

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
OCTOBER 9TH, 2023**

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

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

Action 23-260

Moved by Commissioner Villanueva, seconded by Commissioner Brunick, to approve Minutes of Work Session meeting of September 25th, 2023 and regular meeting of September 25th, 2023.

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

Motion adopted.

Action 23-261

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

1 Office - Chair Mat - \$180.75; Adobe - Subscription - \$19.99; Adobe Creative Cloud - Computer Program - \$58.40; AFSCME Council - Employee Deductions - \$1,535.16; Amazon - Office Supplies - \$55.46; Amazon - Head Phones For Patrol - \$85.89; Amazon - Tennis Nets - \$518.82; Amazon - Lifeguard Certification - \$82.00; Amazon - Rechargeable Batteries - \$23.93; Amazon - Dual Radio Chest Harness - \$36.94; Amazon - Chemical Feed Tubing - \$349.99; Amazon - Part For Glock - \$106.37; Amazon - Office Supplies - \$19.99; Amazon - Flag Football Supplies - \$59.56; Amazon - Maintenance - \$55.14; Amazon - ID Cards - \$59.97; Amazon - Strap For Holster - \$18.49; Amazon - DVD - \$19.96; Amazon - Office Supplies - \$95.96; Amazon - Office Supplies - \$66.21; Amazon - DVD - \$12.96; Amazon - Janitorial Supplies - \$216.89; Amazon - Parade Supplies - \$74.57; Amazon - Monitor Swivel - \$16.98; Amazon - Employee Appreciation - \$52.96; Amazon - DVD - \$19.96; Amazon - DVD - \$423.30; Amazon - Janitorial Supplies - \$71.00; Amazon - DVD - \$17.96; Amazon - Flash Drives - \$297.00; Amazon - Books - \$31.98; Amazon - Aerobic Class Supplies - \$38.37; Amazon - DVD - \$22.49; Amazon - Rec Supplies - \$101.16; Amazon - Printer Toner - \$219.99; Amazon - Radio Attachments - \$56.95; Amazon - Laptop Grant - \$181.62; American Family - Employee Deductions - \$ 5,607.34; Arbys - Travel Expense - \$10.27; At&T - Mobile Data - \$ 1,230.43; Autozone - Battery - \$652.96; Avera Health Plans - Health Ins Premiums - \$ 85,978.18; Axvoice - Dialer Service - \$21.44; Baker-Taylor - Books - \$ 7,231.92; Banner Associates - Engineering Marne Creek - \$ 4,100.00; Best Western - Music At Meridian - \$393.47; Bionic Burger - Travel Expense - \$ 9.97; Blarneys Sports - Travel Expense - \$78.24; Blaze Pizza - Travel Expense - \$11.96; BLP Business Week - Magazine Subscription - \$159.30; BLT Intl E-Z Up - Pop Up Shelter - \$599.00; Bluepeak - Internet - \$ 4,071.53; Bomgaars - Concrete Mix - \$26.94; Bomgaars - Weed Killer/Grease - \$ 1,584.86; Boyer Trucks - 2023 Ford F550 - \$ 59,780.00; Bro Brgr - Employee Appreciation - \$130.21; Broadway Chrysler Dodge - Seat Cover - \$899.00; Brownells - Patrol Rifle Parts - \$13.99; Brownells - Buffer Springs For Rifle - \$22.98; Buffalo Wild Wings - Travel Expense - \$9.10; C & B Yankton - Mower Bag - \$64.40; C & H Precision - Glock Handgun Parts - \$98.18; Caseys - Police Appreciation - \$91.07; CBR Nitro - Nitro Pro - \$89.99; Cenex Duster - Fuel - \$64.00; CGS Forte Payments - Credit Card Readers - \$1,111.54; City Of Saint Paul - Training - \$1,500.00;

City Of Vermillion - Joint Powers Transfer - \$77,674.70; City Of Yankton-Central Garage - Solid Waste - \$45.00; City Of Yankton-Solid Waste - Solid Waste - \$17,934.09; City Of Yankton-Water - Solid Waste - \$151.11; City Utilities - Water - \$57,778.68; Clarks Rentals - Grass Planting - \$44.00; Clean Sweep Industries - Gloves - \$250.00; Cowboy Store - Fuel - \$48.50; Credit Collection Service - Collection Water - \$93.12; Credit Collections Bureau - Garnishment - \$50.00; Crescent Electric - Electrical Supplies - \$390.44; D & G Concrete - 15th St Constr Final - \$6,010.00; Danko Emergency Equipment - Pump Test Engine 1 - \$1,622.10; Dept Of Health - Lab Testing - \$1,019.00; Dept Of Social Services - Child Support - \$2,853.54; Design Solutions & Integration - Scada Work - \$1,160.00; Dominos - Employee Appreciation - \$52.23; Double H Paving - Airport Taxiway Paving - \$163,183.72; Echo Electric - Tower Generator - \$7,253.80; Ehresmann Engineering - Steel Sheet - \$170.66; ELDT - CDL Training - \$50.00; Employee Confidential - Tuition Reimbursement - \$5,250.00; Fastenal Company - Wire - \$1,980.87; Fedex - Evidence Shipping - \$18.14; Feimer Construction - Valve Box Westside Park - \$7,693.99; Feld Fire - Compressor Filter - \$230.63; First Dakota - HSA Contributions - \$11,633.40; First National - Cafeteria Plan - \$1,759.16; Flexible Pipe Tool - Sewer Camera Van - \$ 60,000.00; GDP Hard Drive Outlet - Printer Rentals - \$86.73; Geotek Eng & Testing - Testing Mead Property - \$2,318.50; Gerstner Oil - Hydraulic Fluid - \$554.40; Gerstner Oil - Oil - \$229.40; Glock Inc - Glock Mos Parts - \$29.68; Graham Tire - Mower Tires - \$212.30; Grainger - PVC Ball Valves - \$497.51; Graymont - Lime - \$7,741.96; Hach Company - Chlorine Sensors - \$7,640.52; Hansen Locksmithing - Locksmith Service - \$170.00; Harn RO Systems - Cartridge Filter - \$12,099.47; Hawkins - Chemicals - \$15,848.47; Heiman Fire Equipment - Fire Boots - \$437.90; Hilton Garden Inn - Travel Expense - \$529.20; Holiday - Fuel - \$73.00; Holiday Inn - Travel Expense - \$1,393.44; Holiday Stations - Fuel - \$67.00; Hy-Vee - Sun Dial Dedication - \$161.40; ICMA Retirement Trust - Contributions - \$4,971.78; In Book Page - Magazine Subscription - \$402.00; In Powers Port A Pot - Porta Potts - \$405.00; J & H Care & Cleaning - Janitorial Services - \$4,200.00; Jacks Uniforms - Uniform Pants - \$188.89; JCL Solutions - Cleaning Supplies - \$1,722.55; JEO Consulting - Engineering Meridian Bridge - \$6,865.00; Jump Start - Travel Expense - \$51.06; Kaiser Heating & Cooling - Service Call - \$2,952.68; Kaiser Refrigeration - Weed Eater Coil - \$471.40; Katzer Concrete - Elm Street Construction - \$173,427.30; Kids Book - Books - \$231.68; KLJ Engineering - Airport Layout Services - \$64,960.03; Knife River - Asphalt - \$25,884.30; Koletzky Implement - Battery - \$395.61; Kopetskys Ace - Exit Light - \$142.63; La Quinta Inn - Travel Expense - \$853.30; Language Line - Translation Services - \$362.06; Larry's Heating & Cooling - AC Unit Diagnostics - \$85.00; Lewis And Clark Ford - Camera Repair - \$481.87; Locators & Supplies - Paint For Locating - \$647.85; Lotus Leaf Cafe - Travel Expense - \$52.01; Loves - Travel Expense - \$73.37; Lumen - Fiber Internet - \$347.33; M.J. Dalsin Company - Replace Library Roof - \$111,240.00; Masonry Components Inc - Construction 3rd St - \$231,511.63; Mayer Signs - Commission Chamber Sign - \$ 1,275.51; Mazing Acres - Library Program - \$62.00; McCaster-Carr - Hose Connectors - \$36.32; Mead Lumber - Staking Lumber - \$339.52; Menards - Antifreeze/Winterizing - \$ 3,260.84; Merkel Electric - Traffic Signal Repair - \$280.16; Metrofax - Fax Service - \$11.95; Midamerican Energy - Fuel - \$ 1,733.32; Midamerican Energy - Gas - \$ 4,726.48; Midwest Laboratories - Biosolids Testing Supply - \$123.95; Midwest Turf & Irrigat - Irrigation - \$ 2,347.63; Millenium Recycling - Single Stream Fee - \$ 2,263.80; Minnesota Life Insurance - Life Insurance Premiums - \$645.13; Money Movers - Sac Maintenance Fee - \$10.75; Morrow/Joseph C. - Design Work - \$1,860.00; Napa Auto Parts - Coupler And Lovejoy - \$873.67; National Tactical - NTOA Dues - \$35.00; Nebraska Airfilter - Air Filters - \$365.44; Northern Lights Display - Xmas Decor Park & Dwtn - \$7,027.00; Northtown Automotive - Radiator - \$3,681.58; Northwestern Energy - Electricity - \$95,111.89; NSPE - Nspe Membership - \$299.00; Olsons Pest Technician - Pest Control - \$278.00; Oreilly - Vent Visor - \$122.65; Oreilly Auto Parts - Shop Gloves - \$ 1,815.79; OTC Brands - Parade Supplies - \$148.60;

Overdrive Dist - E-Books - \$3,359.25; Pancheros Mexican Grill - Travel Expense - \$10.45; Paulys Pizzeria - Travel Expense - \$9.84; Payment Services Network - Merchant Fees - \$69.85; Perkins - Travel Expense - \$104.75; Pfeifer Implement - Equipment Repair - \$21.07; PFS Healthworks - CDL Testing - \$105.54; Phillips 66 - Fuel - \$73.13; Picassos Pizzeria - Travel Expense - \$27.37; Pitney Bowes - Postage - \$200.00; Pitney Bowes - Postage - \$80.97; Pizza Ranch - Concessions - \$2,467.00; Playaway Products - Wonderbooks - \$822.54; Power Source Electric - Pump Motor - \$455.00; Principal Life Insurance - Dental Ins Premiums - \$6,744.92; Pro Auto - Tows - \$416.00; Provantage - Antivirus - \$2,225.00; Pump & Pantry - Travel Expense - \$36.68; Racom Corporation - Beon Access - \$35.80; Rayallen.Com - Replacement Dog Sensor - \$76.98; Riverside Hydraulics - Hydraulic Hose - \$723.15; Rogue - Spin Bike/Benches - \$4,479.73; Ron's Auto Glass Repair - Parts - \$60.00; Russ Bassett - Monitor Mount - \$651.50; Sanford Learning - Training - \$50.00; Sapp Bros Center - Travel Expense - \$38.41; SD DMV - Title And License - \$53.40; SD Library Association - SDLA Membership - \$81.00; SD Retirement System - Employee Special Pay - \$ 6,685.77; SDSRP - Retirement Contributions - \$ 28,149.64; Sherwin Williams - Road Paint - \$324.76; Shur-Co - Parts - \$ 1,474.46; Smith Insurance Inc/MT & RC - Fireman Accident Policy - \$ 1,826.00; South Dakota One Call 811 - One Call - \$656.25; South Dakota Retirement - SDRS Contributions - \$137,567.03; Stan Houston Equipment - Gas Detector - \$505.00; Standard Insurance - Vision Insurance Premium - \$667.96; State Hygienic Lab - Lab Testing - \$791.50; Stockwell Engineers - Engineering Mead Prop - \$ 8,160.00; Sturdevants - Filters - \$868.17; Subway - Travel Expense - \$17.89; Supplyhouse - Mau Controller - \$778.51; Tessman Company - Chemicals - \$ 4,566.00; The Atlantic - Magazine Subscription - \$84.99; The Kitchen - Travel Expense - \$26.88; The Rushmore Hotel - Lodging - \$300.00; The Star Tribune - Newspaper Subscription - \$619.22; Thermoasheville - Coliform Bath Controller - \$387.94; Third Millennium - Tree Trimming Inserts - \$ 2,551.09; Thompson Electric - PLC UPS - \$2,895.85; Titan Machinery - Cab Filter - \$138.84; TMA - Tires - \$3,790.11; Transource - Support Bearing - \$4,718.09; Trk Hosting - Internet Access - \$7.95; Truck Trailer Sales - Hardware For Cooler Kit - \$2,824.34; Truck Trailer Sales - Parts - \$4,376.50; Two Way Solutions - Radio Programming - \$2,576.73; US Post Office - Postage - \$614.98; US Post Office - Utility Billing Postage - \$ 2,629.71; UKG Workforce Ready - Payroll Software - \$,080.00; United States Treasury - Federal Withholding - \$282,149.77; United Way - Employee Contributions - \$258.00; US Bank - Clean Water #5 - \$ 6,045.06; USPS - Postage - \$196.32; Viddler - Video Hosting - \$41.49; Vitality Medmed Store - Sharp Containers - \$968.65; VWR International - Lab Supplies - \$39.06; Verizon - Internet Access - \$ 1,284.34; Walmart - Program Supplies - \$117.99; Walmart - License Paper - \$25.29; Walmart - Smoke Detectors - \$407.94; Walmart - Fruit Fridays - \$920.76; WEF Main - WEF Membership - \$82.50; Wegner Auto - 2023 Dodge Ram Pickup - \$40,469.00; Well365 - Wellness Link - \$1,000.00; WNAX Yankton Radio - Advertisements - \$488.00; WW Goetsch Associates - Pool Pump Repairs - \$ 6,449.00; Wyndham Garden - Travel Expense - \$111.60; Xerox Financial Services - Lease & Copies - \$ 1,369.51; Yankton County Treasurer - Taxes - \$554.16; Yankton Janitor Supply - Station Cleaning - \$48.00; Yankton Janitorial - Janitorial Supplies - \$432.35; Yankton Medical Clinic - Firefighter Physical - \$206.00; Yankton Medical Clinic - Random Testing - \$489.00; Yankton Nurseries - Memorial Tree - \$129.00; Yankton Thrive - Leadership Class - \$199.00; Yankton Winnelson - Bathroom Repairs - \$205.00; Yankton Media Inc - Financial Exhibits - \$295.10

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

Motion adopted.

Salaries by Department: September 2023:

Administration \$84,161.13; Finance \$56,336.17; Community Development \$45,194.22; Police/Dispatch \$310,666.04; Fire \$22,574.19; Engineering / Sr. Citizens \$74,558.66; Streets \$85,906.41; Traffic Control \$7,055.01; Library \$56,204.20; Parks / SAC \$128,003.72; Huether Aquatics Center \$56,423.30; Marne Creek \$13,750.28; Water \$70,530.69; Wastewater \$68,803.69; Cemetery \$10,059.06; Solid Waste \$42,696.67; Landfill / Recycle \$35,988.18; Central Garage \$13,478.26

Personnel Changes: New Hires: Parks, Recreation and City Events Department: Austin Steinberg, Grounds Maintenance, \$1,556.08 biweekly; Library: Allison Moon, Library Assistant, \$14.00/hr.

City Manager Leon submitted a written report giving an update on community projects and items of interest including December commission meeting schedule.

Sheriff Preston Crissey made a public appearance to welcome himself and update on Chief Foote and the County's collaboration on utilizing space.

Wanda Howey-Fox asked to amend the ordinance prohibiting people from having farm animals within city limits to allow licensing of small certain animals such as pygmy goats & potbelly pigs as emotional support animals. This will be discussed at a future work session on November 27th.

Action 23-262

Moved by Commissioner Webber, seconded by Commissioner Benson, to approve the following consent agenda items:

1. **Work Session**
Setting date of October 23, 2023 at 5:30 PM in Room #114 of the Career Manufacturing Technical Education Academy for the next work session of the Yankton City Commission.
2. **Establish Public Hearing for Sale of Alcoholic Beverages**
Establish October 23, 2023 as the date for the public hearing on the request for a Special Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for 1 day, October 28, 2023, from The Center (Kriss Thury, Executive Director), 900 Whiting Drive, Yankton, South Dakota.
3. **Establish Public Hearing for Sale of Alcoholic Beverages**
Establish October 23, 2023 as the date for the public hearing on the request for a Special Events Malt Beverage (on-sale) Retailers License and a Special Events (on-sale) Wine Retailers License for 1 day, November 11, 2023, from The Center (Kriss Thury, Executive Director), 900 Whiting Drive, Yankton, South Dakota.
4. **Meeting Date Change**
Discussion to establish the date and time for the second City Commission meeting in December.

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

Action 23-263

This was the time and place for the public hearing regarding the request for the transfer of location of a Retail (on-off sale) Malt Beverage & SD Farm Wine License for July 1, 2023 to June 30, 2024 from DBC, LLC d/b/a Bro Brgr Bar (Lauren Soukup, Owner), 304 W. 3rd Street, Yankton, South Dakota to DBC, LLC d/b/a Bro Brgr Bar (Lauren Soukup, Owner), 2101 Broadway Ave., Suite 40, Yankton, South Dakota.(Memorandum 23-200)

No one was present to speak for or against the application.

Moved by Commissioner Schramm, seconded by Commissioner Villanueva, to approve the license transfer.

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

Motion adopted.

Action 23-264

Moved by Commissioner Schramm, seconded by Commissioner Miner, to authorize the City Manager to execute the Construction Manager at Risk (CMAR) contract. (Memorandum 23-193)

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

Motion adopted.

Action 23-265

Moved by Commissioner Benson, seconded by Commissioner Brunick, to approve Resolution #23-60 (Memorandum #23-191)

RESOLUTION #23-60

**INDUSTRIAL PARK GRANT AGREEMENT
GEHL DRIVE**

WHEREAS, the City of Yankton made an application to the South Dakota Department of Transportation for assistance from the Industrial Park Grant Program to help fund the construction of Gehl Drive, and,

WHEREAS, the Department of Transportation approved a grant award of \$500,000 for said project, and,

WHEREAS, the Industrial Park Grant Agreement includes the requirements associated with the City of Yankton receiving the grant funding, and,

WHEREAS, the Board of City Commissioners has reviewed the proposed Grant Agreement and has authorized its acceptance.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor of the City of Yankton is hereby authorized to execute the associated Grant Agreement, and,

BE IT FURTHER RESOLVED, that the City Manager is authorized to execute subsequent administrative documents associated with the grant pursuant to the provisions set forth in the Grant Agreement.

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

Action 23-266

This was the time and place for the bid opening for the Meridian Bridge Concrete Pier Repair Project. The following bids were received and opened on September 28, 2023 at 3:00 p.m.

- | | |
|--|----------------|
| 1. JMN Construction, LLC, Prior Lake, MN | \$433,035.00 |
| 2. PCiRoads, LLC, St. Michael, MN | \$597,525.00 |
| 3. SFC Civil, Sioux Falls, SD | \$1,236,500.00 |

Moved by Commissioner Hunhoff, seconded by Commissioner Benson to award the contract to JMN Construction LLC in the amount of \$433,035.00 (Memorandum #23-194).

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

Action 23-267

Moved by Commissioner Brunick, seconded by Commissioner Benson to approve Change Order No. 4, accept the completed Marne Creek Bank Stabilization Project, and authorize the Finance Officer to issue a manual check to Fenton Construction, Inc. in the amount of \$153,143.86. (Memorandum #23-195)

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

Action 23-268

Moved by Commissioner Hunhoff, seconded by Commissioner Miner, to approve the Notice of Public Sale for the off-sale liquor license with minimum bid of \$100,000.00 and authorize staff to proceed with the timeline set. (Memorandum #23-197)

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

Action 23-269

The Commission discussed potential opportunities for an area of cemetery ground not yet formally platted and expressed interest in learning more information. (Memorandum 23-198)

No official action taken at this time.

Action 23-270

Moved by Commissioner Webber, seconded by Commissioner Miner, to approve Resolution #23-61. (Memorandum #23-192)

RESOLUTION #23-61

WHEREAS, the City of Yankton has determined that it is necessary to adjust the existing solid waste collection rates to reflect a ten percent (10.0%) rate increase over current levels;

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

That the following solid waste collection rates shall be adopted effective with billings after November 1, 2023;

Class I Residential - \$26.00 per month plus tax.

Class II Commercial / Industrial - \$26.00 per month per unit plus tax.

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

Action 23-271

Moved by Commissioner Villanueva, seconded by Commissioner Brunick, to approve Memorandum #23-196 to purchase a new 2024 Volvo L90H2 Loader in the amount of \$229,381.00 for the Department of Public Works, Street Division from Trans Source Truck and Equipment of Sioux Falls, South Dakota based on the Sourcewell Contract.

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

Action 23-272

Moved by Commissioner Brunick, seconded by Commissioner Schramm, to adopt Resolution #23-49. (Memorandum #23-188)

RESOLUTION #23-49

WHEREAS, the City of Yankton has been approved for a \$8.202M SRF Drinking Water Loan #7 as adopted by Resolution #22-20 and Memorandum #22-87 on May 9, 2022, and;

WHEREAS, the City of Yankton has adopted Water Surcharges, Water Consumption rates, and a separate Water Surcharge fund (607), and;

WHEREAS, the State of South Dakota requires 110% annual debt service funds be deposited to this fund,

NOW THEREFORE BE IT RESOLVED, by the Board of City Commissioners that the City pledges to deposit annually in the surcharge fund 110% of the debt service requirements using surcharge funds and water consumption revenues and will further assess and adjust the Surcharge rate as the State Revolving Funds (SRF) requires at the conclusion of the draws for this loan.

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

Action 23-273

Commissioner Hunhoff made note of it being Native American Day and City Hall offices were open. Hunhoff proposed adding the 2024 Holiday schedule as an item on the next agenda.

City Manager Leon mentioned there are labor union agreements and employee personal days to consider. For research time, it was discussed to add to the December 11th agenda.

No official action taken at this time.

Action 23-274

Moved by Commissioner Villanueva, seconded by Commissioner Miner, to adjourn at 8:23 p.m.

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

Motion adopted.

Stephanie Moser
Mayor

ATTEST:

Al Viereck
Finance Officer

Published on October 19, 2023