



2023_10_23

**CITY COMMISSION
MEETING**



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

YANKTON BOARD OF CITY COMMISSIONERS

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

Monday, October 23, 2023

City of Yankton Community Meeting Room

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

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

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

I. ROUTINE BUSINESS

1. **Roll Call**

2. **Approve Minutes of Regular Meeting of October 9, 2023**

Attachment I-2

3. **Schedule of Bills**

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. **Establish Public Hearing for Sale of Alcoholic Beverages**

Establish November 13, 2023 as the date for the public hearing on the request for a Special Events (On Sale) Malt Beverage Retailers License and a Special Events (On Sale) Wine Retailers License for 1 day, December 9, 2023, from The Center (Kriss Thury, Executive Director), 900 Whiting Drive, Yankton, South Dakota.

Attachment II-1

2. Establish Public Hearing for Alcoholic Beverages License Location Transfer

Establish November 13, 2023 as the date for the public hearing on 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 Phinney's LLC d/b/a Phinneys Pub & Casino (James Palmer, Owner), 2101 Broadway Ave., Suite 40, Yankton, South Dakota to Shree LLC d/b/a Vape God (Dipan Patel, Owner), 821 Broadway Ave. Suite B, Yankton, South Dakota.

Attachment II-2

3. Establish Public Hearing for Alcoholic Beverages License Location Transfer

Establish November 13, 2023 as the date for the public hearing on 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 Phinneys Casino LLC d/b/a Phinneys Casino (James Palmer, Owner), 2101 Broadway Ave., Suite 50, Yankton, South Dakota to Phinneys Casino LLC d/b/a Pinups Casino & Gaming Lounge #6 (James Palmer, Owner), 3010 Broadway Ave., Yankton, South Dakota.

Attachment II-3

4. Establish public hearing for renewal of Alcoholic Beverage Licenses

Establish November 13, 2023 as the date for a public hearing and consideration of the applications for renewal of Alcoholic Beverage Licenses for the 2024 (January 1, 2024 to December 31, 2024) licensing period.

Attachment II-4

5. Establish Date and Time of December Commission Meeting

Establish Thursday, December 21, 2023 at 12:00 PM as the date and time for the second City Commission meeting in December.

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 #23-202 regarding the request for request for a Special Events Malt Beverage (on-sale) Retailers License and a Special Events (on-sale) Wine Retailers License for 1 day, October 28, 2023, from The Center (Kriss Thury, Executive Director), 900 Whiting Drive, Yankton, South Dakota.

Attachment III-1

2. Public Hearing for Sale of Alcoholic Beverages

Consideration of Memorandum #23-203 regarding 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.

Attachment III-2

IV. NEW BUSINESS

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

1. **Sworn Law Enforcement Salary Adjustments**
Consideration of Memorandum #23-185 and Resolution #23-56 regarding Sworn Law Enforcement Salary Adjustments for 2024.

Attachment IV-1
2. **Fireworks Public Display Request**
Consideration of Memorandum #23-201 requesting a public fireworks display on November 30, 2023 to coincide with the Holiday Festival of Lights tree lighting.

Attachment IV-2
3. **Cap on Video Lottery Licenses**
Consideration of Memorandum #23-206 recommending the update of the current Yankton Ordinance Sec. 3-3 to properly align with State law. Any modification of the cap will require a change to the attached draft ordinance, requiring a first and second hearing.

Attachment IV-3
4. **Cold Applied Plastic Pavement Marking Installation Project Change Order and Acceptance**
Consideration of Memorandum #23-204 recommending the City Commission to approve Change Order #1, accept the project, and authorize the final payment request for the 2023 cold applied plastic pavement marking installation project directing the Finance Officer to issue a manual check in the amount of \$50,767.50 to Dakota Traffic Services, LLC of Tea, South Dakota.

Attachment IV-4
5. **Surplus Equipment and Vehicles**
Consideration of Memorandum #23-207 recommending the adoption of Resolution #23-62 authorizing the destruction, trade, donation or sale of surplus property by sealed bid.

Attachment IV-5
6. **Westside Park Pond Outside Engineering Consultant**
Consideration of Memorandum #23-212 recommending approval of the agreement to retain Mid-State Engineering and Testing for a peer review of the construction and testing of the Westside Park pond.

Attachment IV-6
7. **Dakota West Project Acceptance**
Consideration of Memorandum #23-208 recommending acceptance of the utility and street improvements for Dakota West Estates II Addition – Dakota Street.

Attachment IV-7
8. **Stop Signs within Mead Development**
Consideration of Memorandum #23-209 recommending the adoption of Resolution #23-63 authorizing the placement of stop signs within Mead Development.

Attachment IV-8

9. Mead Development Parking Restrictions

Consideration of Memorandum #23-210 recommending the adoption of Resolution #23-64 restricting parking along Spruce Street from 31st Street to 33rd Street.

Attachment IV-9

10. Contract Amendment for Marne Creek Bank Restoration and Maintenance Trail Reconstruction

Consideration of Memorandum #23-211 recommending approval of Amendment #2 to the contract between the City of Yankton and Banner Associates, Inc. for Marne Creek Bank Restoration and Maintenance Trail Reconstruction and authorize the City Manager to sign all documents regarding this project.

Attachment IV-10

11. Proposed 2024 Rate Adjustments for The Huether Family Aquatics Center

Consideration of Memorandum #23-213 recommending the adoption of the outdoor aquatics fees as proposed for 2024.

Attachment IV-11

V. OTHER BUSINESS

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

VI. ADJOURN THE MEETING OF OCTOBER 23, 2023

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 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

Schedule of Bills

VENDOR NAME DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P	ID	LINE
A-OX WELDING SUPPLY CO I PROPANE	79.42	CHEMICALS & GASES	801.801.240		291229	024109	P	499	00001
ADVANCED EXERCISE EQUIPM WEIGHT EQUIPMENT	8,513.52	EQUIPMENT	203.203.350		42703	023819	P	499	00116
BBG CONSTRUCTION LAW ATTORNEY FEES	3,474.80	WESTSIDE PARK IMPROVEMEN	503.545.320		19200	024082	P	499	00004
BOLLER PRINTING INC LETTERHEAD	240.00	OFFICE SUPPLIES	101.111.232		5294	231560	P	499	00003
BRIGHTWAY ELECTRIC LLC SUMMIT FIXTURES	890.00	REP. & MAINT. - BUILDING	203.203.223		A5887	081011	P	499	00002
CEDAR KNOX PUBLIC POWER ELECTRICITY	875.79	ELECTRICITY	601.601.272		350022554	005176	P	499	00010
ELECTRICITY	420.06	ELECTRICITY	201.201.272		350035355	005243	P	499	00011
	1,295.85	*VENDOR TOTAL							
CENTRAL SQUARE TECH LLC FIELD OPS	483.96	PROFESSIONAL SERVICES	101.111.202		393668	231561	P	499	00113
CENTURYLINK PHONE	581.26	TELEPHONE	101.111.271			002829	P	499	00016
PHONE	168.48	TELEPHONE	101.123.271		D89-3052,3086	002829	P	499	00017
PHONE	83.20	TELEPHONE	601.601.271		D89-3088	002828	P	499	00012
PHONE	83.20	TELEPHONE	601.601.271		D89-5022	003059	P	499	00014
PHONE	83.20	TELEPHONE	611.611.271		D89-5022	003059	P	499	00015
PHONE	164.32	TELEPHONE	611.611.271		D893124/5113	002828	P	499	00013
PHONE	8.05	TELEPHONE	611.611.271		10.6.23	003065	P	499	00007
	1,171.71	*VENDOR TOTAL							
CITY OF SIOUX FALLS LAB SAMPLES	29.00	PROFESSIONAL SERVICES	601.601.202		27331	230211	P	499	00008
CITY OF YANKTON-PARKS SOLID WASTE	308.72	LANDFILL	201.201.276		16148	003889	P	499	00009
CLOUGH/GERALD PENS & NAME BADGES	328.50	OFFICE SUPPLIES	101.142.232		1035	023962	P	499	00005
COLLECTIVE DATA SOFTWARE LICENSE	2,730.00	PROFESSIONAL SERVICES	801.801.202		18235	024123	P	499	00018
COOKE, CO/J.P. ANIMAL LICENSES	100.00	OFFICE SUPPLIES	101.111.232		800641	231558	P	499	00051
SHIPPING	22.00	PROFESSIONAL SERVICES	101.111.202		800641	231558	P	499	00052
	122.00	*VENDOR TOTAL							

Schedule of Bills

VENDOR NAME	DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P	ID	LINE
CORE & MAIN	VALVE BOX DROPS	2,115.30	REP. & MAINT. - DISTRIBUT	601.601.226		T555378	230184	P	499	00006
DAKOTA PUMP INC	PUMP AND MOTOR REPAIRS	440.15	REP. & MAINT. - BUILDING	201.201.223		17370	081026	P	499	00022
	ALTERNATOR/CONTACTOR	373.49	REP. & MAINT. - COLLECTI	611.611.226		17400	230207	P	499	00021
		813.64	*VENDOR TOTAL							
DEN HERDER LAW OFFICE, P	IMLA CONFERENCE	1,921.32	PROFESSIONAL SERVICES	101.103.202		9765	022305	P	499	00019
	LEGAL SERVICES	1,035.00	PROFESSIONAL SERVICES	101.103.202		9767	022305	P	499	00020
		2,956.32	*VENDOR TOTAL							
DETCO	SUPPLIES	968.00	EQUIPMENT REPAIR & MAINT	637.637.221		65055	024105	P	499	00119
	SUPPLIES	1,142.32	REP. & MAINT. - EQUIPMEN	631.631.221		65055	024105	P	499	00120
		2,110.32	*VENDOR TOTAL							
ELECTAIR INC	TRANE AIR CONDITIONER	2,368.37	REP. & MAINT. - BUILDING	201.201.223		75010	081012	P	499	00024
EQUIPMENT BLADES	BLADES	2,500.40	GARAGE PARTS	801.801.249		2023.00895	024117	P	499	00023
FEJFAR PLUMBING INC	BOAT RAMP REPAIR	183.68	REP. & MAINT. - BUILDING	201.201.223		58091	018368	P	499	00027
FERGUSON ENTERPRISES LLC	METER PROJECT	178,750.00	METER TECHNOLOGY UPGRADE	602.602.351		453514	230206	P	499	00025
	METER PROJECT	6,160.00	METER TECHNOLOGY UPGRADE	602.602.351		453514-1	230206	P	499	00029
	METER PROJECT	7,800.00	METER TECHNOLOGY UPGRADE	602.602.351		461365	230206	P	499	00026
		192,710.00	*VENDOR TOTAL							
FLEXIBLE PIPE TOOL COMPA	FLUSHER TRUCK PARTS	490.75	REP. & MAINT. - COLLECTI	611.611.226		29304	230208	P	499	00028
GERSTNER OIL CO	FUEL	37,583.00	GARAGE GASOLINE & LUBRIC	801.801.238		194292	024107	P	499	00032
	FUEL	41,056.97	GARAGE GASOLINE & LUBRIC	101.127.238		194333	023917	P	499	00031
	FUEL	3,363.60	GARAGE GASOLINE & LUBRIC	801.801.238		53316	024115	P	499	00030
		82,003.57	*VENDOR TOTAL							
GRAYBAR ELECTRIC COMPANY	SERVICE WORK	5,977.50	REP. & MAINT. - PLANT	601.601.221		9334151128	230213	P	499	00115
GRAYMONT WI LLC	LIME	7,637.52	CHEMICALS & GASES	601.601.240		14-186662 RI	230205	P	499	00033
HANSON BRIGGS ADVERTISIN	ENVELOPES	141.01	OFFICE SUPPLIES	637.637.232		32411	024120	P	499	00049

Schedule of Bills

VENDOR NAME	DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P	ID	LINE
HARDING GLASS	SUPPLIES	30.00	REP. & MAINT. - BUILDING	201.201.223		14644	081018	P	499	00039
HAWKINS INC	CHEMICALS	11,420.42	CHEMICALS & GASES	601.601.240		6549120	230204	P	499	00041
	CHEMICALS	14,713.44	CHEMICALS & GASES	601.601.240		6555494	230182	P	499	00045
	CHEMICALS	9,435.29	CHEMICALS & GASES	601.601.240		6556887	230204	P	499	00042
	CHEMICALS	3,963.89	CHEMICALS & GASES	601.601.240		6559479	230204	P	499	00043
	POOL CHEMICALS	140.40	CHEMICALS & GASES	202.202.240		6563046	080985	P	499	00040
	CHEMICALS	14,121.30	CHEMICALS & GASES	601.601.240		6566445	230204	P	499	00044
	CHEMICALS	14,152.20	CHEMICALS & GASES	601.601.240		6581582	230203	P	499	00046
	CHEMICALS	8,666.28	CHEMICALS & GASES	601.601.240		6591337	230203	P	499	00048
	CHEMICALS	10,496.52	CHEMICALS & GASES	601.601.240		6591544	230203	P	499	00047
	CHEMICALS	13,948.26	CHEMICALS & GASES	601.601.240		6599226	230214	P	499	00118
		101,058.00	*VENDOR TOTAL							
HDR ENGINEERING INC	PROFESSIONAL SERVICES	7,685.84	EDA PROJECT (GRANT)	611.611.323		1200518010	022828	P	499	00034
	PROFESSIONAL SERVICES	41,170.81	EDA PROJECT (GRANT)	611.611.323		1200522268	022828	P	499	00035
	PROFESSIONAL SERVICES	7,826.95	EDA PROJECT (GRANT)	611.611.323		1200530212	022828	P	499	00036
	PROFESSIONAL SERVICES	21,144.54	EDA PROJECT (GRANT)	611.611.323		1200538402	022828	P	499	00037
	PROFESSIONAL SERVICES	25,303.15	EDA PROJECT (GRANT)	611.611.323		1200545360	022828	P	499	00038
		103,131.29	*VENDOR TOTAL							
INTERSTATE BATTERIES	BATTERIES	1,439.60	REP. & MAINT. - PLANT	601.601.221		1912903029160	230210	P	499	00050
JIM'S CANVAS & LEATHER R	REPAIRS	100.00	REP. & MAINT. - EQUIPMEN	203.203.221		173190	081013	P	499	00053
JONES CONSTRUCTION/JOHN	WASTEWATER EDA CONSTRUCT	334,109.95	2019 WW IMPROVEMENTS PHA	611.611.332		C-10-22	022804	P	499	00054
KLEINS TREE SERVICE	TREE REMOVAL/STUMPS	1,500.00	EMERALD ASH BORE STUMPS	201.201.250		2035	081022	P	499	00059
	TREE TRIMMING	200.00	ROAD MATERIALS	101.123.239		2037	024113	P	499	00056
	TREE/STUMP REMOVAL	3,800.00	EMERALD ASH BORE STUMPS	201.201.250		2049	081021	P	499	00058
	TREE REMOVAL	1,400.00	EMERALD ASH BORE STUMPS	201.201.250		2050	081020	P	499	00057
	NUISANCE LAWNS	800.00	ABATEMENT	101.106.204		2051	023251	P	499	00055
		7,700.00	*VENDOR TOTAL							
KNIFE RIVER - SOUTH DAKO	ASPHALT	1,039.74	OPEN ASPHALT	506.572.376		429098	024121	P	499	00060
LARRY'S HEATING & COOLIN	LAB AIR CONDITIONING	2,593.00	REP. & MAINT. - PLANT	611.611.221		63839	231022	P	499	00062
LEWIS & CLARK BHS	SPECIAL APPROPRIATION	10,000.00	LEWIS & CLARK MENTAL HEA	101.131.552		10.10.23	023174	P	499	00061

Schedule of Bills

VENDOR NAME	DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P	ID	LINE
LUKEN MEMORIALS INC	TREE MARKERS	1,005.00	RECREATION SUPPLIES -	O 201.201.242		9.15.23	022567	P	499	00063
M.J. DAL SIN COMPANY	LIBRARY ROOF REPLACEMENT	89,939.00	CAPITAL REPAIR & MAINTEN	101.142.301		13509	070920	P	499	00112
MERKEL ELECTRIC	WESTSIDE PARK	661.62	REP. & MAINT. - BUILDING	201.201.223		10633	081017	P	499	00068
	TRAIL LIGHTS	76.53	REP. & MAINT. - BUILDING	201.201.223		10648	081023	P	499	00069
		738.15	*VENDOR TOTAL							
MICHAELS FENCE CO	GATE REPAIRS	1,328.20	EQUIPMENT REPAIR & MAINT	637.637.221		87895	024119	P	499	00064
MIDWEST TAPE	MEDIA	220.95	AV - CAPITAL	101.142.342		504323958	023959	P	499	00066
	MEDIA	124.96	AV - CAPITAL	101.142.342		504389264	023959	P	499	00067
		345.91	*VENDOR TOTAL							
MUELLER/PETE	AFLAC REIMBURSEMENT	192.86	CANCER & ICU SUPPLEMENTA	711.2075		10.10.23	023076	P	499	00065
NORDSTROM'S AUTO RECYCLI	PARTS	295.00	GARAGE PARTS	801.801.249		1981662	024058	P	499	00070
OLSON'S PEST TECHNICIANS	PEST CONTROL	145.00	REP. & MAINT. - BUILDING	101.125.223		307332	024073	P	499	00117
ONE OFFICE SOLUTION	OFFICE SUPPLIES	7.43	OFFICE SUPPLIES	101.102.232		531792	024006	P	499	00071
PINKELMAN/LOGAN	MEMBERSHIP REFUND	330.00	ANNUAL MEMBERSHIPS	203.3740		1015910.002	081019	P	499	00088
	MEMBERSHIP REFUND	24.75	SALES TAX PAYABLE	203.2073		1015910.002	081019	P	499	00089
		354.75	*VENDOR TOTAL							
PLAN & DEVELOPMENT DIST	EDA WASTEWATER IMPROVE	15,000.00	2019 WW IMPROVEMENTS PHA	611.611.332		4227	024161	P	499	00072
	SRF WASTEWATER IMPROVE	10,000.00	2019 WW IMPROVEMENTS PHA	611.611.332		4227	024161	P	499	00073
		25,000.00	*VENDOR TOTAL							
PRESS DAKOTA MSTAR SOLUT	LEGAL PUBLICATION	14.24	PUBLISHING	101.101.211		147404	024072	P	499	00075
	MINUTES	25.92	PUBLISHING	101.101.211		147744	024074	P	499	00076
	MINUTES	137.92	PUBLISHING	101.101.211		147745	024074	P	499	00077
	LEGAL PUBLICATION	14.72	PUBLISHING	101.101.211		147852	024075	P	499	00078
	LEGAL PUBLICATION	15.04	PUBLISHING	101.101.211		147853	024075	P	499	00079
	LEGAL PUBLICATION	15.04	PUBLISHING	101.101.211		147854	024075	P	499	00080
	LEGAL PUBLICATION	15.04	PUBLISHING	101.101.211		147855	024075	P	499	00081

Schedule of Bills

VENDOR NAME	DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P	ID	LINE
PRESS DAKOTA MSTAR SOLUT	LEGAL PUBLICATION	15.04	PUBLISHING	101.101.211		147856	024075	P	499	00082
	NOTICE OF AUDIT	39.46	PUBLISHING	101.101.211		148155	023387	P	499	00084
	LEGAL PUBLICATION	23.62	PUBLISHING	101.106.211		148244	023247	P	499	00083
	ORDINANCE	404.96	INSURANCE	101.101.201		148254	024092	P	499	00087
	MINUTES	267.52	PUBLISHING	101.101.211		148292	024076	P	499	00085
	LEGAL PUBLICATION	15.84	PUBLISHING	101.101.211		148292	024076	P	499	00086
		1,004.36	*VENDOR TOTAL							
ROCS	OVERPAYMENT	160.00	METERED SALES	601.3810			024083	P	499	00090
SABER SHRED SOLUTIONS IN	TIRE DISPOSAL	11,800.80	PROFESSIONAL SERVICES &	637.637.202		21270	024111	P	499	00097
SAM LLC	GPS DATA COLLECTION	3,000.00	GIS MODELING	602.602.318		15156	021616	P	499	00092
	GPS DATA COLLECTION	3,000.00	COLLECTION MODEL/MASTER	611.611.318		15156	021616	P	499	00093
		6,000.00	*VENDOR TOTAL							
SANITATION PRODUCTS INC	ROLL CARTS	9,702.00	REP. & MAINT. - ROLL CAR	631.631.222		86975	024000	P	499	00098
	DUMPSTERS	11,160.00	EQUIPMENT	631.631.350		86995	024108	P	499	00095
	PARTS	6,911.19	GARAGE PARTS	801.801.249		87021	024112	P	499	00096
		27,773.19	*VENDOR TOTAL							
SD PUBLIC ASSURANCE ALLI	INSURANCE	278.72	INSURANCE	201.201.201		29904	024079	P	499	00099
SMITH INSURANCE INC/MT &	NOTARY INSURANCE	80.00	INSURANCE	208.208.201		875	230017	P	499	00094
SOUTH DAKOTA ONE CALL 81	MESSAGE FEES	206.85	LOCATES	601.601.208		SD23-02559	230212	P	499	00091
STATE HYGIENIC LABORATOR	LAB TESTING	791.50	PROFESSIONAL SERVICES	601.601.202		263667	230194	P	499	00114
ULINE	EVIDENCE TAPE	165.66	REP. & MAINT. - EQUIPMEN	101.111.221		168763368	231557	P	499	00111
UNITED WAY	SPECIAL APPROPRIATION	15,506.25	COLLECTIVE IMPACT-UNITED	101.131.569		4252	023163	P	499	00100
UTILITY EQUIPMENT COMPAN	PIPE	6,212.11	REP. & MAINT. - PLANT	601.601.221		10103315	230209	P	499	00101
VIELMETTE/BRYAN	GATE CARD DEPOSIT	10.00	AIRPORT GATE DEPOSITS	101.2090			023918	P	499	00104

Schedule of Bills

VENDOR NAME DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P	ID	LINE
XTREME CAR WASH CAR WASHES	560.40	REP. & MAINT. -VEHICLES	101.111.222		10.10.23	231559	P	499	00109
YANKTON AREA ARTS ASSN SPECIAL APPROPRIATION	2,500.00	YANKTON AREA ARTS	211.231.578			023150	P	499	00105
YANKTON COUNTY AUDITOR SAFETY CTR SHARE	9,932.35	RENT FOR SAFETY CENTER	101.111.212		Q3 2023	024080	P	499	00107
YANKTON REDI MIX INC ROAD MATERIALS	360.00	OPEN ASPHALT	506.572.376		59839	024118	P	499	00110
YANKTON THRIVE SPECIAL APPROPRIATION	115,000.00	YANKTON THRIVE	211.231.551		210	023146	P	499	00106
YHS STUDENT COUNCIL PARADE ENTRY FEE	20.00	ADVERTISING	203.203.211		9.20.23	081015	P	499	00108

Schedule of Bills

VENDOR NAME	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P ID LINE
DESCRIPTION							
REPORT TOTALS:	1,200,590.93						

RECORDS PRINTED - 000117

Schedule of Bills

FUND RECAP :

FUND	DESCRIPTION	DISBURSEMENTS
101	GENERAL FUND	174,553.85
201	PARKS AND RECREATION	12,472.85
202	HUETHER FAMILY AQUATICS CTR	140.40
203	SUMMIT ACTIVITY CENTER	9,878.27
208	911/DISPATCH	80.00
211	LODGING SALES TAX	117,500.00
503	PARK CAPITAL	3,474.80
506	SPECIAL CAPITAL IMPROV	1,399.74
601	WATER OPERATION	126,529.17
602	WATER RENEWAL/REPLACEMENT	195,710.00
611	WASTE WATER OPERATION	468,954.05
631	SOLID WASTE	22,004.32
637	JOINT POWER	14,238.01
711	EMPLOYEE BENEFIT	192.86
801	CENTRAL GARAGE	53,462.61
TOTAL ALL FUNDS		1,200,590.93

BANK RECAP :

BANK	NAME	DISBURSEMENTS
1DAK	FIRST DAKOTA NAT'L BANK CORP	1,200,590.93
TOTAL ALL BANKS		1,200,590.93

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

DATE APPROVED BY

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OFFICE OF THE CITY MANAGER

www.cityofyankton.org

VOL. 58 NUMBER 20

Commission Information Memorandum

The Yankton City Commission meeting on Monday, October 23, 2023 will begin at 7:00 pm.

Non-Agenda Items of Interest

1) Finance Department Update

The Purple Wave government online auction is scheduled to end on October 31. We are not charged any fees for this service. To view items for sale, please visit <https://bit.ly/YanktonCityAuction>.

Auditors are scheduled to be in-house the week of November 6 for the 2022 audit. Staff is currently wrapping up assets and other adjustments to prepare.

Enclosed in your packet is the Monthly Finance Report for September activity and the third quarter 2023 Revenues and Expenditures Report comparing quarterly and year-to-date totals with 2022 figures.

2) Parks & Recreation Department Update

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

3) Human Resources & Employee Engagement Department Update

We are accepting applications for full time Police Officers. This position will remain open until filled. Interested applicants can visit cityofyankton.org and click on the employment tab, or contact the Human Resource Department.

We continue to accept applications for Deputy Finance Officer. First review interviews are being scheduled. The Finance Generalist position closed September 20. Interviews are being conducted.

We are accepting applications for Sanitation Truck Operator which is a position made available by the upcoming retirement of Dave Walsh. Dave's last day will be November 27.

We continue to accept applications for Part Time Lifeguard and Water Safety Instructors for the Summit Activities Center/Parks and Recreation Department.

The City of Yankton's October's presentation by Well 365 out of Sioux Falls focused on Finance Matter: Budget, Saving & More. During this session there were tips and tricks for

financial management for an individual or a family which included budgeting and saving. The presentation was distributed to staff during the third week of the month.

The Employee Committee is hosting the 6th Annual Chili, Soup & Cinnamon Roll Cook-Off on Wednesday, October 25, at Fire Station #2 from 11am-2pm. A \$5 donation is encouraged. All proceeds will go to United Way.

Flu shots for employees were on October 11 and October 18. The flu shots were provided by Yankton Medical Clinic this year.

The City of Yankton Annual Halloween Door Decorating Contest is underway for bragging rights among employees. The contest will run for the month of October. Judging will be held October 30.

Open Enrollment has begun for all City of Yankton Employees. Open enrollment is being held October 23-November 6 for the 2024 plan year. We are utilizing the EASE online enrollment platform again this year. Staff is available to anyone needing assistance with the online enrollment process.

4) Library Update

October 10 was the last Seed Library class of 2023! Since 2016, the Yankton Seed Library has been holding classes monthly (February through October) at the library. Created through a grant from the Yankton Area Foundation of the South Dakota Community Foundation, the Seed Library is facilitated by the SDSU Extension Missouri Valley Master Gardeners with the support of the Yankton Community Library. In 2023, the Master Gardeners concentrated their classes on eco-gardening, holding classes on native plants, water conservation, and composting. Classes were offered in person and virtually. The sessions were recorded and are posted on the Yankton Community Library's YouTube channel.

We are excited to partner with the Yankton School District to host a Fall Literacy and Math Family Night on October 24. There will be games, prizes, and fall-themed treats for kids in JrK-5th grade. This will be a great opportunity for families to interact with their children and other families to help nurture a love for reading and learning.

5) Information & Technology Services Department Update

We are working to update communications services for the west water tower communications building and the library. The goal of the communications building project is to provide a more robust and reliable monitoring system for the public safety services and to provide a connection for the utility meter project. This connection will allow for real time data from the meters. As a part of the library roof project, staff determined that eliminating the overhead service line and roof penetration was a more efficient method of providing services long term.

6) Public Works Department Update

Street Department crews have been preparing for winter maintenance operations, repairing storm sewer at various locations, and street maintenance. Crews have also been street sweeping as leaves have started to drop from the trees.

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 throughout the winter season.

3rd Street & Green Street Reconstruction: Curb and gutter has been placed along the entire length of the project. Masonry Components will now work on getting driveways and sidewalks poured prior to mainline paving. It is anticipated the mainline paving will take place the week of October 23.

Elm Street from 20th Street to 21st Street: Katzer Concrete has the curb and gutter completed and has already started installation of driveways and sidewalks. They are also working on getting the 20th Street and Elm Street intersection paved in preparation of mainline paving towards 21st Street. Katzer is scheduled to pave the first phase of mainline on October 24. Once the first phase has ample cure time and traffic can be moved to it, Katzer will complete the remaining mainline paving. The phasing allows access to the businesses on Elm Street at all times.

Mead Development: The grading and concrete work are complete on the project. The only remaining items for the contractor to complete are seeding and stabilization of the disturbed areas. This project will be ready for final acceptance and closeout soon.

Veterans Day Holiday Garbage & Recycling Collection Schedule: There will be no solid waste collection on Friday, November 10, due to the Veterans Day Holiday. All Thursday and Friday routes will be collected on Thursday, November 9. The Transfer Station will be closed Friday, November 10, and will be open normal scheduled hours on Saturday, November 11 from 8:00 am to 11:45 am.

7) **Community & Economic Department Update**

Now is a good time to make plans for sidewalk snow removal before our first big snowstorm of the year arrives. Ordinance requires that property owners remove snow from adjacent public sidewalks within 24 hours after the end of a snow event. Staff works each year to educate property owners and, when necessary, abates nuisance sidewalk snow from public sidewalks. Notice is published in the newspaper of record annually before the first snow fall, and public outreach efforts are coordinated seasonally using local print and radio as well as social media outlets. Overall, the community has done an outstanding job in recent years keeping these important pedestrian links clear. An area that staff continues to emphasize in our outreach efforts is reminding property owners that it is a violation to place snow from private property onto or across the street. We work closely with the Yankton Police Department and Public Works Department on addressing these issues. We also promote taking special care to clear snow from around fire hydrants to ensure they are useable by first responders in emergencies. Fire hydrant access is especially problematic when we receive very large snowfalls or several significant snowfall events over a relatively short period of time.

8) **Environmental Services Department Update**

Wastewater staff continue to move forward with the wastewater treatment plant improvements. John T. Jones is finishing up the current EDA project. Several electrical items are still experiencing long lead times and will not be installed until spring. Staff is also looking at a phased approach with multiple Guaranteed Maximum Price contract amendments moving forward. As we have gotten further into design, the Aerobic Granular Sludge (AGS) process has potential. The dense sludge allows settling to be completed within the same footprint as the activated sludge process and eliminate the need for secondary settling clarifiers. With a large part of the cost of this project being secondary clarifiers, AGS is potentially an option. HDR is still completing a capitol cost comparison.

HDR and staff are also looking at potential operational cost savings on things like energy and maintenance. HDR is working with the AGS company to model the system and adjust performance guarantees. AGS systems are normally designed to meet advanced nutrient removal. Our current limits do not require the advanced nutrient removal. We are looking at adjusted performance guarantees that would allow the AGS system to fit in the current footprint to reduce cost. Evaluating the potential of AGS has delayed the design process. John T. Jones has scheduled staff for project construction to begin next summer. The CMAR team is working to have the solids handling portion of the project ready for construction next summer. It is also important to keep the project moving forward to meet ARPA fund deadlines.

John T. Jones replaced the leaking pipe at the water plant. The pipe was removed and replaced with two sections of new pipe. After installation one of the sections of pipe had a damaged flange and is leaking again. The plant is operational and running but that section of pipe will have to be replaced. John T. Jones is working with the supplier and a new section of pipe should be onsite within two weeks. John T. Jones and the pipe manufacturing are covering costs related to the replacement of the damaged pipe.

9) Police Department Update

When staffing allows, YPD officers who are specialized in certain areas are asked to instruct at Law Enforcement Training (LET) in Pierre. We were able to send Officer George Hite to assist the LET Academy with recruit training. Officer Hite assisted with instruction of Driving Under the Influence to new officers from across the state including YPD Officer Brett Craig.

Chief Foote attended the Community Candlelight Vigil put on by River City Domestic Violence Center on October 19. It is important to show support for victims of domestic violence letting them know that there is a community behind them in their recovery from this violence and letting their abusers know that this community will not tolerate this behavior.

Our newest hire, Tanner Schaefer, began employment with the YPD on October 16. Tanner is currently working under Skill Bridge, a program that connects military personnel with jobs to transition them out to civilian living before their military commitment expires. Tanner arrived from Boston and is originally from the Minnesota area. Tanner will do some in-house training before being sworn in officially as a Police Officer in late November or early December.

10) Fire Department Update

The Yankton Fire Department received a State Homeland Security Grant in the amount of \$23,535.19. This money will be used to purchase six portable radios that are compatible with the State radio system. The ultimate goal is to acquire a portable radio for every volunteer on the department. Responder safety is enhanced when all personnel have access to communications equipment.

Chief Linke will begin a series of classes specifically designed for 911 Telecommunicators. Telecommunicators are a critical part of the response continuum and the collaborative course is intended to fold them into the incident command team. A dispatcher's ability to gather information, monitor radio traffic, and communicate with responders is vital to a successful operation.

Chief Linke, Captain Moser, and Firefighter Villanueva assisted Yankton County Emergency Management and other local agencies with a Point of Disbursement exercise at Yankton High School. The exercise involved setting up a mass vaccination clinic for flu shots.

A number of volunteers participated in Fire Prevention Week activities last week. Members taught fire safety by using the fire safety trailer, providing fire station tours, visiting classrooms, and visiting with citizens during the annual open house.

11) Monthly reports

The Finance and Joint Powers Solid Waste Authority 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

FINANCE MONTHLY REPORT

ACTIVITY	SEPTEMBER 2023	SEPTEMBER 2022	SEPT 2023 YTD	SEPT 2022 YTD
UTILITY BILLING:				
Water				
Water Sold (in gallons per 1,000)	85,331 M	97,361 M	574,592 M	585,693 M
Water Billed	788,059.65	868,321.81	\$5,772,103.84	\$5,805,424.45
Basic Water Fee/Rate per 1000 gal	\$27.51/6.30	\$27.51/6.30		
Number of Accounts Billed	5,761	5,711	50,499	49,997
Number of Bills Mailed	5,761	5,711	50,499	49,997
Total Meters Read	5,993	5,946	53,798	53,296
Meter Changes/pulled	5	8	60	50
Total Days Meter Reading	1	1	9	9
Misreads found prior to billing	0	0	0	0
Customers requesting Rereads	0	0		0
Sewer				
Sewer Billed	\$420,055.82	\$417,832.41	\$3,591,773.54	\$3,334,969.43
Basic Sewer Fee/Rate per 1000 gal	\$17.53/\$6.80	\$11.22/\$6.80		
Solid Waste				
Solid Waste Billed	\$110,712.81	\$109,943.86	\$992,169.33	\$984,207.24
Basic Solid Waste Fee	\$23.61	\$23.61		
Tax Billed	\$6,832.41	\$7,110.22	\$63,182.08	\$63,637.71
Misc. Billed	\$360.00	\$720.00	\$11,068.40	\$11,610.00
Total Utility Billing:	\$1,326,020.69	\$1,403,928.30	\$10,430,297.19	\$10,199,848.83
Adjustment Total:	(\$120.00)	(\$100.00)	(\$1,297.60)	(\$3,047.02)
Misread Adjustments	\$0.00	\$0.00	\$0.00	\$0.00
Other Adjustments	\$0.00	\$0.00	(\$787.60)	(\$2,387.02)
Penalty Adjustments OFF	(\$180.00)	(\$120.00)	(\$920.00)	(\$820.00)
Penalty Adjustments ON	\$60.00	\$20.00	\$410.00	\$160.00
New Accounts/Connects	55	56	754	721
Accounts Finaled/Disconnects	49	51	394	495
New Accounts Set up	2	8	38	41
Delinquent Notices	387	385	3,449	3,432
Doorknockers	153	164	1,281	1,243
Delinquent Call List	108	58	885	579
Notice of Termination Letters	8	19	86	88
Shut-off for Non-payment	2	11	49	47
Delinquent Notice Penalties	\$3,870.00	\$3,850.00	\$34,490.00	\$34,320.00
Doorknocker Penalties	\$1,530.00	\$1,640.00	\$12,810.00	\$12,430.00
Other Office Functions:				
Interest Income	\$233,492.72	\$131,797.46	\$2,036,021.34	\$554,954.70
Interest Rate-Checking Account	5.58%	2.86%		
Interest Rate-CDs	N/A	N/A		
# of Monthly Vendor Checks	123	119		
Payments Issued to Vendors	\$3,861,170.12	\$3,599,643.46	\$29,738,202.49	\$23,873,860.17
# of Employees on Payroll	178	241		
Monthly Payroll	\$851,884.19	\$797,236.20	\$5,813,996.01	\$5,222,938.82

3 pay periods

3 pay periods

CITY OF YANKTON
Revenues and Expenditures

	01Jul2023 30Sep2023	01Jul2022 30Sep2022	YTD 2023	YTD 2022
101 General Fund				
Revenues	3,582,759.71	2,638,151.88	10,815,307.77	15,721,395.93
Expenditures	2,951,897.00	2,977,741.19	8,210,590.59	11,078,450.82
201 Parks				
Revenues	107,336.21	5,421.15	146,220.71	32,388.99
Expenditures	541,381.88	529,648.30	1,461,685.19	1,759,193.21
202 Huether Family Aquatics Center				
Revenues	246,786.08	204,750.46	838,377.55	593,241.23
Expenditures	448,658.16	403,423.16	1,106,897.21	1,549,344.05
203 Summit Activity Center				
Revenues	38,260.57	19,247.95	267,030.99	307,437.07
Expenditures	228,776.95	172,012.82	558,211.18	682,237.80
204 Marne Creek				
Revenues			(471,582.18)	228,048.09
Expenditures	2,061,247.62	76,230.52	3,800,846.00	522,024.30
205 Casualty Reserve				
Revenues	556.63	226.69	1,403.05	862.76
Expenditures				3,000.00
207 Bridge and Street				
Revenues	2,555.51	954.26	17,297.95	25,122.87
Expenditures	14,965.19		35,864.38	5,116.04
208 911/Dispatch				
Revenues	56,916.54	37,844.07	98,787.36	138,225.22
Expenditures	229,619.95	199,105.00	601,312.71	748,064.42
209 Business Improvement District				
Revenues	44,114.64	42,964.35	95,516.93	138,698.78
Expenditures		82,200.00		212,028.90
211 Lodging Sales Tax				
Revenues	268,002.86	231,084.70	603,798.85	807,140.82
Expenditures	204,784.29	201,792.12	551,496.75	758,674.57
241 Infrastructure Improvement				
Revenue	1,282.32	318.55	3,688.57	34,004.96
Expenditures				
501-504 Improvements/Capital				
Revenues	216,406.27	512,999.34	214,026.17	876,646.10
Expenditures	1,455,260.40	1,064,129.14	1,765,746.62	2,342,960.29
505 HFAC Construction				
Revenues		22,426.34		274,326.50
Expenditures		76,404.11	2,650.00	102,582.83
506 Special Capital Improvements				
Revenues	1,728,725.29	1,515,699.89	4,730,481.32	6,053,162.44
Expenditures	1,083,829.51	1,630,993.52	2,581,326.77	3,621,934.16

CITY OF YANKTON
Revenues and Expenditures

	01Jul2023 30Sep2023	01Jul2022 30Sep2022	YTD 2023	YTD 2022
510 TID #5 Menards				
Revenues			94,008.95	175,514.58
Expenditures				
511 TID #6 Westbrook Estates				
Revenues	3,307.74	2,800.64	202,176.99	351,790.33
Expenditures	201,922.69	188,460.54	201,922.69	349,220.83
512 TID #7 West 10th Street				
Revenues		1,544.08	32,010.72	51,654.76
Expenditures	32,010.72	32,284.59	32,010.72	51,763.65
513 TID #8 Westbrook Phase 2				
Revenues	6,574.77	8,219.60	78,832.44	77,990.14
Expenditures	72,257.67	43,115.79	72,257.67	81,991.62
514 TID #9 Yankton Mall				
Revenues	505.34		1,010.68	1,034.84
Expenditures	505.34		505.34	6,178.96
515 TID #11 East Yankton / Gehl				
Revenues				
Expenditures		(21,760.00)	450.00	
516 TID #12 Mead Property				
Revenues		199,131.37		359,165.62
Expenditures	1,173,394.57	272,000.00	2,067,188.00	447,004.49
601-608 Water				
Revenues	2,771,303.65	2,857,678.48	6,478,960.51	8,302,157.54
Expenditures	2,147,755.10	2,528,185.09	7,042,686.66	6,666,244.94
611-614 Wastewater				
Revenues	6,305,610.13	1,257,944.71	5,176,088.87	8,127,959.57
Expenditures	2,567,823.49	3,529,440.93	4,875,539.43	9,826,460.84
621 Cemetery				
Revenues	10,400.55	4,685.07	36,456.96	28,521.95
Expenditures	37,057.03	6,503.65	102,583.10	88,288.91
631 Solid Waste Collection				
Revenues	350,386.63	339,326.86	1,038,695.92	1,350,278.34
Expenditures	394,195.43	237,185.06	1,086,862.88	1,203,158.08
637 Joint Powers Landfill				
Revenues	511,110.14	495,231.04	1,389,006.86	1,766,173.39
Expenditures	449,008.94	570,259.89	1,515,417.35	2,154,636.51
641 Fox Run Golf Course				
Revenues	87,121.04	33,428.43	87,122.04	63,586.92
Expenditures	19,063.92	53,253.35	168,852.65	385,714.17

Commission Information Memorandum

PARKS AND RECREATION DEPARTMENT

SUMMIT ACTIVITIES CENTER and RECREATION PROGRAMS

Summit Activities Center Membership Information:

Reminder, on October 1 we switched membership rates and types.

	Current	Last	Change
○ Active & Fit/Renew Active/Silver Sneakers	145	139	6
○ Adult Annual	154	168	-14
○ Adult Annual plus 1	10	0	10
○ Adult Annual plus 2	0	0	0
○ Adult Annual plus 3	3	3	0
○ Adult Annual plus 4	0	0	0
○ Adult Annual plus 5	0	0	0
○ Adult Annual plus 6	0	0	0
○ Adult EFT	35	38	-3
○ Adult EFT plus 1	14	14	0
○ Adult EFT plus 2	0	0	0
○ Adult EFT plus 3	4	4	0
○ Adult EFT plus 4	5	5	0
○ Adult EFT plus 5	0	0	0
○ Adult EFT plus 6	0	0	0
○ Adult Monthly	99	133	-34
○ Adult Monthly plus 1	9	1	8
○ Adult Monthly plus 2	6	0	6
○ Adult Monthly plus 3	4	0	4
○ Adult Monthly plus 4	2	0	2
○ Adult Monthly plus 5	0	0	0
○ Adult Monthly plus 6	0	0	0
○ City of Yankton Single	62	62	0
○ Firefighter Single	19	19	0
○ 10 Use Punch card	31	29	2
○ Radio	41	41	0
○ Youth Annual	48	53	-5
○ Youth EFT	0	2	-2
○ Youth Monthly	86	94	-8
Total # of Active Memberships	777	805	-28
Total # of Active Members	883	861	22

- Mid-February 2023- total memberships, which were all individual, peaked at 861.
 - Last year at the end of October, we had 742 active memberships, which were all individual.
 - In October of 2019 (pre-pandemic), we had 1,063 memberships and 1,976 members.
- Attendance – 2,868 (1,851 SAC, 1,017 GL) compared to 1,523, SAC members only, in first half of Oct. 2022.
- Total Cash Revenue at the SAC 10/1-15/23 – \$31,989.99 compared to \$26,418.88 in October 2022

Friday, October 6, 2023

- Adult Volleyball League Registrations Due
 - Teams – 42 (2022 – 40)

Sunday, October 1, 2023

- SAC Library Day Passes Used
 - 1 Coupons (1 Adult)

Tuesday, October 10, 2023

- SAC Library Day Passes Used

Additional SAC Information for first half of Sept.:

- **Aqua Zumba**
 - Participation – 44 Participants
- **Power Abs**
 - Participation – 34 Participants
- **Power Yoga**
 - Participation – 21 Participants
- **Prime Time Senior Class**
 - Participation – 51 Participants
- **Strength & Flexibility**
 - Participation – 23 Participants
- **Tabata**
 - Participation – 34 Participants
- **Trim & Tone**
 - Participation – 21 Participants

- **Turbo Kick**
 - Participation – 8 Participants
- **Wake UP**
 - Participation – 12 Participants
- **Water Aerobics Classes**
 - Participation – 99 Participants
- **Work Out Express Class**
 - Participation – 2 Participants
- **Yoga**
 - Participation – 17 Participants
- **Zumba**
 - Participation – 24 Participants
- **Zumba Gold**
 - Participation – 57 Participants
- **Birthday Party Rentals**
 - Participation – 4 Birthday Parties
- **Auxiliary/Main Gym Rentals**
 - Hours Rented – 4 Hours
- **Theater Rentals**
 - Hours Rented – 0 Hours
- **Meeting Rooms**
 - Hours Rented – 0 Hours
- **City Hall Rentals**
 - Hours Rented – 4 Hours
- **Capital Building Rentals**
 - Days Rented – 4
- **Park Shelters**
 - Riverside - 1 Rentals
 - Memorial – 0 Rentals
 - Westside – 0 Rental
 - Meridian Bridge – 0 Rental

PARKS

The City has not received final notification on the status of the Land, Water, Conservation Fund grant for resurfacing the courts in Westside Park and converting them into pickleball courts. The proposal has been approved by the State of South Dakota and now needs approval from the National Parks Service (NPS). The amount of the award will be \$34,000 should it be approved. The state has informed me it will probably be late winter before we are notified of approval from the NPS.

Luke is working with outside organizations and their special event applications and events for this fall.

Luke has started to plan for the 2023 Holiday Festival of Lights. The theme is "A Frosty Evening."

The City will work with the Yankton Optimist Club to have a Santa House for children's activities located at the Capitol Building in Riverside Park this December on a few weekends. Details are being worked out. Decorating the outside of the Capitol Building is also planned.

The Parks Staff are utilizing the new field leveler/groomer and are leveling the infield on the northwest field in the south complex at Sertoma Park. Once the infield is complete, then the staff will work on the southwest field's infield. This could be a fall project, or it may need to be finished up in the spring if weather does not allow for completion in the fall/early winter.

The lights in the Walnut Street corridor between 4th Street and 2nd Street that are up-lights for the trees have been adjusted to the color of orange for the month of October

The ball fields at Sertoma Park, Summit Activities Center, and Riverside Park are being dragged and prepared each weekday according to practice and game schedules submitted to the Parks Department. There are two adult softball tournaments scheduled for the fall.

The parks staff has and will move bleachers, benches, trash cans, and other items for the events which will be taking place in Yankton on weekends in the fall.

The Parks Department worked with the Yankton Youth Soccer Association to have the new soccer complex fertilized this fall. The staff are also aerating the soccer fields at the new complex.

Les Kirchner 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.

Description	Yankton Transfer	Vermillion Landfill	Total Joint	9 Month Budget	Legal 2023 Budget
Joint Power Transfer/Landfill					
<i>Total Revenue</i>	\$1,387,033.17	\$885,156.74	\$2,272,189.91	\$1,768,950.00	\$2,358,600.00
<i>Expenses:</i>					
Personal Services	299,532.68	293,624.38	593,157.06	630,021.00	840,028.00
Operating Expenses	195,898.61	454,780.15	650,678.76	796,389.75	1,061,853.00
Depreciation (est)	148,912.11	196,956.00	345,868.11	341,772.00	455,696.00
Trench Depletion	0.00	238,514.72	238,514.72	172,500.00	230,000.00
Closure/Postclosure Resrv	0.00	10,131.48	10,131.48	19,500.00	26,000.00
Amortization of Permit	0.00	1,630.33	1,630.33	1,125.00	1,500.00
<i>Total Operating Expenses</i>	<u>644,343.40</u>	<u>1,195,637.06</u>	<u>1,839,980.46</u>	<u>1,961,307.75</u>	<u>2,615,077.00</u>
<i>Non Operating Expense-Interest</i>	<u>3,268.87</u>	<u>73,960.79</u>	<u>77,229.66</u>	<u>55,095.75</u>	<u>73,461.00</u>
<i>Landfill Operating Income</i>	<u>739,420.90</u>	<u>(384,441.11)</u>	<u>354,979.79</u>	<u>(247,453.50)</u>	<u>(329,938.00)</u>
Joint Recycling Center					
<i>Total Revenue</i>	0.00	53,609.58	53,609.58	79,125.00	105,500.00
<i>Expenses:</i>					
Personal Services	0.00	175,631.13	175,631.13	196,569.75	262,093.00
Operating Expenses	0.00	99,703.71	99,703.71	100,125.00	133,500.00
Depreciation (est)	0.00	36,348.00	36,348.00	28,500.00	38,000.00
<i>Total Operating Expenses</i>	<u>0.00</u>	<u>311,682.84</u>	<u>311,682.84</u>	<u>325,194.75</u>	<u>433,593.00</u>
<i>Non Operating Expense-Interest</i>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
<i>Recycling Operating Income</i>	<u>0.00</u>	<u>(258,073.26)</u>	<u>(258,073.26)</u>	<u>(246,069.75)</u>	<u>(328,093.00)</u>
<i>Total Operating Income</i>	<u>\$739,420.90</u>	<u>(\$642,514.37)</u>	<u>\$96,906.53</u>	<u>(\$493,523.25)</u>	<u>(\$658,031.00)</u>
Tonage in Trench:	<u>9/30/2022</u>	<u>9/30/2023</u>			
Asbestos	77.49	56.42	56.42	37.50	50.00
Centerville	231.63	278.96	278.96	825.00	1,100.00
Clay County Garbage	12,941.81	13,684.41	13,684.41	10,875.00	14,500.00
Elk Point	803.13	869.64	869.64	195.00	260.00
Yankton County Garbage	19,009.22	18,881.73	18,881.73	17,925.00	23,900.00
<i>Total Tonage in Trench</i>	<u>33,063.28</u>	<u>33,771.16</u>	<u>33,771.16</u>	<u>29,857.50</u>	<u>39,810.00</u>
Operating Cost per ton			<u>\$54.48</u>	<u>\$67.53</u>	<u>\$67.53</u>

This report is based on the following:

Revenue accrual thru September 30, 2023

Expenses cash thru September 30, 2023 with October bills

Joint Powers Solid Waste Authority
Financial Report Thru September 30, 2023

Description	Yankton Transfer	Vermillion Landfill	Total Joint	9 Month Budget	Legal 2023 Budget
Source of Funds					
<i>Beginning Balance</i>	\$262,149.47	\$2,536,832.00	\$2,798,981.47	\$2,798,981.47	\$2,798,981.47
<i>Operating Revenue:</i>					
Net Income	739,420.90	(642,514.37)	96,906.53	(493,523.25)	(658,031.00)
Depreciation	148,912.11	233,304.00	382,216.11	370,272.00	493,696.00
Trench Depletion	0.00	238,514.72	238,514.72	172,500.00	230,000.00
Amortization of Permit	0.00	1,630.33	1,630.33	1,125.00	1,500.00
<i>Non Operating Revenue:</i>					
Grant	0.00	0.00	0.00	0.00	0.00
Loan Proceeds	0.00	0.00	0.00	1,125,000.00	1,500,000.00
Contributed Capital	0.00	3,756.00	3,756.00	3,750.00	5,000.00
Sale Proceeds	0.00	0.00	0.00	0.00	0.00
Comp. for Loss & Damage	1,973.69	0.00	1,973.69	0.00	0.00
Fire Related Expenses	0.00	0.00	0.00	0.00	0.00
Interest	0.00	69,665.80	69,665.80	3,750.00	5,000.00
<i>Cash Flow Transfer:</i>					
Joint Power Transfer/Landfill	(666,136.50)	666,136.50	0.00	1,305,000.00	1,740,000.00
Joint Recycling Center	0.00	0.00	0.00	0.00	0.00
<i>Total Funds Available</i>	<u>486,319.67</u>	<u>3,107,324.98</u>	<u>3,593,644.65</u>	<u>5,286,855.22</u>	<u>6,116,146.47</u>
Application of Funds Available					
<i>Joint Power Transfer/Landfill</i>					
Equipment	169,461.40	44,409.51	213,870.91	421,500.00	562,000.00
Trench	0.00	0.00	0.00	0.00	0.00
Closure/Postclosure Cash Res.	0.00	10,131.48	10,131.48	19,500.00	26,000.00
<i>Joint Recycling Center</i>					
Equipment	0.00	49,286.50	49,286.50	70,500.00	94,000.00
<i>Payment Principal</i>	33,218.94	97,803.24	131,022.18	260,946.75	347,929.00
<i>Appropriation to Reserve</i>	0.00	0.00	0.00	0.00	0.00
<i>Total Applied</i>	<u>202,680.34</u>	<u>201,630.73</u>	<u>404,311.07</u>	<u>772,446.75</u>	<u>1,029,929.00</u>
<i>Ending Balance</i>	<u>\$283,639.33</u>	<u>\$2,905,694.25</u>	<u>\$3,189,333.58</u>	<u>\$4,514,408.47</u>	<u>\$5,086,217.47</u>

Joint Power Transfer/Landfill Description	Yankton Transfer	Vermillion Landfill	Total Joint	9 Month Budget	Legal 2023 Budget
<i>Revenue: (accrual)</i>					
Asbestos	\$0.00	\$3,667.35	\$3,667.35	\$4,500.00	\$6,000.00
Elk Point	0.00	48,265.26	48,265.26	46,800.00	\$62,400.00
Centerville	0.00	15,482.43	15,482.43	10,500.00	14,000.00
Beresford	0.00	0.00	0.00	0.00	0.00
Clay County Garbage	0.00	791,123.22	791,123.22	618,750.00	825,000.00
Compost-Yd Waste-Wood	0.00	5,817.00	5,817.00	7,125.00	9,500.00
Contaminated Soil	0.00	4,746.53	4,746.53	5,625.00	7,500.00
White Goods	0.00	1,760.30	1,760.30	4,500.00	6,000.00
Tires	0.00	13,071.15	13,071.15	7,500.00	10,000.00
Electronics	0.00	923.50	923.50	4,500.00	6,000.00
Other Revenue	4,354.85	300.00	4,654.85	3,825.00	5,100.00
Cash long	3.61	0.00	3.61	0.00	0.00
Rubble	42,526.23	0.00	42,526.23	39,000.00	52,000.00
Transfer Fees	1,331,890.18	0.00	1,331,890.18	1,012,500.00	1,350,000.00
Metal	8,258.30	0.00	8,258.30	3,750.00	5,000.00
Other Operational - Solid Waste	0.00	0.00	0.00	75.00	100.00
Total Revenue	1,387,033.17	885,156.74	2,272,189.91	1,768,950.00	2,358,600.00
<i>Expenses: (cash)</i>					
Personal Services	299,532.68	293,624.38	593,157.06	630,021.00	840,028.00
Insurance	23,259.48	7,396.85	30,656.33	24,996.00	33,328.00
Professional Service/Fees	23,372.68	69,332.55	92,705.23	142,500.00	190,000.00
Non Professional Fees	0.00	0.00	0.00	0.00	0.00
Processing- Reduction	0.00	18,924.40	18,924.40	9,000.00	12,000.00
State Fees	0.00	33,771.16	33,771.16	34,875.00	46,500.00
Professional - Legal/Audit	4,118.40	0.00	4,118.40	2,062.50	2,750.00
Publishing & Advertising	0.00	3,123.42	3,123.42	2,100.00	2,800.00
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	34.59	92,503.77	92,538.36	49,500.00	66,000.00
Motor vehicle repair	0.00	2,183.92	2,183.92	18,375.00	24,500.00
Vehicle fuel & maintenance	102,411.96	41,512.18	143,924.14	206,250.00	275,000.00
Equip, Mat'l & Labor	9,907.62	0.00	9,907.62	48,750.00	65,000.00
Building repair	2,558.62	9,432.87	11,991.49	18,000.00	24,000.00
Facility repair & maintenance	0.00	8,498.65	8,498.65	26,250.00	35,000.00
Postage	470.79	167.93	638.72	637.50	850.00
Office supplies	677.35	129.99	807.34	2,625.00	3,500.00
Copy supplies	174.26	120.63	294.89	281.25	375.00
Uniforms	476.95	2,647.34	3,124.29	5,625.00	7,500.00
Small Tools & Hardware	1,243.28	0.00	1,243.28	187.50	250.00
Travel & Training	0.00	1,827.85	1,827.85	3,375.00	4,500.00
Operating supply	0.00	132,984.37	132,984.37	136,950.00	182,600.00
Electricity	6,684.35	11,601.52	18,285.87	23,250.00	31,000.00
Heating Fuel - Gas	14,217.00	13,998.17	28,215.17	34,125.00	45,500.00
Water	3,100.46	1,214.30	4,314.76	2,700.00	3,600.00
WW service	2,436.08	0.00	2,436.08	975.00	1,300.00
Landfill	188.88	0.00	188.88	225.00	300.00
Telephone	565.86	3,408.28	3,974.14	2,400.00	3,200.00
Depreciation (est)	148,912.11	196,956.00	345,868.11	341,772.00	455,696.00
Trench Depletion		238,514.72	238,514.72	172,500.00	230,000.00
Closure/Postclosure Resrv		10,131.48	10,131.48	19,500.00	26,000.00
Amortization of Permit		1,630.33	1,630.33	1,125.00	1,500.00
Total Op Expenses	644,343.40	1,195,637.06	1,839,980.46	1,961,307.75	2,615,077.00

Joint Power Transfer/Landfill Description	Yankton Transfer	Vermillion Landfill	Total Joint	9 Month Budget	Legal 2023 Budget
<i>Non Operating Expense-Interest</i>	3,268.87	73,960.79	77,229.66	55,095.75	73,461.00
<i>Bond Issuance Costs</i>	0.00	0.00	\$0.00	0.00	10,000.00
<i>Operating Income (Loss)</i>	\$739,420.90	(\$384,441.11)	\$354,979.79	(\$247,453.50)	(\$339,938.00)
<i>Capital:</i>					
Capital Outlay	\$169,461.40	\$44,409.51	\$213,870.91	\$421,500.00	\$562,000.00
Landfill Development	0.00	952,974.24	952,974.24	1,180,500.00	\$1,574,000.00
Capital Lease	0.00	0.00	0.00	0.00	\$0.00
<i>Total Capital Expenditures</i>	\$169,461.40	\$997,383.75	\$1,166,845.15	\$1,602,000.00	\$2,136,000.00
<i>Grant Reimbursement</i>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<i>Federal Grant thru State</i>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<i>Equipment Sale Proceeds</i>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<i>Cash Flow Transfer</i>	(\$666,136.50)	\$666,136.50	\$0.00	\$0.00	\$0.00
<i>Tonage in Trench:</i>					
Asbestos		56.42	56.42	37.50	50.00
Centerville Garbage		278.96	278.96	825.00	1,100.00
Clay County Garbage		13,684.41	13,684.41	10,875.00	14,500.00
Elk Point		869.64	869.64	195.00	260.00
Yankton County Garbage		18,881.73	18,881.73	17,925.00	23,900.00
<i>Total Tonage in Trench</i>		33,771.16	33,771.16	29,857.50	39,810.00
Operating Cost per ton			\$54.48	\$67.53	\$67.53

Joint Powers Solid Waste Authority
Financial Report Thru September 30, 2023

Joint Recycling Center Description	Yankton Transfer	Vermillion Center	Total Joint	9 Month Budget	Legal 2023 Budget
<i>Revenue:</i>					
Tipping Fees	\$0.00	0.00	\$0.00	0.00	0.00
Metal/Tin	0.00	3,556.42	3,556.42	1,875.00	2,500.00
Plastic	0.00	12,558.50	12,558.50	11,250.00	15,000.00
Aluminum	0.00	13,573.61	13,573.61	12,000.00	16,000.00
Newsprint	0.00	2,003.25	2,003.25	6,750.00	9,000.00
Cardboard	0.00	21,080.48	21,080.48	37,500.00	50,000.00
High Grade Paper	0.00	0.00	0.00	3,750.00	5,000.00
Other Material	0.00	837.32	837.32	6,000.00	8,000.00
Contributions/Operating Grants	0.00	0.00	0.00	0.00	0.00
Total Revenue	0.00	53,609.58	53,609.58	79,125.00	105,500.00
<i>Expenses:</i>					
Personal Services	0.00	175,631.13	175,631.13	196,569.75	262,093.00
Insurance	0.00	1,337.89	1,337.89	1,800.00	2,400.00
Professional Service/Fees	0.00	1,691.16	1,691.16	375.00	500.00
Hazardous Waste Collection	0.00	55,593.10	55,593.10	37,500.00	50,000.00
Professional-Legal	0.00	0.00	0.00	0.00	0.00
Publishing & Advertising	0.00	421.60	421.60	1,125.00	1,500.00
Rental	0.00	0.00	0.00	0.00	0.00
Equipment repair	0.00	4,740.93	4,740.93	7,125.00	9,500.00
Vehicle repair & maintenance	0.00	395.56	395.56	525.00	700.00
Vehicle fuel	0.00	3,729.78	3,729.78	4,500.00	6,000.00
Building repair & maintenance	0.00	2,356.97	2,356.97	2,250.00	3,000.00
Postage	0.00	3.62	3.62	37.50	50.00
Freight	0.00	10,030.00	10,030.00	13,875.00	18,500.00
Office supplies	0.00	24.60	24.60	750.00	1,000.00
Uniforms	0.00	0.00	0.00	562.50	750.00
Materials Purchases	0.00	2,130.15	2,130.15	3,375.00	4,500.00
Travel & Training	0.00	1,903.80	1,903.80	1,500.00	2,000.00
Operating Supplies	0.00	1,023.14	1,023.14	7,500.00	10,000.00
Copy Supply	0.00	60.69	60.69	150.00	200.00
Electricity	0.00	4,391.03	4,391.03	4,875.00	6,500.00
Heating Fuel-Gas	0.00	4,798.56	4,798.56	3,750.00	5,000.00
Water	0.00	265.66	265.66	487.50	650.00
WW service	0.00	808.08	808.08	900.00	1,200.00
Telephone	0.00	617.88	617.88	637.50	850.00
Revenue Sharing	0.00	3,379.51	3,379.51	6,525.00	8,700.00
Depreciation (est)	0.00	36,348.00	36,348.00	28,500.00	38,000.00
Total Op Expenses	0.00	311,682.84	311,682.84	325,194.75	433,593.00
<i>Non Operating Expense-Interest</i>	0.00	0.00	0.00	0.00	0.00
Operating Income (Loss)	\$0.00	(\$258,073.26)	(\$258,073.26)	(\$246,069.75)	(\$328,093.00)
Capital Outlay	\$0.00	\$49,286.50	\$49,286.50	\$70,500.00	\$94,000.00
Grant Reimbursement/Donations	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Cash Flow Transfer	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

This report is based on the following:

Revenue accrual thru September 30, 2023

Expenses cash thru September 30, 2023 with October bills

2023 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	54,907.34	(28,593.80)	26,313.54	3,011.04	52.80	0.00	(15,156.68)	(15,156.68)	54,907.34	(43,750.48)	11,156.86
February	21,977.75	(80,063.90)	(58,086.15)	2,658.23	89.93	0.00	(19,218.14)	(19,218.14)	21,977.75	(99,282.04)	(77,304.29)
Subtotal	76,885.09	(108,657.70)	(31,772.61)	5,669.27	70.21	0.00	(34,374.82)	(34,374.82)	76,885.09	(143,032.52)	(66,147.43)
March	33,691.86	(48,590.14)	(14,898.28)	3,332.59	58.66	0.00	(23,601.62)	(23,601.62)	33,691.86	(72,191.76)	(38,499.90)
Subtotal	110,576.95	(157,247.84)	(46,670.89)	9,001.86	71.10	0.00	(57,976.44)	(57,976.44)	110,576.95	(215,224.28)	(104,647.33)
April	81,960.57	(80,218.89)	1,741.68	3,692.82	64.60	0.00	(29,199.77)	(29,199.77)	81,960.57	(109,418.66)	(27,458.09)
Subtotal	192,537.52	(237,466.73)	(44,929.21)	12,694.68	69.20	0.00	(87,176.21)	(87,176.21)	192,537.52	(324,642.94)	(132,105.42)
May	134,887.39	5,913.41	140,800.80	4,563.34	39.16	0.00	(73,715.16)	(73,715.16)	134,887.39	(67,801.75)	67,085.64
Subtotal	327,424.91	(231,553.32)	95,871.59	17,258.02	61.26	0.00	(160,891.37)	(160,891.37)	327,424.91	(392,444.69)	(65,019.78)
June	104,751.28	(45,454.06)	59,297.22	4,127.29	54.90	0.00	(27,237.96)	(27,237.96)	104,751.28	(72,692.02)	32,059.26
Subtotal	432,176.19	(277,007.38)	155,168.81	21,385.31	60.03	0.00	(188,129.33)	(188,129.33)	432,176.19	(465,136.71)	(32,960.52)
July	110,405.65	946.95	111,352.60	4,272.15	42.38	0.00	(18,117.34)	(18,117.34)	110,405.65	(17,170.39)	93,235.26
Subtotal	542,581.84	(276,060.43)	266,521.41	25,657.46	56.76	0.00	(206,246.67)	(206,246.67)	542,581.84	(482,307.10)	60,274.74
August	110,090.59	580.25	110,670.84	4,359.09	42.15	0.00	(19,280.69)	(19,280.69)	110,090.59	(18,700.44)	91,390.15
Subtotal	652,672.43	(275,480.18)	377,192.25	30,016.55	54.64	0.00	(225,527.36)	(225,527.36)	652,672.43	(501,007.54)	151,664.89
September	90,017.34	(35,000.14)	55,017.20	3,754.61	53.24	0.00	(32,545.90)	(32,545.90)	90,017.34	(67,546.04)	22,471.30
Subtotal	742,689.77	(310,480.32)	432,209.45	33,771.16	54.48	0.00	(258,073.26)	(258,073.26)	742,689.77	(568,553.58)	174,136.19

City of Yankton Transfer Station
Landfill Tons

Date	City					Sub-Total	All Other	Total Transfer
	Compactors (577)	Janssen (547)	Arts (586)	Loren Fischer (648)	Kortan (673)			
January 2023	254.54	529.24	417.71	71.17	30.29	1,048.41	423.28	1,726.23
February 2023	215.76	507.35	405.54	55.01	29.26	997.16	375.85	1,588.77
March 2023	261.67	572.16	479.40	65.48	41.13	1,158.17	535.73	1,955.57
April 2023	257.22	574.36	540.02	58.16	34.50	1,207.04	855.06	2,319.32
May 2023	307.89	707.72	605.55	54.83	37.61	1,405.71	704.99	2,418.59
June 2023	289.17	725.31	588.72	73.13	51.19	1,438.35	672.85	2,400.37
July 2023	282.21	697.94	570.56	60.35	40.04	1,368.89	787.30	2,438.40
August 2023	317.79	709.74	626.74	82.60	44.69	1,463.77	678.89	2,460.45
September 2023	273.80	616.92	557.81	68.98	44.28	1,287.99	722.76	2,284.55
2023 Total	2,460.05	5,640.74	4,792.05	589.71	352.99	11,375.49	5,756.71	19,592.25
January 2022	258.69	515.97	411.98	59.08	29.31	1,016.34	331.11	1,606.14
February 2022	217.91	548.02	370.93	67.84	29.20	1,015.99	304.16	1,538.06
March 2022	262.23	665.38	479.74	61.13	35.34	1,241.59	536.56	2,040.38
April 2022	249.31	581.31	446.18	65.70	36.42	1,129.61	682.08	2,061.00
May 2022	279.47	705.94	565.54	64.83	36.49	1,372.80	680.16	2,332.43
June 2022	284.91	790.62	532.96	55.20	45.33	1,424.11	664.58	2,373.60
July 2022	266.85	664.17	513.64	71.59	41.42	1,290.82	685.21	2,242.88
August 2022	299.82	727.50	588.65	62.56	36.52	1,415.23	650.07	2,365.12
September 2022	279.11	666.71	464.24	91.13	43.62	1,265.70	738.06	2,282.87
October 2022	257.32	657.02	481.32	78.30	32.91	1,249.55	571.62	2,078.49
November 2022	270.52	557.40	442.87	65.99	31.40	1,097.66	426.01	1,794.19
December 2022	246.35	517.11	401.13	63.76	37.87	1,019.87	377.63	1,643.85
2022 Total	3,172.49	7,597.15	5,699.18	807.11	435.83	14,539.27	6,647.25	24,359.01

Publishing Dates: October 26 & November 2, 2023

NOTICE TO BIDDERS

Sealed bids will be received by the City Commission of the City of Yankton, South Dakota, at 416 Walnut Street Yankton, South Dakota, at the office of the City Finance Officer of said City until 3:00 P.M. or may be hand delivered to the City Finance Office drop-box by 3:00 PM on the 9th day of November, 2023 at which time they will be publicly opened and read at City Hall Meeting Room A at 416 Walnut Street Disposition of said bid will be held on the 27th day of November, 2023 at 7:00 P.M. in the City of Yankton Community Meeting Room located in the Career Manufacturing Technical Education Academy at 1200 W. 21st Street, Yankton, South Dakota.

Bids will be received on the following:

TWO (2) NEW STEEL TRANSFER STATION WALKING FLOOR TRAILER

FOR
THE DEPARTMENT OF PUBLIC WORKS
CITY OF YANKTON/JOINT POWERS DEPARTMENT

Copies of the specifications may be obtained at the office of the Public Works Manager, 700 Levee Street, Yankton, South Dakota 57078 or by telephoning (605) 668-5211.

All bids must be submitted on forms provided by the City of Yankton.

The City of Yankton, South Dakota reserves the right to reject any or all bids and to waive any informalities therein to determine which is the best and the lowest bid, and to approve the bond, if required.

Adam Haberman, PE
Director of Public Works
City of Yankton, South Dakota

Dated: October 23, 2023

-THE CITY OF YANKTON IS AN EQUAL OPPORTUNITY EMPLOYER-

NOTICE OF HEARING UPON APPLICATION
FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN that a Special Events Alcoholic Beverage License Application has been received by the Board of City Commissioners of the City of Yankton, South Dakota, for a Special Events (On Sale) Malt Beverage Retailers License and a Special Events (On Sale) Wine Retailers License for 1 day, December 9, 2023, from The Center (Kriss Thury, Executive Director), 900 Whiting Drive, Yankton, South Dakota.

NOTICE IS FURTHER GIVEN that a public hearing on the application will be held on Monday, November 13, 2023 at 7:00 p.m. in the City of Yankton Community Meeting Room at the Career Manufacturing Technical Education Academy, 1200 West 21st Street, Yankton, South Dakota, where any person or persons interested in the approval or rejection of the above application may appear and be heard.

Dated at Yankton, South Dakota
This 23rd day of October, 2023.



Al Viereck
FINANCE OFFICER

NOTICE OF HEARING UPON APPLICATION
FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN that an application has been received by the Board of City Commissioners of the City of Yankton, South Dakota for 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 Phinney's LLC d/b/a Phinneys Pub & Casino (James Palmer, Owner), 2101 Broadway Ave., Suite 40, Yankton, South Dakota to Shree LLC d/b/a Vape God (Dipan Patel, Owner), 821 Broadway Ave. Suite B, Yankton, South Dakota.

NOTICE IS FURTHER GIVEN that a Public Hearing upon the application will be held on Monday, November 13, 2023 at 7:00 p.m. in the City of Yankton Community Meeting Room at the Career Manufacturing Technical Education Academy, 1200 West 21st Street, Yankton, South Dakota, where any person or persons interested in the approval or rejection of the above application may appear and be heard.

Dated at Yankton, South Dakota
this 23rd day of October, 2023.



Al Viereck
FINANCE OFFICER

NOTICE OF HEARING UPON APPLICATION
FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN that an application has been received by the Board of City Commissioners of the City of Yankton, South Dakota, for 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 Phinneys Casino LLC d/b/a Phinneys Casino (James Palmer, Owner), 2101 Broadway Ave., Suite 50, Yankton, South Dakota to Phinneys Casino LLC d/b/a Pinups Casino & Gaming Lounge #6 (James Palmer, Owner), 3010 Broadway Ave., Yankton, South Dakota.

NOTICE IS FURTHER GIVEN that a Public Hearing upon the application will be held on Monday, November 13, 2023 at 7:00 p.m. in the City of Yankton Community Meeting Room at the Career Manufacturing Technical Education Academy, 1200 West 21st Street, Yankton, South Dakota, where any person or persons interested in the approval or rejection of the above application may appear and be heard.

Dated at Yankton, South Dakota
this 23rd day of October, 2023.



Al Viereck
FINANCE OFFICER

NOTICE OF PUBLIC HEARING ON APPLICATIONS
FOR SALE OF ALCOHOLIC BEVERAGES FOR 2024

NOTICE IS HEREBY GIVEN THAT: The Board of City Commissioners will consider the following renewal of applications for Alcoholic Beverages Licenses for January 1, 2024 – December 31, 2024 at their regular session on the 13th day of November, 2023 in the City of Yankton Community Meeting Room at the Career Manufacturing Technical Education Academy, 1200 West 21st 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., 407 Walnut St.
El Tapatio Family Mexican, Inc., 2502 Fox Run Pkwy.
To Be Free, LLC d/b/a RB Beers & Burgers & River Rocks Event Center, 2901 Broadway Ave.
Bernard Properties, LLC d/b/a Riverfront Event Center, 121 W. 3rd St.

RETAIL (ON-SALE) LIQUOR

Flusswerks, LLC d/b/a 1872 Saloon / Akasha World Kitchen, 104 Capitol St.
Hanten, Inc. d/b/a Ben's Brewing, 222 W. 3rd St.
Boomer's, Inc. d/b/a Boomer's Lounge, 100 E. 3rd St.
LLTD1, LLC d/b/a Boss' Pizza and Chicken, 1607 E. Highway 50
VFW Post 791 d/b/a Ernest Bowyer Post 791, 209 Cedar St.
Hillcrest Golf & Country Club, 2206 Mulberry St.
Stripes, Inc. d/b/a MoJo's, 106 E. 3rd St.
Lucky Irish, Inc. d/b/a O'Malley's Bar, 204 W. 3rd St.
Shree, LLC d/b/a Shree Ste 3, 821 Broadway Ave., Suite 3
Morgen, LLC d/b/a South Point Gaming Lounge, 1101 Broadway Ave. Suite 109
Black Steer, Inc. d/b/a The Black Steer, 300 E. 3rd St.
Bernard Properties, LLC d/b/a The Brewery, 200-204 Walnut St.
Lady Bird, Inc. d/b/a The Cockatoo Bar & Zebra Club, 110 E. 3rd St.
Upper Deck, Inc., 315 Broadway Ave.
Walnut Tavern, Inc. d/b/a Walnut Tavern, 100 W. 3rd St.
Yankton Bowl, Inc. d/b/a Yankton Bowl, 3010 Broadway Ave.
B.P.O. Elks Lodge 994 d/b/a Yankton Elks Lodge, 504 W. 27th St.

PACKAGE (OFF-SALE) LIQUOR

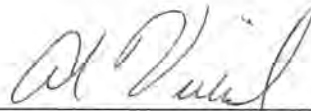
MG Oil Company d/b/a 777 Casino & Liquor, 901 Broadway Ave.
Cork 'N Bottle, Inc. d/b/a Cork 'N Bottle, 1500 Broadway Ave.
Hy-Vee, Inc. d/b/a Hy-Vee Wine & Spirits, 2100 Broadway Ave.
TC Corner, LLC d/b/a JR's Oasis, 2404 E. Highway 50
Annis Properties, Inc. d/b/a Patriot Express, 2217 Broadway Ave.
Annis Properties, Inc. d/b/a Prairie Pumper, 909 Broadway Ave.
ZACCON, Inc. d/b/a Roadrunner Convenience Mart, 300 W. 23rd St.
Lady Bird, Inc. d/b/a The Cockatoo Bar & Zebra Club, 110 E. 3rd St.
The Fox Stop, Inc. d/b/a The Fox Stop, 1316 W. 30th St.
Wal-Mart, Inc. d/b/a Wal-Mart Supercenter #1483 - Yankton, 3001 Broadway Ave.
Yankton Drug Co, Inc. d/b/a Yankton Drug Co., 109 W. 3rd St.

RETAIL (ON-OFF SALE) WINE & CIDER

Flusswerks, LLC d/b/a 1872 Saloon / Akasha World Kitchen, 104 Capital St.
Hanten, Inc. d/b/a Ben's Brewing Co., 719 Walnut St.
Chuck Stop, LLC. d/b/a Charlie's Pizza, 804 Summit St.
Czeckers, Inc., 407 Walnut St.
SYMS, LLC d/b/a Holiday Inn Express Hotel & Suites, 2607 Broadway Ave.
San Jose, Inc. d/b/a Mexico Viejo, 1809 Broadway Ave.
South Dakota Publishing, LLC d/b/a Muddy Mo's Coffee House, 233 Broadway Ave.
Morgen, LLC d/b/a South Point Gaming Lounge, 1101 Broadway Ave., Suite 109
Five Futures d/b/a The Boat House, 301 E. 3rd St.
The Fox Stop, Inc. d/b/a The Fox Stop, 1316 W. 30th St.
The Mint Yankton, LLC d/b/a The Mint, 318 Douglas Ave.
Tokyo Japanese Cuisine of Yankton, Inc., 2007 Broadway Ave. Ste. J
Wal-Mart, Inc. d/b/a Wal-Mart Supercenter #1483 - Yankton, 3100 Broadway Ave.
Walgreen Co. d/b/a Walgreen #9806, 2020 Broadway Ave.
Willa B's LLC, 114 Douglas Ave., Ste 2

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
23rd day of October, 2023



Al Viereck
Finance Officer

Memorandum #23-202

To: City Manager
From: Finance Department
Date: October 23, 2023
Subject: Special Events Malt Beverage/Wine License - The Center

We have received an application for a Special Events Malt Beverage (on-sale) Retailers License and a Special Events (on-sale) Wine Retailers License for 1 day, October 28th, 2023, from The Center (Kriss Thury, Executive Director), 900 Whiting Drive, Yankton, S.D.

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



Al Viereck
Finance Officer

Memorandum #23-203

To: City Manager
From: Finance Department
Date: October 23, 2023
Subject: Special Events Malt Beverage/Wine License - The Center

We have received an application for a Special Events Malt Beverage (on-sale) Retailers License and a Special Events Retail (on-sale) Wine Retailers License for 1 day, November 11, 2023, from The Center (Kriss Thury, Executive Director), 900 Whiting Drive, Yankton, S.D.

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



Al Viereck
Finance Officer

MEMORANDUM #23-185

TO: Amy Leon, City Manager
FROM: Brittany Orr, Human Resources Director
RE: FOP Base Salary Adjustment & Step Plan Represented and Certified Non-Represented Members
DATE: October 16, 2023

The City of Yankton has worked with its Collective Bargaining Unit (Yankton Police Officers Association Fraternal Order of Police Lodge #19) to renegotiate our labor contract with represented officers.

FOP representatives and City of Yankton representatives met on September 18, 2023 to negotiate wages for next year effective 2024.

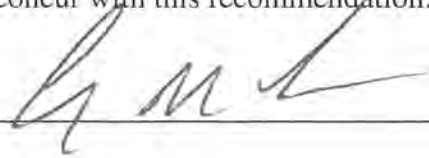
Effective January 1, 2024, each eligible certified officer will receive a Five Percent (5%) cost of living base adjustment increase and a one (1) step increase on the certified law enforcement pay scale, if eligible. The Parties agree that they shall negotiate wages for 2025 at a later date. The 5% and step increase would be effective for all certified officers.

Recommendation: It is recommended that the City Commission approve Resolution #23-56 authorizing the City Manager to implement a base adjustment of 5.0% and a one-step increase on the pay plan effective January 1, 2024 for all regular full-time certified officers that are below the maximum of their respective pay range.

I concur with this recommendation.

I do not concur with this recommendation.

Amy Leon
City Manager



Resolution #23-56

A Resolution Establishing Base Salary Adjustments at 5.0%, and a 1 step increase on the pay plan for eligible and non-represented Yankton Police Officers Association Fraternal Order of Police Lodge #19 for City Officers of the City of Yankton, South Dakota

WHEREAS, adequate monies have been provided for in the adopted 2024 budget, for the remuneration of services rendered by City of Yankton employees; and

WHEREAS, the City Commission wishes to provide a base adjustment of 5.0% and a 1 step increase on the pay plan for all eligible certified police officers;

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners that starting with hours worked on January 1, 2024, the City Manager shall implement a base adjustment of 5.0 % and a 1 step increase on the pay plan for all certified police officers who are regular full-time officers that are below the maximum of their respective pay range.

Adopted:

Stephanie Moser
Mayor

ATTEST:

Al Viereck
Finance Officer

ADDENDUM TO
COLLECTIVE BARGAINING AGREEMENT

On the 11th day of July, 2022, a written Collective Bargaining Agreement (the "CBA") was entered into by and between the City of Yankton, a political subdivision of the State of South Dakota, hereinafter referred to as the "City," and Yankton Police Officers Association Fraternal Order of Police Lodge #19, hereinafter referred to as the "Union." The parties hereby agree to include wages for the 2024 calendar year as follows:

Effective January 1, 2024, each eligible certified officer will receive a Five Percent (5%) cost of living base adjustment increase and a One (1) Step increase on the pay scale, if eligible. The Parties agree that they shall negotiate wages for 2025 at a later date. The 5% and step increase would be effective for all certified officers.

All other provisions contained within the CBA dated July 11, 2022, are incorporated herein by this reference, and remain in full force and effect.

Dated this 18th day of October,
2023

YANKTON POLICE
OFFICERS ASSOCIATION
FRATERNAL ORDER OF
POLICE LODGE #19



By: Caitlin Schindler
YPOA President

Dated this _____ day of October, 2023.

CITY OF YANKTON

By: Stephanie Moser, Mayor

Attest:

Al Viereck, Finance Officer

Memorandum #23-201

To: Amy Leon, City Manager
From: Luke Youmans, Events and Promotions Coordinator
Subject: Fireworks Public Display Request
Date: October 6, 2023

Yankton Parks and Recreation is requesting the approval of a public fireworks display within the City limits on Thursday, November 30, 2023 located on the top level of the Meridian Bridge. This display will coincide with the Holiday Festival of Lights tree lighting.

Staff will follow City procedure of closing the bridge to pedestrian traffic. The top level of the bridge will close no earlier than 2:00 PM on November 30 for set up by Dam Fireworks staff and will remain closed during the day. The lower level of the bridge will close to the public at 5:00 PM on November 30. The bridge will open back up for pedestrian use by 8:00 AM on December 1, 2023. Per municipal code, this request needs to be approved by the City Commission. The fire department has reviewed the request and is in agreement with the request being approved.

Recommendation: It is recommended that the Commission approve the request for a public firework display on November 30, 2023.

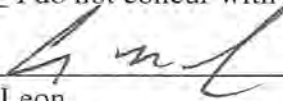
Respectfully submitted,

Luke Youmans

Luke Youmans
Recreation, Aquatics, Special Events Manager

I concur with this recommendation.

I do not concur with this recommendation.



Amy Leon
City Manager

____ Roll Call

MEMORANDUM #23-206

To: Yankton City Commission
From: Ross K. Den Herder, City Attorney & Lisa Yardley, Interim Finance Officer
Date: October 16, 2023
Re: Cap on Video Lottery Licenses

On September 23, 2023, the City Commission discussed video lottery (VL) regulations and Yankton's history on the development of today's 39 capped video lottery licenses. Overall, the consensus was to continue analyzing options. Staff has dug into the City's current program and evaluated the applicable laws. This process has revealed that the current City Ordinance is not in compliance with State law and requires a change anyway, so a draft ordinance has been prepared for the Commission's consideration. The Commission is free to modify the license cap within the Ordinance, but first we will explain what must be changed to bring our Ordinance into compliance.

We have determined that the City does not have legal authority to regulate renewal or transfer of a valid existing video lottery establishment license. Specifically, SDCL 42-7A-64 grants the City authority to consider the number of existing video lottery licenses when authorizing video lottery in an establishment. However, the same statute further states, "An existing video lottery license may not be denied renewal or transfer based upon the criteria set forth in this section." Subsections (C) and (D) of our current Ordinance Sec. 3-3 do that, so they must be removed.

Further, we have found that the City does not have legal authority to regulate the issuance of video lottery attached to traditional on-sale retail liquor licenses ("RL" licenses). The City's regulatory authority over video lottery only extends to VL licenses attached to retail on-sale malt beverage licenses ("RB" licenses") and retail on-sale wine and cider licenses ("RW" licenses). To that end, the draft ordinance has its total VL license cap adjusted downward to reflect only the currently issued video lottery licenses attached to a retail on-off sale malt beverage (RB) or retail on-off sale wine (RW) license per SDCL 42-7A-64.

The existing forty (40)¹ current video lottery establishments are listed below. Eight (8) businesses have their video lottery endorsed under a retail on-sale liquor (RL) license which municipalities cannot regulate per State law. The remaining thirty-two (32) are all tethered to a RB malt beverage license. For that reason, the draft ordinance cap has been reset at thirty-two (32); however, the Commission is free to discuss and modify or eliminate that cap.

¹ On October 17, 2023, the City just issued its 40th video lottery license attached to the retail liquor (RL) license for Boss' Pizza & Chicken. To the best of our knowledge, this is the first time the City has exceeded the cap under Ordinance Sec. 3-3.

Business	Business Address	Alcohol License #
777 Casino & Liquor	901 Broadway, Suite A	RB-3397
777 Casino & Liquor #2	901 Broadway, Suite B	RB-3346
777 Casino & Liquor #3	901 Broadway, Suite C	RB-3638
Boomer's Lounge	100 East 3rd	RL-6102
Boss' Pizza & Chicken Sports Bar	1607 E Hwy 50	RL-6324
Chaparros Tacos	100 E. 4th St	RB-25575
Chuck Stop LLC	800 Summit St	RB-3406
Cork 'N Bottle	1500 Broadway Ave	RB-2697
Diggers 2.0	511 West 4th Street, Suite B	RB-26226
Diggers Casino	2020 Elm St, Suite 7	RB-3637
Gold Rush	2020 Elm St, Suite 7B	RB-3255
JR's Oasis (TC Corner LLC)	2404 East Highway 50	RB-3347
MoJo's 3rd Street Pizza	102 E. 3rd St	RL-6115
O'Malley's Irish Pub	204 W 3rd St.	RL-6104
P & P Lottery Enterprises LLC	3010 Broadway Ave, Room 3	RB-26407
P & P Lottery Enterprises LLC	3010 Broadway Ave, Room 4	RB-3350
P & P Lottery Enterprises LLC	3010 Broadway Ave, Room 2	RB-21154
Patriot Express	2217 Broadway	RB-3340
Phinney's Casino - *To be Transferred	2101 Broadway Ave	RB-2187
Phinney's Sports Bar & Casino - *	2101 Broadway Ave Ste 40	RB-3372
Pin-Ups Casino & Gaming Lounge #5	3010 Broadway, Room 5	RB-2722
Prairie Pumper (Liquor Hot Spot)	909 Broadway	RB-25576
Pump-N-Stuff	215 W. 2nd St	RB-3370
Pump-N-Stuff Suite II	215 W. 2nd St, Ste 2	RB-3373
Roadrunner	300 W. 23rd Street, Ste 1	RB-3746
Smokey Hollow	511 W. 4th, Ste A	RB-3437
South Point Gaming Lounge	1101 Broadway Ste 109	RL-6107
South Point Gaming Lounge (GMG)	1101 Broadway #107B	RB-3610
South Point Gaming Lounge II (GMG)	1101 Broadway #107A	RB-2254
South Point Gaming Lounge III (GMG)	1101 Broadway #111A	RB-20380
South Point Gaming Lounge IV (GMG)	1101 Broadway #111C	RB-23935
The Cockatoo Bar & Zebra Club	110 E. 3rd St.	RB-3356
The Fox Stop	1316 W. 30th St	RB-23598
Total Stop Convenience Store #6112	700 E. 4th	RB-3341
Triple Time Rudy's	1606 Broadway	RB-3359
Upper Deck Inc.	315 Broadway	RB-3364
Vape God - Shree LLC	821 Broadway Ave, STE 3	RB-20619
VFW Post 791	209 Cedar	RL-6112
Walnut Tavern	100 West 3rd	RL-6099
Yankton Bowl	3010 Broadway Ave	RL-6109

Does the cap need to be increased, lowered, or altogether removed? As you consider this issue, here are a few relevant things to be mindful of:

- (a) Based upon available census data, the City of Yankton has approximately 2,000 more citizens (15,411 in 2020) than it did in 2000 (13,528).
- (b) There are thirteen (13) names of people or businesses that are currently on the City's waiting list for a video lottery license. Because the list has been maintained for over fifteen years and there was no formal action given to maintain a list, this list is probably not valid. It is unclear how many of these people or businesses remain interested. Our conversations with the public indicate there are others in the community also interested in a VL license, but not identified on the waiting list.
- (c) As you debate this issue, it is also important to be mindful that the existing limitation on the number of available video lottery licenses has created a real market value for the existing alcohol licenses to which they are attached. The current local market value for a malt beverage license with a video lottery license endorsement is around \$150,000.00 and a similar liquor license is running as high as \$350,000.00. Those who have spent real money to acquire a license will argue that increasing the limit of available licenses "waters down" their financial investment.
- (d) Alcohol licenses with video lottery endorsements are, in fact, transferring with some regularity between citizens or their businesses as demonstrated by the license transfer requests regularly appearing on the Commission's meeting agendas.
- (e) The video lottery licensing fee structures are different from the alcohol licensing structure. Most notably, the City is not authorized to "sell" video lottery licenses in the same manner the City may auction its package (off-sale) liquor license or set a high issuance fee like the on-sale "restaurant" liquor licenses. State statute only permit cities to establish a fee not to exceed fifty dollars (\$50.00) per machine per year. There is no other fee the City is statutorily authorized to collect.
- (f) There are currently seventeen (17) retail on-sale liquor (RL) licenses within the City, only eight (8) of which have active video lottery endorsements on them. With one exception, that means the remaining nine (9) already have legal authority to add video lottery to those licenses if the owners would choose to do so.² The City has no control over that and the addition of such VL licenses by those ten RL license holders would increase the total number of VL licenses in the community.

Another point of consideration was comparing what other first-class cities do in South Dakota. Brookings recently passed an ordinance authorizing 30 video lottery licenses. A new license is added for each additional 1,000 of population added to the City.

² One RL license is restricted from adding video lottery by contract with the City resulting from the owner "decoupling" a video lottery from a RL liquor license and tethering it to a new RB malt beverage license for use in another location.

The table below offers additional statistics:

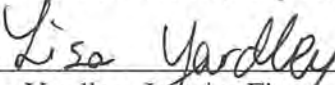
City	Population	Cap on licenses	Is cap based on population?	# of machines	Per capita (# machines/ 1,000 people)
Aberdeen	28,324	35	No	439	15.50
Brookings	23,577	30	Yes	334	14.17
Huron	14,231	None	-	300	21.08
Mitchell	15,631	24	No	285	18.23
Pierre	14,000	None	-	280	20.00
Spearfish	12,358	None	-	117	9.47
Vermillion	11,802	None	-	80	6.78
Watertown	22,722	41	No	364	16.02
Yankton	15,453	39	No	348	22.52

Recommendation: Staff recommends updating the current Yankton Ordinance Sec. 3-3 to properly align with State law in the manner reflected in the draft provided. However, the Commission may decide to what extent the cap on video lottery tied to RB and RW licenses are modified (or entirely removed). Further guidance is required on the cap limit. Any modification or elimination of the cap will require a change to the attached draft ordinance. Once the Commission determines how best to move forward, the ordinance change will require a first and second reading.

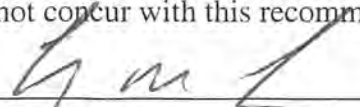
Respectfully submitted,



 Ross K. Den Herder, City Attorney



 Lisa Yardley, Interim Finance Officer

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


 Amy Leon, City Manager

_____ Roll Call

ORDINANCE NO. _____

AN ORDINANCE MODIFYING THE LIMITS ON VIDEO LOTTERY ESTABLISHMENTS WITHIN YANKTON'S JURISDICTIONAL CITY LIMITS.

WHEREAS, the City Attorney and the Finance Office for the City of Yankton has reviewed Ordinance 3-3 and found that it does not properly conform to SDCL 42-7A-64 to the extent that (1) it contains unlawful restrictions on the transfer of existing video lottery licenses, and (2) it limits the total number of video lottery establishments, rather than only those video lottery establishments operating under malt beverage, wine and cider licenses.

WHEREAS, the City Commission deems it in the best interests of the City to update to Ordinance 3-3 to conform to SDCL 14-7A-64, while at the same time modifying the cap applicable to malt beverage, wine and cider on-sale alcohol licenses.

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

Section 3-3 is hereby amended to read as follows:

Sec. 3-3. - License limitations.

- (a) The total number of establishments with on-sale alcoholic beverage licenses issued under SDCL 35-4-2(12) ("RW" licenses) or 35-4-2(16) ("RB" licenses) and containing a video lottery endorsement that may be issued by the city shall not exceed thirty-two (32). ~~thirty-nine (39)~~.
- (b) At any time when the total number of establishments with a video lottery endorsement equals or exceeds the limits set forth in this ordinance, the City of Yankton shall not authorize a video lottery machine placement endorsement for any on-sale malt beverage (RB) alcohol license issued under SDCL 35-4-2 (16) or on-sale wine and cider license (RW) issued under SDCL 35-4-2 (12). An existing video lottery license may not be denied renewal or transfer based upon the criteria set forth in this section. ~~no additional licenses for the operation of video lottery machines shall be issued by the city.~~
- (c) ~~Nothing in this ordinance shall be construed to prohibit the renewal of any license with a video lottery endorsement issued by the city prior to June 1, 1998.~~
- (d) ~~At any time when the number of licenses issued and outstanding for video lottery exceeds the limits set forth in this ordinance, no such license may be transferred to any other person or to any other premises except as follows:~~

~~(1) In the event that the licensee makes a bona fide sale of his or her business to another person who immediately commences business of a substantially similar nature at the same location, a license may be transferred to the new owner upon application and demonstration of good character.~~

~~(2) In the event that a licensee moves his or her business to another location within the city and commences to operate a substantially similar business at such new location, a license may be transferred to the new location upon application, if the city commission determines the new location to be an appropriate one for the operation of video lottery.~~

Dated this ____ day of January, 2023.

CITY OF YANKTON

ATTEST:

Stephanie Moser, Mayor

Al Viereck, Finance Officer
(SEAL)

First Reading:
Second Reading:
Published:
Effective:

Memorandum #23-204

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 12, 2023

The following is a change order and final acceptance with payment request for the 2023 cold applied plastic pavement marking installation project #23-087. All the work for this project has been completed and meets the specifications requirements. 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 \$50,767.50.

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

Original Contract Sum:	\$56,928.50
Schedule II Change Order (decrease):	(\$6,161.00)
Payment Due:	\$50,767.50

Change Order #1: Decrease \$6,161.00 per actual field measurement quantities.

With the above Change Order, the project came in \$6,161.00 under the original contract sum of \$56,928.50. The amount to be paid to Dakota Traffic Services, LLC is \$50,767.50.

City staff recommends that the City Commission approve Memorandum #23-204 to accept the project authorizing the Finance Officer to issue a manual check in the amount of \$50,757.50 to Dakota Traffic Services, LLC of Tea, South Dakota.

Respectfully submitted,

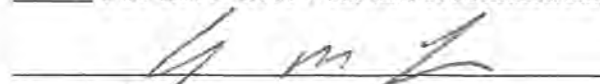


Corey Potts
Public Works Manager

Recommendation: It is recommended that the City Commission approve Change Order #1, accept the project, and authorize the final payment request for the 2023 cold applied plastic pavement marking installation project directing the Finance Officer to issue a manual check in the amount of \$50,767.50 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

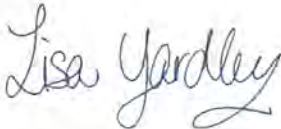
Roll Call

Memorandum #23-207

To: City Commission
From: Interim Finance Officer
Date: October 16, 2023
Subject: Surplus Equipment & Vehicles

The City of Yankton has a desire to sell, trade, or dispose of various equipment including vehicles which have been determined to be no longer necessary, useful or suitable for the purpose for which they were acquired. In order for the City to sell, trade, destroy, or dispose of such property the City Commission must declare these items surplus by adopting a surplus property resolution as required by SDCL 6-13-1. Equipment or supplies, which are to be destroyed or to be sold at public auction, need not be appraised (SDCL 6-13-3).

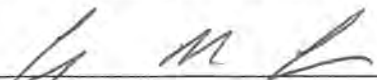
Resolution #23-62 declares the listed equipment and vehicles surplus. Declared property will be disposed of, traded in, donated, sold by sealed bid or auction, or destroyed pursuant to South Dakota Codified Law.



Lisa Yardley
Interim Finance Officer

Recommendation: It is recommended that the City Commission adopt Resolution #23-62 and authorize the destruction, trade, donation or sale of surplus property by sealed bid.

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



Amy Leon, City Manager

____ Roll Call

RESOLUTION #23-62

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, trade, 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, TRADED, OR DONATED

Parks:

- 1) Gym equipment – Precor Series Plate Loaded Hack Squat

Adopted:

Stephanie Moser
Mayor

Attest:

Al Viereck
Finance Officer

MEMORANDUM #23-212

To: Yankton City Commission
From: Ross K. Den Herder, City Attorney
Date: October 17, 2023
Re: Westside Park Outside Engineering Consultant

As the City Commission is aware, the pond in Westside Park does not currently hold water despite efforts to identify and rectify a solution. The City retained a design engineer (Stockwell Engineering), a geotechnical engineer (GeoTek Engineering) and a general contractor (Parkway Construction). These parties have proposed a design modification involving the installation of a synthetic pond liner as a solution for the City to achieve the desired outcome of the pond holding water. The proposed solution has a total estimated cost of engineering, construction management, materials, and labor of \$293,090. The parties have proposed that if the City agrees to pay for the liner and its installation by the pond liner manufacturer's own installing contractor, they would collectively share in all of the remaining costs. The estimate for the proposed City's portion would be \$177,000.

In order for the Commission to properly weigh whether this proposal is, in fact, the appropriate solution with a price that is just and fair to the City's taxpayers, as your City Attorney, I recommend that the following questions be answered first:

- (1) Was the initial redesign a proper design that should have worked, and if so, why did it fail?
- (2) Is the proposed fix the proper fix?
- (3) If the redesign is the proper fix, are there any other expenses that the City should not have to pay that should further be off-set from the \$177,000 that the City has been asked to pay.

The City Attorney recommends that the City retain an outside engineer to conduct a design and construction "peer review" evaluation in order to help answer these three questions prior to accepting or declining any cost share proposal.

If the Commission wishes to have these questions answered before making a decision on a proposal, I have researched and interviewed a number of certified engineers with appropriate design and geotechnical experience to conduct such a review. I recommend formally retaining the services of Scott Barnett, PE of Mid-State Engineering & Testing from Columbus, Nebraska. Mr. Barnett's professional fees are \$140 per hour. Mr. Barnett's home base is geographically close enough that his travel expenses are also reasonable.

Mr. Barnett's proposed engagement letter agreement is attached. The City Attorney has reviewed the agreement. If the agreement is approved, Mr. Barnett will immediately begin his review in order to answer the foregoing questions for the Commission.

Recommendation: It is recommended the City Commission approve the agreement to retain Mr. Barnett of Mid-State Engineering and Testing for a peer review of the construction and testing performed for the reconstruction of the Westside Park pond.

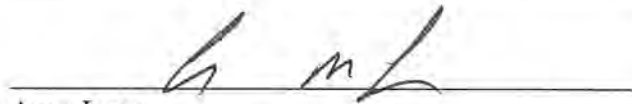
Respectfully submitted,



Ross K. Den Herder, City Attorney

I concur with this recommendation.

I do not concur with this recommendation.



Amy Leon
City Manager

Roll Call



October 17, 2023

Ross K. Den Herder
Attorney
Den Herder Law Firm
329 Broadway Ave.
Yankton, SD 57078

**RE: Proposal of Work and Costs
Professional Peer Review
City Pond Reconstruction
Yankton, Nebraska**

Dear Ross,

Mid-State Engineering & Testing, Inc. is pleased to provide the following cost estimate to provide a peer review of the construction and testing performed for the reconstruction of the City Pond in Yankton, South Dakota. This proposal will outline our proposed work scope and the associated costs required to complete this peer review.

Professional Engineering Review and Testing Services will be limited to review of documents of the construction and testing along with a site visit to observe the subgrade and sample liner soils as well as laboratory testing of the liner soils for suitability. After review of documents and new lab testing performed to aid in our review, the following questions as presented by the City of Yankton shall be answered.

1. Was the initial redesign a proper design that should have worked, and if so, why did it fail (or rather, who failed and why)?
2. If the initial design would not have worked, is the proposed fix the proper fix?
3. If the redesign is the proper fix, are there any other "wasted expenses" that the City should not have had to pay that should further be off-set from the \$177,000 that the City has been asked to pay.

2106 E. Highway 30, Suite 1
Kearney, NE 68847
Office: 308-237-0187

402 31st Avenue
Columbus, NE 68601
Office: 402-562-7824

1403 Square Turn Blvd
Norfolk, NE 68701
Office: 402-379-2377



Peer Review – City Pond
 Yankton, South Dakota
 October 17, 2023
 Page 2 of 3

A verbal response will be provided after review. If deemed necessary, a formal written report of my findings will be provided. All services will be invoiced at the following unit rates.

PROFESSIONAL SERVICES

Senior Engineer (P.E.)..... \$140.00/hour

FIELD WORK

Senior Engineer (P.E.)..... \$140.00/hour
 Trip Charge..... 475.00/trip

LABORATORY (Soils)

Atterberg Limits (ASTM D-4318) \$65.00/each
 Percent Passing #200 Sieve (ASTM D-1140)..... 30.00/each

Based on the above unit costs, the following total cost estimate is provided.

CONVENTIONAL CONSTRUCTION QUALITY CONTROL

Field Work – Site Visit

Subgrades Observations

2 Hours Senior Engineer @ \$140/hr \$280.00
 1 Trips @ \$475/trip 475.00
Subtotal \$755.00

Laboratory

3 Atterberg Limits (ASTM D-4318) @\$65/each 195.00
 3 Percent Passing #200 Sieve (ASTM D-1140) @\$30/each 90.00
Subtotal \$285.00

Professional-Verbal/Email Opinion

8 Senior Engineer Review @ \$140/hr \$1,120.00
Subtotal \$1,120.00

Grand Total \$2,160.00

As mentioned above if a formal written report is deemed necessary and approved by the City the following additional cost will be required to prepare a formal written report.

Professional-Report Preparation

8 Senior Engineer Review @ \$140/hr \$1,120.00
Subtotal \$1,120.00

Final Grand Total..... \$3,280.00



Peer Review – City Pond
Yankton, South Dakota
October 17, 2023
Page 3 of 3

If you have any questions or need additional information, feel free to call at your convenience. If this proposal of work and cost is acceptable, please return a signed copy to our office.

Respectfully Submitted,
Mid-State Engineering & Testing, Inc.

Scott Barnett

Scott A. Barnett, P.E.
President/Sr. Geotechnical Engineer

Accepted By: _____ Date: _____

Memorandum #23-208

To: Amy Leon, City Manager
From: Bradley Moser, Civil Engineer
Subject: Acceptance of the Utility and Street Improvements for Dakota Street – Dakota West Estates II Addition
Date: October 17, 2023

The developer, Steve Drotzmann, is asking that the utility and street improvements on a portion of Dakota West Estates II Addition be accepted. The improvements are located along Dakota Street between 12th Street and 15th Street, and include the following lots:

Block 1, Lots 1A & 11 thru 13
 Block 4, Lots 8 thru 11
 All in Dakota West Addition

The street construction and utility installations were completed in accordance to the approved plans and have passed the required testing. In addition, the Environmental Services Department has inspected the utility improvements and found them to be satisfactory.

The billing costs associated with the inspection, administrative services and service connection fees have been calculated. A payment of \$619.71 has been received from the developer. The calculation totals are as follows:

Total Personnel Labor Costs	\$323.71
Water & Sewer Connection Fees	<u>\$296.00</u>
GRAND TOTAL:	\$619.71

It is recommended that the City Commission accept the utility and street improvements as described above.

Respectfully submitted,

Bradley Moser

Bradley Moser
 Civil Engineer

Recommendation: It is recommended that the City Commission accept the utility and street improvements for Dakota West Estates II Addition – Dakota Street, as detailed in Memorandum #23-208.

I concur with the recommendation.

I do not concur with the recommendation.

Amy Leon
 Amy Leon
 City Manager

cc: Adam Haberman, PE

____ Roll Call

Memorandum #23-209

To: Amy Leon, City Manager
From: Bradley Moser, Civil Engineer
*Subject: Stop Signs at Various Locations within Mead Development – Spruce Street,
 First Dakota Drive & 33rd Street*
Date: October 17, 2023

Until recently, many of the roads on the Human Service Center campus were considered private drives. The prior traffic control signage had never been approved by Commission action. With the completion of the Mead Development, old and new road sections will now be added to the City of Yankton system and the previously existing signage, as well as new signage, will need Commission action in order for them to be enforceable.

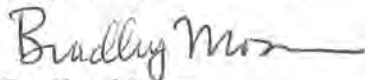
Attached is Resolution #23-63 which, if approved, would establish a stop condition for the following locations.

- Southbound traffic at 31st and Spruce*
- Northbound traffic at 33rd and Spruce*
- Westbound traffic at 33rd and Spruce*
- Eastbound traffic at 33rd and Spruce*
- Northbound traffic at 33rd and First Dakota Drive
- Southbound traffic at 31st and First Dakota Drive
- Eastbound traffic at 33rd and Broadway Avenue

**Locations at which there was existing signage prior to the construction.*

The construction of the public utilities for the Mead Development are complete. Once the street sections are ready for acceptance into the City system, traffic signage meeting the requirements of the Manual on Uniform Traffic Control Devices (MUTCD) will be necessary at the locations listed above.

Respectfully submitted,



Bradley Moser
Civil Engineer

Recommendation: It is recommended that the City Commission approve Resolution #23-63 which provides for the installation of stop signs on Spruce Street, First Dakota Drive and 33rd Street as detailed in Memorandum #23-209.

I concur with this recommendation.

I do not concur with this recommendation.



Amy Leon, City Manager

cc: Adam Haberman

____ Roll Call

RESOLUTION #23-63

A RESOLUTION AUTHORIZING THE PLACEMENT OF A STOP SIGN AT THE INTERSECTIONS OF 31ST ST. & DOUGLAS AVE., 33RD ST. & DOUGLAS AVE. AND 33RD STREET & BROADWAY AVE.

WHEREAS, the streets within the Mead Development project will become part of the City of Yankton system, and;

WHEREAS, Spruce Street, 33rd Street and First Dakota Drive need the proper traffic control signage installed, and

WHEREAS, it is provided by the Code of Ordinances of the City of Yankton that the City has the authority to place and maintain all regulatory signs that meet the requirements of the Manual on Uniform Traffic Control Devices.

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, SD, that a stop condition be established at the following locations:

- Southbound traffic at 31st and Spruce.
- Northbound traffic at 33rd and Spruce.
- Westbound traffic at 33rd and Spruce
- Eastbound traffic at 33rd and Spruce
- Northbound traffic at 33rd and First Dakota Drive.
- Southbound traffic at 31st and First Dakota Drive.
- Eastbound traffic at 33rd and Broadway Avenue

Dated: _____

City of Yankton

ATTEST:

Al Viereck
Finance Officer



City of Yankton

Stop Sign Locations
Mead Property Development

Memorandum #23-210

To: Amy Leon, City Manager
From: Bradley Moser, Civil Engineer
Subject: Parking Restrictions along Spruce Street from 31st Street to 33rd Street
Date: October 17, 2023

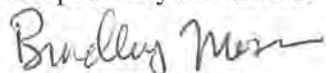
The attached Resolution #23-64 restricts parking along Spruce Street from 31st Street to 33rd Street.

Previously, as a private drive which was part of the Human Services Campus, this road section had parking restrictions on both sides of the road.

Now that the Mead Development is complete and the City will be adding this section of Spruce Street to our street inventory, the existing no parking zones should be established by City Commission action.

Based on this information, City staff recommends approval of Resolution #23-64, restricting parking along Spruce Street from 31st Street to 33rd Street.

Respectfully submitted,



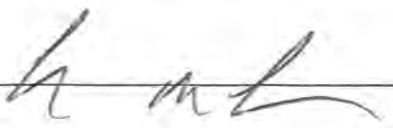
Bradley Moser
Civil Engineer

Recommendation: It is recommended that the City Commission approve Resolution #23-64 restricting parking along Spruce Street from 31st Street to 33rd Street.

I concur with this recommendation.

I do not concur with this recommendation.

Amy Leon
City Manager



cc: Adam Haberman

____ Roll Call

RESOLUTION #23-64

**A RESOLUTION TO RESTRICT PARKING
ON SPRUCE STREET
FROM 31ST STREET TO 33RD STREET**

WHEREAS, the referenced street was previously a private drive on the Human Services Center campus,
and

WHEREAS, the roadway will now become part of the City of Yankton system, and

WHEREAS, now that this section of roadway is public right-of-way, no parking should be established by
commission action, and

WHEREAS, no parking conditions existed, along Spruce, while it was a private drive, and

WHEREAS, the width of Spruce Street isn't conducive to allowing on street parking, and

WHEREAS, The Board of City Commissioners of the City of Yankton has the authority to establish and
revoke parking restrictions within the City of Yankton;

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners of the City of Yankton,
SD, that parking is prohibited on Spruce Street from 31st Street to 33rd Street.

Dated: _____

City of Yankton

ATTEST:

Al Viereck
Finance Officer



City of Yankton

No Parking Location
Mead Property Development

Memorandum #23-211

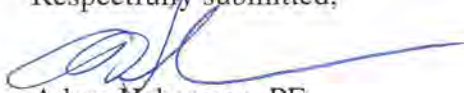
To: Amy Leon, City Manager
From: Adam Haberman PE, Public Works Director
Subject: Contract Amendment between City of Yankton and Banner Associates for Marne Creek Bank Restoration and Maintenance Trail Reconstruction
Date: October 17, 2023

The City of Yankton experienced severe flooding in March 2019 which eroded the banks and damaged trail segments along Marne Creek. In September of 2020 the City entered into a Professional Services Agreement with Banner Associates, Inc. for engineering services to repair the damaged areas along Marne Creek. Banner and City staff have been working closely with the Federal Emergency Management Agency (FEMA) and the South Dakota Office of Emergency Management (SDOEM) to develop a project to mitigate the damages. The project was bid out in November of 2022 and was completed in July of 2023. The final acceptance of the construction contract for the project was approved at the October 9th City Commission meeting. The City is now working with Banner to finalize the engineering contract for the project. The original Auld/Brokaw Maintenance Trail and Marne Creek Bank Restoration Agreement for engineering services was \$633,919.00. Amendment #1 to the agreement was approved in June of 2021 for the additional amount of \$60,035.00. A final amendment is now ready for approval.

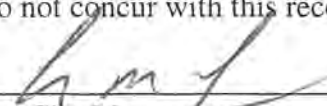
The attached Amendment #2 to the Auld/Brokaw Maintenance Trail and Marne Creek Bank Restoration contract identifies the additional work completed by the engineering firm to fulfill FEMA and environmental review agency requirements. Included in the amendment scope is additional coordination meetings, hydraulic analysis and modeling, additional data to address multiple FEMA requests for information during preliminary and final designs, and additional coordination with suppliers and bidders during the bidding process due to a National Park Service specification. The contract amendment totals \$72,049.00. The final adjusted agreement amount is \$766,003.00. Staff will continue to work with FEMA and SDOEM in an effort to obtain more funding for the engineering and design services.

Recommendation: It is recommended that the City Commission approve Amendment #2 to the contract between the City of Yankton and Banner Associates, Inc. for Marne Creek Bank Restoration and Maintenance Trail Reconstruction and authorize the City Manager to sign all documents regarding this project.

Respectfully submitted,


 Adam Haberman, PE
 Public Works Director

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


 Amy Leon, City Manager

____ Roll call



Banner Associates, Inc.
3900 N Northview Ave
Sioux Falls, SD 57107
Tel 605.692.6342
Toll Free 855.323.6342
www.bannerassociates.com

October 16, 2023

Adam Haberman, Public Works Director
City of Yankton, SD
(Delivered via email: AHaberman@cityofyankton.org)
416 Walnut Street, PO Box 176
Yankton, SD 57078

RE: **Auld/Brokaw Maintenance Trail and Marne Creek Bank Restoration
Amendment 2 – Engineering Services**
FEMA Event DR4440SD, Project # 108439, PW#330

Dear Mr. Haberman:

As discussed, I am submitting a request for amendment to our original agreement dated September 28, 2020 and Amendment No. 1 dated June 28, 2021. The original contract amount is shown on the attached Exhibit C. The scope of work associated with this amendment is included with Appendix A – Scope of Work. This work occurred during the preliminary design and final design stages of the project.

If you have any questions or require additional information, please do not hesitate to email or call me at 605-696-9147.

Sincerely,

A handwritten signature in blue ink, appearing to read "K.R. Johnson".

Kent R. Johnson, PE, CFM
Banner Associates, Inc.
kentj@bannerassociates.com

CC: Brad Moser, City of Yankton, City Engineer (via email)

Attachments:

1. Exhibit C – Amendment to Owner-Engineer Agreement (EJCDC E-500)
2. Appendix A – Scope of Work

EXHIBIT C—AMENDMENT TO OWNER-ENGINEER AGREEMENT

AMENDMENT TO OWNER-ENGINEER AGREEMENT

Amendment No. 2

Owner: **City of Yankton, South Dakota**
Engineer: **Banner Associates, Inc.**
Project: **Auld/Brokaw Maintenance Trail and Marne Creek Bank Restoration**
Effective Date of Owner-Engineer Agreement: **September 28, 2020**

Nature of Amendment: (Check those that apply)

- Additional Services to be performed by Engineer
- Modifications to services of Engineer
- Modifications to responsibilities of Owner
- Modifications of payment to Engineer
- Modifications to time(s) for rendering services
- Modifications to other terms and conditions of the Agreement

Description of Modifications:

Agreement Summary: Additional work required to complete design – See attached scope of work.

Original agreement amount: \$ 633,919.00

Net change for prior amendments: \$ 60,035.00

This amendment amount: \$ 72,049.00

Adjusted Agreement amount: \$ 766,003.00

Change in time for services (days or date, as applicable): N/A – services already completed

Owner and Engineer hereby agree to modify the above-referenced Agreement as set forth in this Amendment. The Effective Date of the Amendment is **October 23, 2023**.

Owner
City of Yankton

(typed or printed name of organization)

By: _____
(individual's signature)

(Attach evidence of authority to sign.)

Date: _____
(date signed)

Name: _____
(typed or printed)

Title: _____
(typed or printed)

Engineer
Banner Associates, Inc.

(typed or printed name of organization)

By: 
(individual's signature)

(Attach evidence of authority to sign.)

Date: 10-16-2023

(date signed)

Name: Gregg Jorgenson

(typed or printed)

Title: Sr. Vice President

(typed or printed)

Appendix A - Scope of Work Auld/Brokaw Maintenance Trail and Marne Creek Bank Restoration Amendment #2 Additional Work

October 2023

Tasks

The following notes the additional work required during design to fulfill FEMA and environmental review agency requirements.

1.0 Project Management and Coordination

1.1 Coordination Meetings

Monthly coordination meetings were held to discuss progress and any issues that need to be addressed for the project. Assumes staff from FEMA, City of Yankton, Banner, and RESPEC will join the calls. Original contract assumed seven meetings and the EA (Amendment 1) added twelve more meetings. Three additional meetings with the design team, City and agencies occurred.

Assumptions:

- *Two to Four personnel from Banner and two personnel from RESPEC attended meetings. Banner coordinated and facilitated the meetings. Banner distributed meeting minutes.*
- *Meetings were held via Teams.*

1.2 Internal Project Team Meetings

Monthly project team meetings were held within Banner to discuss project progress and address issues. The project took a year longer to clear permitting and approvals; additional internal meetings were held.

2.0 Data Gathering

2.1 Hydraulic Analysis and Modeling Set Up

FEMA required inundation mapping for the pre-project and post-project conditions. A FEMA data request did not return a working model; a microfiche copy of older format model was obtained, but it was outdated and did not closely resemble existing conditions. A 1D HEC-RAS model was developed to determine impacts to the floodplain for streambank stabilization options. This model would also be used for the no-rise analysis, and shear stress for sizing riprap. This model would also serve to reinforce Engineering Justifications of the Request for Information #1 (See Section 4.1 below) for all damage locations along Marne Creek.

2.5.1 Agency Coordination

Additional coordination was involved throughout the project.

3.0 Design (Preliminary Design)

3.1 Soil sampling and slope stability analysis.

Additional data required to address FEMA Requests for Information (RFI) and stability concerns at Site C-UR1 where a residential structure was close to a Marne Creek's bank.

Ultimately, a FEMA buy-out was completed at this site by the City because of the analysis and the standard vegetative riprap section was designed. GeoTek and Braun Intertec were subconsultants that assisted with the additional sampling and analysis.

- 3.2 Additional archaeological work (Level III Cultural Analysis) to clear site C-UR1 was required for the FEMA buyout to be completed. Kogel Archaeological Consulting Services assisted with this task.

4.0 Stakeholder and Public Outreach

The scope items within this task were completed and no out of scope items were identified.

5.0 Final Design

5.1 Design

- 5.1.1 Additional iterations of design and hydraulic analysis were required because of two Request for Information (RFI) from FEMA's EHP office. The RFI's included several items as shown below:

5.1.1.1 RFI #1

- 5.1.1.1.1 Delineation of Estimate according to FEMA programs
- 5.1.1.1.2 Clarification on Maintenance
- 5.1.1.1.3 Cost estimates for a Return to Predisaster Condition
- 5.1.1.1.4 Easement documentation
- 5.1.1.1.5 Engineering justifications (FEMA's consensus-based codes, specs, and standards)

5.1.1.2 RFI #2

- 5.1.1.2.1 H&H Study – prove “no-adverse impact” and inundation mapping.
- 5.1.1.2.2 Engineering justification for upland plantings. Upland plantings were recommended by the design team to meet FEMA goals for incorporating bioengineering options.
- 5.1.1.2.3 Floodplain Development Permit Application

6.0 Bidding

6.1 Bidding

- 6.1.1 As a result of National Parks Service (NPS) requesting a field stone or limestone façade be installed rather than typical quartzite riprap, additional coordination with suppliers and bidders were required. Three addendums were processed prior to the bid requiring additional effort.

7.0 Construction

The scope items within the Construction tasks such as Construction Staking, Construction Administration, and Resident Project Engineering were completed and no out of scope items were identified and work was completed under budget..

Memorandum #23-213

To: Amy Leon, City Manager
From: Todd R. Larson, Director of Parks, Recreation, & City Events
Date: October 19, 2023
Re: Proposed 2024 Rate Adjustments for The Huether Family Aquatics Center

The proposal for adjustments to the 2024 rate for The Huether Family Aquatics Center is to adjust the season pass only from \$64 to \$66. In 2023, the facility sold 3,640 season passes. We believe the daily rate should stay at \$10 for 2024. We had 16,972 daily passes purchased in 2023.

In 2023, we implemented the library check-out for daily passes to the aquatics center. We also implemented the water utility account sign-up “welcome pass” to the aquatics facility. 274 passes were utilized this summer to allow 405 adults and 620 children into the facility at no charge.

The City will be starting to market the 2024 outdoor swimming season with pass sales in November of 2023, and like previous years, the passes will sell at the 2023 rate until January 1, 2024. 500+ passes have been sold in November and December these past few years.

All prices for merchandise and food items in 2024 would be subject to increases based on wholesale prices and analyzing net revenues from 2023. The food and beverage items did not have any increases in 2023 based on the adjustments that were made leading into the 2022 outdoor swim season.

Recommendation: Staff recommends approving Resolution #23-65 adopting the outdoor aquatics fees as proposed for 2024.

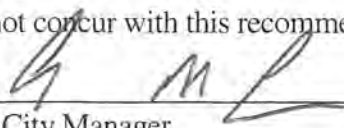
Respectfully submitted,



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

I concur with this recommendation.

I do not concur with this recommendation.



Amy Leon, City Manager

____ Roll Call

RESOLUTION #23-65

WHEREAS, the City of Yankton has determined that it is necessary to adjust The Huether Family Aquatics Center rates to a level which will ease the current subsidy and help maintain the facility, and

WHEREAS, the City expects the cost to operate the facility will increase each year; and

WHEREAS, the City desires to limit the subsidy to the facility;

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners of Yankton, South Dakota that the following rates are hereby adopted effective for 2024:

2024	
Daily pass	\$10 (rate stays same as 2023)
Season pass	\$66

Adopted:

Stephanie Moser
Mayor

ATTEST:

Al Viereck
Finance Officer