants, special improvements bonds or other obligations payable from other funds, except as provided in this Section.

SECTION 7. Approval of Paying Agent/Registrar. The Revenue Bond shall be payable at the office of U.S. Bank National Association, St. Paul, Minnesota, hereby designated as paying agent and registrar.

SECTION 8. Approval of Bond Counsel. Meierhenry Sargent LLP is hereby retained as Bond Counsel with respect to the Revenue Bond.

SECTION 9. Tax Matters. The Interest on the Revenue Bond shall be excludable from gross income for federal income tax purposes under the Internal Revenue Code of 1986, as amended (“the Code”) and applicable Treasury Regulations (the “Regulations”).

SECTION 10. Covenants. The City hereby covenants and agrees with the District and other owners of the Revenue Bond as follows:

10.1. The City will punctually perform all duties with reference to the Project, the System and the Revenue Bond required by the constitution and laws of the State of South Dakota and by this Resolution.

10.2. The City agrees and covenants that it will promptly construct the improvements included in the Project.

10.3. The City covenants and agrees that pursuant to Sections 25 through 27 of the Act, the lawful holders of the Revenue Bond shall have a statutory mortgage lien upon the Project and the extensions, additions and improvements thereto acquired pursuant to the Act, until the payment in full of the principal, interest and Administrative Surcharge on the Revenue Bond, and the City agrees not to sell or otherwise dispose of the System, the Project, or any substantial part thereof, except as provided in the Loan Agreement and shall not establish, authorize or grant a

franchise for the operation of any other utility supplying like products or services in competition therewith, or permit any person, firm or corporation to compete with it in the distribution of water for municipal, industrial, and domestic purposes within the City.

10.4. The City covenants and agrees with the District and other owners of the Revenue Bond that it will maintain the System in good condition and operate the same in an efficient manner and at a reasonable cost, so long as any portion of the Revenue Bond remains outstanding; that it will maintain insurance on the System for the benefit of the holders of the Revenue Bond in an amount which usually would be carried by private companies in a similar type of business; that it will prepare, keep and file records, statements and accounts as provided for in this Resolution and the Loan Agreement. The Revenue Bond shall refer expressly to this Resolution and the Act and shall state that it is subject to all provisions and limitations thereof pursuant to Section 19 of the Act.

SECTION 11. Depositories. The Finance Officer shall cause all moneys pertaining to the Funds and Accounts to be deposited as received with one or more banks which are duly qualified public depositories under the provisions of SDCL Ch. 4-6A, in a deposit account or accounts, which shall be maintained separate and apart from all other accounts of the City, so long as any of the Bonds and the interest thereon shall remain unpaid. Any of such moneys not necessary for immediate use may be deposited with such depository banks in savings or time deposits. No money shall at any time be withdrawn from such deposit accounts except for the purposes of the Funds and Accounts as authorized in this Resolution; except that moneys from time to time on hand in the Funds and Accounts may at any time, in the discretion of the City's governing body, be invested in securities permitted by the provisions of SDCL 4-5-6; provided, however, that the Depreciation Fund may be invested in such securities maturing not later than ten years from the date of the investment. Income received from the deposit or investment of moneys shall be credited to the Fund or Account from whose moneys the deposit was made or the investment was purchased, and handled and accounted for in the same manner as other moneys therein.

SECTION 12. Consent to Appointment. In the event of mismanagement of the Project, a default in the payment of the principal or interest of the Revenue Bond, or in any other condition thereof materially affecting the lawful holder of the Revenue Bond, or if the revenues of the Project are dissipated, wasted or diverted from their proper application as set forth in the Loan Agreement, Revenue Bond, or herein, the City hereby consents to the appointment of a receiver pursuant to Section 33 of the Act, and agrees that the receiver will have the powers set forth therein, and in Sections 34 and 35 of the Act to operate and administer the Project, and charge and collect rates as described therein.

SECTION 13. Severability. If any section, paragraph, clause or provision of this Resolution, the Loan Agreement, the Revenue Bond, or any other Loan Document shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Resolution or said Loan Agreement, Revenue Bond, or any other Loan Document.

SECTION 14. Authorization of City Officials. The Mayor, Finance Officer, City Attorney and City officials shall be and they are hereby authorized to execute and deliver for and on behalf of the City any and all other certificates, documents or other papers and to perform such other acts as they may deem necessary or appropriate in order to implement and carry out the actions authorized herein.

SECTION 15. Effective Date. This Resolution shall take effect on the 20th day following its publication, unless suspended by a referendum.

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

Action 21-160

Moved by Commissioner Schramm, seconded by Commissioner Johnson, to approve the request for a public firework display hosted by Parks and Recreation on July 4, 2021. (Memorandum 21-122)

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

Action 21-161

Moved by Commissioner Webber, seconded by Commissioner Miner, to approve Resolution 21-49. (Memorandum 21-124)

RESOLUTION 21-49

Special Events Parking Request

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

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

WHEREAS, River City Domestic Violence Center and River City Family Connections committees has made a request to enact this no parking zone for their Walk A Mile and Family Fun Day events on August 28, 2021.

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 the alley west of The Lawn and Riverside Drive from the alley east, including the parking lot starting at 8:00 am until 4:00 pm on Saturday, August 28, 2021.

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

Action 21-162

Moved by Commissioner Brunick, seconded by Commissioner Benson, to approve the Kids in the Park event series and allow for the City Manager to be granted the ability to sign all documents/contracts needed for the event. (Memorandum 21-125)

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

Action 21-163

Moved by Commissioner Benson, seconded by Commissioner Villanueva, to approve Resolution 21-51. (Memorandum 21-130)

RESOLUTION #21-51

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

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

SURPLUS PROPERTY TO BE TRADED WITH OTHER GOVERNMENT AGENCY

SKU	Description	Unit Price	QTY	Total
11508	Axon Body 2/3 Double Molle Mount	\$41.75	40	\$1,670.00
74210	Axon Body 3 - 8 Bay Dock	\$1,495.00	1	\$1,495.00
74211	Axon Body 3 - 1 Bay Dock	\$200.00	2	\$400.00
11507	Axon Body 2/3 - Single Molle Mount	\$31.30	20	\$626.00
				\$4,191.00

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

Action 21-164

Jake Hoffner, Riverboat Days Board President, requested support and answered questions. John Kraft and Dave Wright, Board Members, were also present and urged support.

Moved by Commissioner Maibaum, seconded by Commissioner Johnson, to approve a contribution of \$20,000 from the Bed, Board, and Booze fund to Riverboat Days to assist with the cost of hosting Riverboat Days 2021. (Memorandum 21-132)

Roll Call: Commissioners voting “Aye” were Benson, Brunick, Johnson, Maibaum, Miner, Schramm, Webber and Mayor Moser. Commissioners voting “Nay:” None. Abstain: Commissioner Villanueva
Motion adopted.

Action 21-165

Moved by Commissioner Benson, seconded by Commissioner Brunick, to approve Resolution 21-52. (Memorandum 21-133)

RESOLUTION 21-52

A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A DISABILITY PARKING SPACE ON THE SOUTHEAST CORNER OF 3RD & PINE

WHEREAS, the City of Yankton desires to provide vehicle parking spaces, for persons with physical disabilities, within the community, and;

WHEREAS, in order to provide convenient parking for persons with disabilities, designated parking stalls need to be established, and;

WHEREAS, said parking spaces shall be reserved for the parking of vehicles displaying a physically disabled parking permit or license plate, only.

NOW, THEREFORE IT BE RESOLVED, by the Board of City Commissioners of the City of Yankton, that one (1) disability parking stall at the following location:

Northeastern most parking stall, on Pine, south of 3rd Street

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

Action 21-166

Moved by Commissioner Johnson, seconded by Commissioner Maibaum, to adjourn into Executive Session at 8:29 p.m. to discuss **contractual, litigation and personnel 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 Moser.

Roll Call: Present: Commissioners Benson, Brunick, Johnson, Maibaum, Miner, Schramm, Webber and Villanueva. City Attorney Den Herder and City Manager Leon were also present.
Quorum present.

Action 21-167

Moved by Commissioner Benson, seconded by Commissioner Johnson, to adjourn at 9:24 p.m.

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

Stephanie Moser
Mayor

ATTEST:

Al Viereck
Finance Officer