



**2024\_11\_25**

**CITY COMMISSION  
MEETING**



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

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## **YANKTON BOARD OF CITY COMMISSIONERS**

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

**Monday, November 25, 2024**

**City of Yankton Community Meeting Room**

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

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.

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### **I. ROUTINE BUSINESS**

1. Roll Call

2. Approve Minutes of Regular Meeting of November 12, 2024

Attachment I-2

3. Schedule of Bills

Attachment I-3

4. City Manager’s Report

Attachment I-4

5. Public Appearances

Matt Evans, Event Central

*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.*

**NONE**

### **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.*

*Adoption of an ordinance is typically a two-meeting process. At the first meeting, an ordinance is introduced, and the first reading is held. During the second meeting, the ordinance is discussed by the commission and the public and then considered for adoption.*

#### **1. Annual Alcoholic Beverage License Renewals**

Consideration of Memorandum #24-231 Renewal of Alcoholic Beverage Licenses for the 2025 licensing period (January 1, 2025 to December 31, 2025).

**Attachment III-1**

#### **2. Second Reading and Public Hearing for Chapter 2 Code of Ordinances**

Consideration of Memorandum #24-254 recommending the approval of amendments to Chapter 2 of the City of Yankton Code of Ordinances.

**Attachment III-2**

### **IV. NEW BUSINESS**

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

#### **1. Library Agreement Renewal Between City of Yankton and Yankton County**

Consideration of Memorandum #24-242 and Resolution #24-58 regarding the Library contract between the City of Yankton and Yankton County.

**Attachment IV-1**

#### **2. Write Off of Uncollectible Utility Accounts**

Consideration of Memorandum #24-243 recommending that the City Commission authorize the write off of \$2,631.16 as uncollectible utility accounts as per SDCL 9-22-4.

**Attachment IV-2**

#### **3. Addendum to Collective Bargaining Agreement Wages**

Consideration of Memorandum #24-244 recommending that the City Commission approve Resolution #24-61 and authorize Mayor Schramm to sign the Addendum to the Collective Bargaining Agreement between the City of Yankton and the American Federation of State, County, and Municipal Employees, AFL-CIO Local 3968 for wages effective January 1, 2025 and grant a one-time, eight (8) hour holiday for December 23, 2024.

**Attachment IV-3**

#### **4. Base Salary Adjustment & Step Plan for Non-Represented Members**

Consideration of Memorandum #24-245 recommending that the City Commission approve Resolution #24-62 authorizing the City Manager to implement a base adjustment of 4.0% and a one-step increase on the pay plan effective January 1, 2025 for all regular full-time non-represented employees that are below the maximum of their respective pay range and grant a one-time, eight (8) hour holiday for December 23, 2024.

**Attachment IV-4**

#### **5. Cemetery Rates Recommendation**

Consideration of Memorandum #24-246 recommending input from the City Commissioners regarding the rate to charge for an infant grave interment and to approve Resolution #24-59 to implement the new Cemetery rate structure on January 1, 2025.

**Attachment IV-5**

6. **Summit Activities Center Rates Recommendation**  
Consideration of Memorandum #24-247 recommending that the City Commission approve the Summit Activities Center rates including those in Resolution #24-63 for 2025 as presented.  
**Attachment IV-6**
7. **The Huether Family Aquatics Center Rate Recommendation**  
Consideration of Memorandum #24-248 recommending that the City Commission not increase the 2025 Huether Family Aquatics Center membership rates or daily rate at this time as outlined in Resolution #24-64.  
**Attachment IV-7**
8. **Yankton Park Rentals Rate Recommendation**  
Consideration of Memorandum #24-249 recommending that the City Commission increase the rates for park facilities as outlined in this memorandum and Resolution #24-60.  
**Attachment IV-8**
9. **The Huether Family Aquatics Center Caulking**  
Consideration of Memorandum #24-250 recommending that the City Commission authorize the expenditure of caulking the Huether Family Aquatics Center pool to be spent from the long-term Huether Family Aquatics Center maintenance fund, and authorize the City Manager to sign the quote and schedule the work in 2025. In addition, it is recommended that the City Finance Officer make the adjustment in the 2025 capital budget.  
**Attachment IV-9**
10. **Building Code Ordinance Introduction, First Reading, Establish Public Hearing**  
Consideration of Memorandum #24-251, the introduction, first reading of Ordinances 1086, 1087, 1088, 1089 and 1090, and establishing December 9, 2024 as the date for the second reading and public hearing of recommended revisions to building code ordinances.  
**Attachment IV-10**
11. **Wastewater EDA Project Acceptance and Final Payment**  
Consideration of Memorandum #24-252 recommending that the City Commission accept the wastewater EDA project and that the City Finance Officer be authorized to issue a manual check in the amount of \$25,000.00 to John T. Jones Construction Company.  
**Attachment IV-11**
12. **SD DOT Joint Powers Agreement, Marne Creek Sewer Crossing**  
Consideration of Memorandum #24-253 recommending that the City Commission authorize the Mayor to execute the attached “State of South Dakota Joint Powers Maintenance and Encroachment Agreement between Department of Transportation and City of Yankton” contract per State Project Number PT 0050(132)384 PCN 07E9.  
**Attachment IV-12**
13. **Budget Supplement Introduction, First Reading, Establish Public Hearing**  
Consideration of Memorandum #24-241 recommending that the City Commission conduct the Introduction and First Reading, and set December 9, 2024 as the Second Reading and Public Hearing of Ordinance #1085, the second supplement to Ordinance #1074, the 2024 City of Yankton annual budget ordinance.  
**Attachment IV-13**

## **V. OTHER BUSINESS**

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

## **VI. ADJOURN INTO EXECUTIVE SESSION TO DISCUSS CONTRACTUAL, LITIGATION AND PERSONNEL MATTERS UNDER SDCL 1-25-2**

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

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

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

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

1. Roll Call

## **VIII. ADJOURN THE MEETING OF NOVEMBER 25, 2024**

*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  
NOVEMBER 12, 2024**

The regular meeting of the Yankton City Commission was called to order by Mayor Schramm at 7:00 p.m.

**Roll Call:** Present: Commissioners Benson, Brunick, Carda, Hunhoff, Miner, Moser, Villanueva, Webber, and Mayor Schramm. City Manager Leon, City Attorney Den Herder, and Finance Officer Yardley were also present. Quorum present.

**Action 24-313**

Moved by Commissioner Moser, seconded by Commissioner Webber, to approve minutes of the work session meeting and regular meeting of October 28, 2024. All present voted aye; motion carried, 9-0.

**Action 24-314**

Moved by Commissioner Villanueva, seconded by Commissioner Hunhoff, that the Schedule of Bills be approved and warrants be issued as listed below. All present voted aye; motion carried, 9-0.

Adobe (Software) \$978.15; Aflac (Premiums) \$9,834.42; AFSCME Council (Union Deductions) \$1,069.96; ALS (Ammunition) \$419.45; Amazon (Signs) \$17; Amazon (Fuses) \$30.73; Amazon (Supplies) \$349.32; Amazon (Stickers) \$46.60; Amazon (Stickers) \$17; Amazon (Glow Sticks) \$67.95; Amazon (Case/Wax) \$26.97; Amazon (Internet Cables) \$58.81; Amazon (Hardware) \$119.95; Amazon (Sign) \$7.49; Amazon (Supplies) \$126.58; Amazon (Books) \$151.74; Amazon (Books) \$52.94; Amazon (Meridian Bridge Party) \$41.73; Amazon (Office Supplies) \$77.58; Amazon (Books) \$101.27; Amazon (Supplies) \$60.98; Amazon (Air Purifiers) \$279; Amazon (Books) \$251.91; Amazon (Equipment) \$69.93; Amazon (Antenna) \$20.23; Amazon (Battery Backup) \$133.99; Amazon (Supplies) \$32.28; Amazon (Baby Changing Station) \$276.09; Amazon (Lock) \$40.96; Amazon (Window Squeegee) \$22.43; Amazon (Lifeguard Books) \$584.55; Amazon (Book) \$16.29; Amazon (Supplies) \$49.29; Amazon (Janitorial Supplies) \$66.20; Amazon (Batteries) \$539.99; Amazon (Janitorial Supplies) \$68.50; Amazon (Program Supplies) \$37.95; Amazon (Barbells) \$32.83; Amazon (Sensors) \$87.87; A-Ox (Gas) \$168.42; ATT (Mobile Data) \$1,266.22; Auto Value (Filters) \$1,176.69; AutoZone (Parts) \$276.94; Avera (Testing) \$80; Avera (Premiums) \$85,632.03; Ax Voice (Dialer Service) \$21.44; Baker-Taylor (Books) \$6,794.09; Banner (Bridge Design) \$17,406.50; Best Western (Lodging) \$284; Best Western (Lodging) \$761.94; Bluepeak (Internet) \$4,309.38; Bomgaars (Supplies) \$2,910.51; Bonn Express (Travel Expense) \$35.66; Buhl's (Uniform Alteration) \$19; C&B (Repairs) \$1,786.27; Caseys (Fuel) \$43.41; Caseys (Fuel) \$29.61; Caseys (Fuel) \$56.45; Caseys (Fuel) \$20.06; CCSI MetroFax (Service) \$17.95; Center Point (Books) \$293.64; CenturyLink (Phone) \$67.06; Certified Testing Services (Testing) \$4,305.75; CHS (Bulk Def) \$400; City Of Vermillion (JT Power) \$81,311.34; City Of Yankton (Utilities) \$53,213.61; Clark's Rentals (Blade) \$900; Clarks Rentals (Rental) \$105; Conoco (Fuel) \$48.35; Conoco (Fuel) \$12.03; Conoco (Fuel) \$60.82; Cornwell Tools (Tool) \$395; Creative Forms (Forms) \$116.59; Credit Collection (Utility Service) \$159.74; Crescent Electric (Lighting) \$298.75; CSG Forte (Fees) \$444.06; Dairy Queen (Travel Expense) \$19.30; Deadwood Mountain (Lodging) \$599.80; Den Herder Law (Conference) \$2,090.49; Dept Of Environment (Loan payments) \$63,173.59; Dept Of Health (Testing) \$3,647; Dept Of Social Services (Child Support) \$2,075.42; DetectaChem (Spectrometer) \$65,775; DetectaChem (Drug Test Kits) \$279.42; Discount Fuels (Fuel) \$29.21; DMG Restaurant (Travel Expense) \$33.92; Dollar Tree (Prize Baskets) \$8.83; Drain Doctor (Repair) \$173; Echo Electric (Lighting) \$798.60; Fastenal (Towels) \$1,129.92; Fejfar Plumbing (Repairs) \$119.45; First Dakota (Fire Station Debt) \$155,720; First

Dakota (HSA Contributions) \$10,316.26; First National (Cafeteria Plan) \$2,522.46; Foamfrat (EMS Training) \$159.99; Foundation Bldg (Tiles) \$70.08; Geotek (Testing) \$1,026; Gerstner Oil (Fuel) \$24,402.90; Grainger (Flange) \$106.45; H&K Oil (Service) \$51.75; Hach Company (Reagents) \$424.69; Hansen Locksmithing (Keys) \$50; Harbor Freight (Supplies) \$269.99; Hardees (Travel Expense) \$22.85; Harn Ro Systems (Filters) \$12,585.10; Hawkins (Chemicals) \$36,985.33; Holiday Inn (Lodging) \$934.08; Hulstein Excavation (Cedar St Construct) \$740,275.38; Hy-Vee (Workshop) \$205.32; ICMA Retirement (Contributions) \$160; In Creative Product (Dare T-Shirts) \$1,844.14; Guardian Alliance (Software License) \$102; Powers Port A Pot (Porta Pots) \$135; Irish Pub (Travel Expense) \$60.48; J&H Cleaning (Janitorial) \$4,200; Jacks Uniforms (Uniforms) \$158.44; JCL Solutions (Janitorial Supplies) \$27.89; Jimmy Johns (Travel Expense) \$15.40; John T Jones Const (Wastewater Improvements) \$579,744.57; K Construction (ADA Remodel) \$9,904.61; Kaiser Refrigeration (Equipment) \$354.39; Kiesler's Supply (Ammunition) \$5,895.81; Kleins Tree Service (Grind Stumps) \$750; KLJ Engineering (Service) \$20,500; Knife River (Asphalt) \$18,904.06; Koletzky Implement (Repairs) \$1,664.45; Kopetsky's Ace (Smoke Detectors) \$1,140.30; Kwik Star (Fuel) \$32.32; Kwik Trip (Fuel) \$43.22; Lewis & Clark Ford (Repairs) \$2,938.23; Lifeguard Store (Uniforms) \$237.49; Locators & Supplies (Survey Lumber) \$394.04; Lumen (Internet) \$400.27; Maid-Rite (Travel Expense) \$46.38; Malloy Electric (Parts) \$441.73; Masonry Components (8th St Construct) \$586,388.70; Mead Lumber (Supplies) \$183.60; Mead Museum (Hall of Trees) \$50; Menards (Antifreeze) \$4,335.40; Merkel Electric (Service) \$326.40; MidAmerican Energy (Fuel) \$6,285.58; Midco (Internet) \$123.39; Midwest Laboratories (Testing) \$986.34; Midwest Tape (Books) \$176.96; Midwest Tire (Tires) \$8,822.75; Midwest Turf (Repairs) \$18.64; Mojitos (Travel Expense) \$66.13; Money Movers (Fees) \$12.25; Morrow/Joseph C. (Design Work) \$3,660; Motorola (Body Cameras) \$32,545.99; Napa Auto (Alarm) \$299.39; Nebraska DOR (Tax Withholding) \$1,019.15; New Century (Fuel) \$50,253.90; Northwestern Energy (Electricity) \$108,149.91; Observer (Advertisement) \$48; Olson's Pest (Pest Control) \$497; One Office (Sign) \$43.42; Onward Yankton (Meridian Celebration) \$3,550; O'Reilly (Parts) \$1,005.26; OTC Brands (Program Supplies) \$175.28; Overdrive District (eBooks) \$3,436.41; Overhead Door (Repair) \$181; Payment Service Network (Fees) \$69.85; PayPal (Toner) \$376.20; PFS Healthworks (CDL) \$36.60; Pitney Bowes (Postage) \$117.38; Pizza House (Travel Expense) \$72.66; Pizza Hut (Staff Appreciation) \$31.05; Power Source Electric (Repairs) \$2,609.46; Press & Dakotan (Minutes) \$695.28; Pressure Washers (Power Washer) \$632.59; Propio Language (Video Interpretation) \$24; PY International (Subscription) \$656; Qdoba (Travel Expense) \$16.99; Quadiant (Lease) \$814.13; Quadiant (Supplies) \$175.75; Rapid City Journal (Subscription) \$445.45; Register Of Deeds (Recording) \$95; Rework Furniture (Chairs) \$5,745; Riverside Hydraulics (Parts) \$801.23; ROCS (Refund) \$255.68; Rodgers-Conti/Sherrill (Supplies) \$200; Ron's Auto (Glass) \$176.84; Saber Shred Solutions (Tire Disposal) \$12,251; Safariland (Holsters) \$1,072.50; Safariland (Training) \$995; SD 811 (Fees) \$279.30; SDMUNI (Registration) \$154.43; SDRS (Contributions) \$99,799.76; SDSRP (Contributions) \$23,284.10; Shell Oil (Fuel) \$55.55; Sherwin Williams (Paint) \$65.49; Shur-Co (Parts) \$1,442.15; Site Works (Gehl Dr Construct) \$479,064.87; SD DANR (Exam) \$60; Dept Of Labor (Unemployment) \$1,021.64; Standard Insurance (Premiums) \$11,168.42; Star Tribune (Subscription) \$667.58; Superbreake (Switch) \$365.71; Surv-Kap (Survey Caps) \$625.70; Tessman Company (Supplies) \$56.67; Third Millennium (Utility Billing) \$781.66; Tinting Pros (Supplies) \$1,646.20; Titan Machinery (Filters) \$151.51; TNT Inflatables (Centennial) \$1,780; Total Response (Certifications) \$2,786; TRK Payroll (Web Hosting) \$7.95; Truck Trailer (Parts) \$1,234; UI.Com (Access Points) \$370; UKG (Software & Services) \$3,837.08; United Laboratories (Hand Wipes) \$365.98; United Way (Employee Contributions) \$86; UPS (Shipping) \$34.63; UPS (Centennial Mailers) \$5,185.29; US Treasury (Withholding Tax) \$187,354.33; USAccessInstitute (ICC Requirements) \$159.30; USPS (Postage) \$808.69; USPS (Stamps) \$182.75; USPS (Postage) \$2,922.16; Verizon (Internet) \$1,160.56; Vessco (Equipment)

\$3,326.50; Viddler (Video Hosting) \$72.57; Walmart (Supplies) \$459.21; Walmart (Supplies) \$554.24; Walmart (Harvest Halloween) \$59.88; Walmart (Supplies) \$504.06; Wandermore Publishing (Books) \$56.48; Wendy's (Travel Expense) \$12; Wendy's (Travel Expense) \$10.60; Wermers Wood Works (Centennial Gifts) \$200; White Cap (Screed) \$13,808; Wichita Water (Repairs) \$230; Xerox (Lease) \$1,248.73; Yankton County Sheriff (Service) \$50; Yankton Fire (Extinguisher) \$45; Yankton Janitorial (Supplies) \$885.30; Yankton Media (Subscription) \$8.99; Yankton Media (Advertisement) \$381.60; Yankton Nurseries (Credit Union Tree) \$129; Yankton Police Department (Petty Cash) \$28; Yankton School District (3rd Qtr 2024) \$73,140.59; Yankton Thrive (Special Appropriation) \$115,000; Yankton Thrive (Wellness Program) \$150; Yankton Thrive (Sales Tax Reimbursement) \$105,079.59; Yankton Winnelson (Repairs) \$112.08; Yearli.Com (Subscription) \$99; Yesway (Fuel) \$45.26; YMC (Physicals) \$1,193; Zero Solutions (Equipment) \$153.97.

Salaries by Department: October 2024:

Administration \$61,094.14; Finance \$36,006.33; Community Development \$31,756.58; Police-Dispatch \$233,200.50; Fire \$15,280.14; Engineering/Sr. Citizens \$59,718.61; Streets \$57,218.55; Traffic Control \$4,360.96; Library \$39,580.19; Parks/SAC \$98,054.83; Marne Creek \$4,000.36; Cemetery \$6,979.76; Water \$47,487.87; Wastewater \$48,126.46; Solid Waste \$32,141.37; Joint Powers \$25,932.28; Central Garage \$9,449.22.

New Hires:

Parks, Recreation and City Events Department: Trevor Guthmiller, Grounds Maintenance, \$1,811.35 biweekly.

Wage Changes:

Parks, Recreation and City Events Department: Lisa Kortan, \$2,659.23 to \$2,692.73 biweekly; Nancy Leonard, Receptionist, \$14.50 to \$14.75/hr; Mary Loecker, Aerobics Instructor, \$15.25 to \$15.50/hr; Fire Department: Daniel Preadable, \$3,235.34 to \$3,276.11 biweekly; Public Works Department: Zachary Hespe, \$2,072.38 to \$2,098.50 biweekly.

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

Mayor Schramm read a proclamation on World Kindness Day and presented it to Amy Miner.

Mayor Schramm read a proclamation on celebrating the 150<sup>th</sup> Anniversary of the Yankton Fire Department and presented it to Cole Blom and other Yankton firefighters.

**Action 24-315**

Moved by Commissioner Villanueva, seconded by Commissioner Carda, to approve the consent agenda items listed below. All present voted aye; motion carried, 9-0.

1. Setting the date of November 25, 2024 at 6:00 PM in Room #114 of the Career Manufacturing Technical Education Academy for the next work session of the Yankton City Commission.
2. Establish November 25, 2024 as the date for a public hearing and consideration of the applications for renewal of Alcoholic Beverage Licenses for the 2025 (January 1, 2025 to December 31, 2025) licensing period.



**Action 24-316**

Moved by Commissioner Benson, seconded by Commissioner Webber, to approve Resolution #24-55 (Memorandum 24-226) All present voted aye; motion carried, 9-0.

**RESOLUTION #24-55**

**WHEREAS**, a proposed annual budget for the fiscal year commencing January 1, 2025, has been prepared by the City Manager; and,

**WHEREAS**, the City Commission has examined, studied, and reviewed said proposed annual budget; and,

**WHEREAS**, the City Commission has after due consideration and deliberation, made such amendments and adjustments in the proposed annual budget as they consider necessary, desirable, or expedient.

**NOW, THEREFORE, BE IT RESOLVED** by the City Commission of Yankton, South Dakota, that:

1. The proposed annual budget attached hereto and made a part hereof is approved and effective January 1, 2025.
2. The City Manager is authorized to record all inter-fund transfers as contained in said approved annual budget.
3. The City Manager is authorized and directed to implement and to administer, within the budgetary funding limits and within adopted City policy and relevant State and City laws and regulations, said annual budget.

**Action 24-317**

Moved by Commissioner Hunhoff, seconded by Commissioner Miner, to approve Resolution #24-56 (Memorandum 24-227) All present voted aye; motion carried, 9-0.

**RESOLUTION #24-56**

**A RESOLUTION DECLARING THE NECESSITY OF A CITY OF  
YANKTON ROUTINE EQUIPMENT AND VEHICLE REPLACEMENT  
PROGRAM SCHEDULE**

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

**WHEREAS**, the City of Yankton recognizes the need to maintain a routine vehicle and equipment replacement program schedule to assist in the continuance of a capital replacement program and subsequent purchases, and;

**WHEREAS**, the current equipment and vehicle replacement schedule has not been updated since 2000, and;

**WHEREAS**, these guidelines are established and requested to ensure the City of Yankton obtains the greatest return for its trade-in values, minimized maintenance costs and the need for additional personnel associated with those vehicle and equipment maintenance activities, and;

**WHEREAS**, the City of Yankton is unceasingly prudent to take full advantage of the municipal discounts that are offered on vehicles and equipment by the various manufacturers and ensure that delivery of services is not interrupted due to vehicle and equipment failures, and;

**WHEREAS**, Memorandum #24-227 outlines the procurement and financing methods to be used by the City of Yankton, and;

**WHEREAS**, as a guideline, the City of Yankton shall set forth to follow the adopted and updated vehicle replacement program schedule below:

1. Automobiles, pickups, 1-ton trucks, passenger vans and Parks trucks with plows replaced at ten (10) years or 100,000 miles.
  - a) Fire Chief and Deputy Fire Chief automobiles replaced at 7 years.
  - b) Patrol cars replaced at 3 years or 120,000 miles.
  - c) Special service vehicles (unmarked police vehicles) replaced at 10 years or 120,000 miles.
2. Street Department diesel plow trucks larger than 1-ton replaced at 12 years or 100,000 miles.
3. Garbage compactor trucks replaced at 12 years.
  - a) Automated garbage truck replaced at 10 years.
  - b) One-ton garbage compactor replaced at 12 years.
4. Traffic Control truck with bucket mechanism replaced at 8 years or 4,000 hours.
5. Front-end loaders, motor grader and farm implement tractors replaced at 15 years.
6. Street Sweeper replaced at 5 years.
7. Riding lawn mowers replaced at 6 years or 1,200 hours.
8. Municipal solid waste walking floor transfer trailers replaced at 8 years.
9. Fire Department apparatus and trucks replaced at 20 years.
10. Skid loaders replaced at 10 years.
11. Golf Course equipment:
  - a) Trucksters and associated utility carts replaced at 7 years.
  - b) Greens mower equipment replaced at 5 years.
  - c) Fairway mowers replaced at 5 to 7 years.
  - d) Sprayer and top dresser replaced at 10 years.
12. Waste water vacuum truck replaced at 10 years or 6,000 hours.
13. Outfront rotary mower replaced at 5 years or 1,500 hours.
14. Municipal solid waste transfer trailer compactor (mini excavator) replaced at 5 years.
15. Semi tractors for hauling municipal waste replaced at 10 years.
16. Loader-mounted snow blowers replaced at 7 years.
17. Specialty snow plows and sanders replaced at 18 years.
18. Yard trucks to move trailers at transfer station replaced at 12 years.
19. Parks ATV replaced at 5 years.

NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of the City of Yankton, South Dakota hereby approves the updated City of Yankton Routine Equipment and Vehicle Replacement Program Schedule.

**Action 24-318**

Moved by Commissioner Webber, seconded by Commissioner Miner, to approve and authorize Mayor Schramm to sign the Addendum to Collective Bargaining Agreements between the City of Yankton and the American Federation of State, County, and Municipal Employees, AFL-CIO Local 3968 and between the City of Yankton and the Yankton Police Officers Association Fraternal Order of Police Lodge #19 for sick leave payment upon separation or retirement effective January 1, 2025. (Memorandum 24-228) Voting aye: Benson, Brunick, Carda, Hunhoff, Miner, Villanueva, Webber, and Schramm. Abstain: Moser. Motion carried, 8-0.

**Action 24-319**

Moved by Commissioner Brunick, seconded by Commissioner Villanueva, to approve the 2025 Lease Agreement with The Center. (Memorandum 24-229) All present voted aye; motion carried, 9-0.

Commissioner Webber introduced and Mayor Schramm read the title of an Ordinance Amending the Administrative Framework and Procedures for the Management of the City of Yankton and establish November 25, 2024 as the second reading and public hearing for the amendment of Chapter 2 of the City of Yankton Code of Ordinances. (Memorandum 24-230)

**Action 24-320**

Moved by Commissioner Villanueva, seconded by Commissioner Moser, to approve Change Order No. 1, accept the completed Riverside Storm Sewer project and authorize the Financer Officer to issue a manual check to Slowey Construction, Inc. in the amount of \$79,296.00. (Memorandum 24-235) All present voted aye; motion carried, 9-0.

**Action 24-321**

This was the time and place for the bid opening for the 2025 Contract for Crushing Salvaged Concrete and Asphalt. The following bids were received and opened on October 31, 2024 at 3:00 p.m. Three bids were received from the following: RTS Shearing, Jamestown, ND, \$5.45/ton; Slowey Construction, Inc., Yankton, SD, \$5.24/ton; and A&R Construction Co., Plainview, NE, \$9.45/ton. (Memorandum 24-232) Moved by Commissioner Villanueva, seconded by Commissioner Miner, to award the crushing of salvaged concrete and asphalt contract for 2025 to Slowey Construction of Yankton, South Dakota at a unit price of \$5.24/ton. All present voted aye; motion carried, 9-0.

**Action 24-322**

This was the time and place for the bid opening for Two (2) Steel Transfer Station Walking Floor Trailers. The following bids were received and opened on October 31, 2024 at 3:00 p.m. Four bids were received from the following Northern Truck & Equipment, Sioux Falls, SD, \$213,688; Wilkens Trailers, Morris, MN, \$219,688; Warren Equipment, Inc., Plant City, FL, \$230,800; and Legacy Brothers, Inc., Douglas, GA, \$217,740. (Memorandum 24-233) Moved by Commissioner Carda, seconded by Commissioner Webber, to award the bid for the two (2) new steel transfer station walking floor trailers to Northern Truck & Equipment of Sioux Falls, SD in the amount of \$213,688. All present voted aye; motion carried, 9-0.

**Action 24-323**

Moved by Commissioner Benson, seconded by Commissioner Webber, to approve the application for a Special On-sale Liquor License for one day, December 6, 2024 from Mojo's 3<sup>rd</sup> Street Pizza, 102 E. 3<sup>rd</sup> St. The event will take place at the Meridian Venue, 101 E 3<sup>rd</sup> St., Yankton, SD. (Memorandum 24-234) All present voted aye; motion carried, 9-0.

**Action 24-324**

Moved by Commissioner Brunick, seconded by Commissioner Webber, to approve Change Order No. 1, accept the completed construction project along 21<sup>st</sup> Street, and authorize the Finance Officer to issue a manual check to Masonry Components, Inc. in the amount of \$15,621.72. (Memorandum 24-236) All present voted aye; motion carried, 9-0.

**Action 24-325**

Moved by Commissioner Moser, seconded by Commissioner Carda, to approve the purchase of a new E35 25HP R-2 Bobcat Compact Excavator in the amount of \$61,486.99 for the Parks Department from Titan Machinery, Yankton, SD based on the Sourcewell Contract using unspent 2024 capital funds from the Cemetery and Marne Creek budgets. Brian Frick reiterated the need for this equipment. (Memorandum 24-237) All present voted aye; motion carried, 9-0.

**Action 24-326**

Moved by Commissioner Webber, seconded by Commissioner Moser, to approve the Active Transportation Plan Amended Change Order No. 1, and authorize the Finance Officer to issue a manual check to Masonry Components, Inc. in the amount of \$99,999.99. (Memorandum 24-238) All present voted aye; motion carried, 9-0.

**Action 24-327**

Moved by Commissioner Carda, seconded by Commissioner Benson, to approve Resolution #24-57 and authorize the City Manager to execute purchase agreements and other transfer documents meeting the described parameters of the Option to Purchase. (Memorandum 24-239) All present voted aye; motion carried, 9-0.

**RESOLUTION #24-57**

WHEREAS, the City of Yankton owns an approximate 3.54 acre parcel which is the north portion of Lot 3 Block 1 of Mead's Addition to the City of Yankton. The southeast portion of Lot 3, a +- 2.39 Acre Drainage Easement is not included in this resolution, and

WHEREAS, Corner Kick, LLC desires an addendum to the previously approved Option including a right of first refusal to purchase the property for \$50,000 per acre, and

WHEREAS, Lot 3 was reduced in size since the previous agreement was executed because of the sale of a portion of it now known as Lot 4.

WHEREAS, the Yankton Board of City Commissioners desires to approve the addendum to the Option to Purchase the described land for the long-term goal of community and economic development and all processes associated with said action shall be through Yankton Thrive, the Local economic development corporation.

NOW, THEREFORE BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota, that they hereby agree to accept the addendum to the Option to Purchase the described property and authorize the City Manager to execute all associated documents including subsequent transfer documents associated with the sale of the property to Corner Kick, LLC., via Yankton Thrive, subject to the associated amended Option to Purchase, Purchase Agreement and Covenants.

**Action 24-328**

Moved by Commissioner Carda, seconded by Commissioner Brunick, to approve the applications from Dekota Hubbard and Maraia Kruske for a peddler’s license on behalf of Renuity Operations LLC, d/b/a Mad City Windows & Baths to go house to house offering free estimates of home remodeling projects for the period of November 13 to November 20, 2024; and to deny the peddler’s license application from Jennifer Hohn. (Memorandum 24-240) All present voted aye; motion carried, 9-0.

**Action 24-329**

Moved by Commissioner Webber seconded by Commissioner Moser, to adjourn into Executive Session at 7:48 p.m. to discuss contractual and personnel matters under SDCL 1-25-2. All present voted aye; motion carried, 9-0.

Regular meeting of the Board of City Commissioners of the City of Yankton was reconvened by Mayor Schramm at 8:36 p.m.

Roll Call: Present: Commissioners Benson, Brunick, Carda, Hunhoff, Miner, Moser, Villanueva, Webber, and Mayor Schramm. City Manager Leon, City Attorney Den Herder, and City Finance Officer Yardley were also present. Quorum present.

**Action 24-330**

Moved by Commissioner Villanueva, seconded by Commissioner Benson, to adjourn at 8:36 p.m. All present voted aye; motion carried, 9-0.

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Mason Schramm, Mayor

ATTEST: \_\_\_\_\_  
Lisa Yardley, Finance Officer

Schedule of Bills

VENDOR NAME DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P	ID	LINE
ADVEXURE UNMANNED SYSTEM DRONE PURCHASE	3,462.99	EQUIPMENT	101.111.350		SP-319767	241574	P	095	00002
ALEX AIR APPARATUS 2 LLC NOZZLES	1,900.50	EQUIPMENT	101.114.350		INV-51044	245564	P	095	00068
APPLIED INDUSTRIAL TECH FILTERS	1,826.51	REP. & MAINT. - PLANT	611.611.221		7030754377	241016	P	095	00001
BLACKSTRAP INC ROAD SALT	3,484.72	SNOW & ICE CHEMICALS	101.123.241		151612	078459	P	095	00003
CEDAR KNOX PUBLIC POWER ELECTRICITY	448.44	ELECTRICITY	201.201.272		11082024	005243	P	095	00016
ELECTRICITY	718.94	ELECTRICITY	601.601.272		11082024	005176	P	095	00017
	1,167.38	*VENDOR TOTAL							
CENTURYLINK PHONE	83.20	TELEPHONE	601.601.271		11142024	003059	P	095	00004
OVERPAYMENT APPLIED	83.20CR	TELEPHONE	601.601.271		11142024	003059	P	095	00005
PHONE	83.20	TELEPHONE	611.611.271		11142024	003059	P	095	00006
OVERPAYMENT APPLIED	83.20CR	TELEPHONE	611.611.271		11142024	003059	P	095	00007
PHONE	83.20	TELEPHONE	601.601.271		11142024	002828	P	095	00008
OVERPAYMENT APPLIED	83.20CR	TELEPHONE	601.601.271		11142024	002828	P	095	00009
PHONE	166.40	TELEPHONE	611.611.271		11142024	002828	P	095	00010
OVERPAYMENT APPLIED	166.40CR	TELEPHONE	611.611.271		11142024	002828	P	095	00011
PHONE	581.26	TELEPHONE	101.111.271		11142024	002829	P	095	00012
OVERPAYMENT APPLIED	581.26CR	TELEPHONE	101.111.271		11142024	002829	P	095	00013
PHONE	168.48	TELEPHONE	101.123.271		11142024	002829	P	095	00014
OVERPAYMENT APPLIED	168.48CR	TELEPHONE	101.123.271		11142024	002829	P	095	00015
	0.00	*VENDOR TOTAL							
DESIGN SOLUTIONS & INTEG SCADA	31,239.27	REP. & MAINT. - PLANT	601.601.221		JC17738	240230	P	095	00067
GUNDERSON/TRISTIN REFUND	268.30	UTILITY CUSTOMER DEPOSIT	601.2090		21-116-0-21	082007	P	095	00018
HAWKINS INC CHEMICALS	12,694.91	CHEMICALS & GASES	601.601.240		6906916	240227	P	095	00020
CHEMICALS	665.23	CHEMICALS & GASES	203.203.240		6907396	078152	P	095	00019
	13,360.14	*VENDOR TOTAL							
HEIMAN FIRE EQUIPMENT GAS DETECTOR	2,413.93	EQUIPMENT	101.114.350		0936034-IN	245565	P	095	00073
HUNHOFF/SAHARA REFUND	8.00	LIBR COMP FOR LOSS & DAM	101.3641		11.18.2024	081629	P	095	00074

Schedule of Bills

VENDOR NAME DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P	ID	LINE
INGERSOLL RAND COMPANY COMPRESSOR MAINTENANCE	1,400.89	REP. & MAINT. - PLANT	611.611.221		27128153	241017	P	095	00021
JOHN T JONES CONSTRUCTIO WASTEWATER IMPROVEMENTS	441,591.12	2023 WW TREATMENT SRF/AR	611.611.333		24703	024703	P	095	00023
KAISER HEATING & COOLING DIAGNOSTIC CHECK	150.00	REP. & MAINT. - BUILDING	101.114.223		I13557	245561	P	095	00030
KLJ ENGINEERING LLC ENGINEERING	4,500.00	APRON WORK	502.511.394		10217045	078454	P	095	00028
KNIFE RIVER - SOUTH DAKO CONCRETE	263.00	OPEN ASPHALT	506.572.376		451324	078465	P	095	00024
OVERPAYMENT APPLIED	263.00CR	OPEN ASPHALT	506.572.376		451324	078465	P	095	00025
ASPHALT	322.50	OPEN ASPHALT	506.572.376		489988	078455	P	095	00026
OVERPAYMENT APPLIED	141.00CR	OPEN ASPHALT	506.572.376		489988	078455	P	095	00027
CONCRETE	977.50	WESTSIDE PARK IMPROVEMEN	503.545.320		491727	078450	P	095	00029
	1,159.00	*VENDOR TOTAL							
LARSON/JULIUS REFUND	10.00	AIRPORT GATE DEPOSITS	101.2090		11052024	024678	P	095	00031
LUMACURVE REPLACEMENT SIGN	3,600.50	EQUIPMENT	101.127.350		62261	024677	P	095	00058
MIDWEST ALARM COMPANY IN FIRE ALARM INSPECTION	250.00	PROFESSIONAL SERVICES	801.801.202		391166	078444	P	095	00035
FIRE ALARM INSPECTION	250.00	PROFESSIONAL SERVICES &	637.637.202		391238	078443	P	095	00032
FIRE ALARM INSPECTION	83.76	PROFESSIONAL SERVICES	101.101.202		392323	022135	P	095	00033
	583.76	*VENDOR TOTAL							
MIDWEST BOILER REPAIR IN REPAIRS	2,755.11	REP. & MAINT. - EQUIPMEN	101.123.221		25235	078457	P	095	00066
MIDWEST STRIPING WESTSIDE PARK	15,927.18	WESTSIDE PARK IMPROVEMEN	503.545.320		1082	024536	P	095	00038
MISSOURI VALLEY TOOL INC COMMAND VEHICLE PARTS	1,637.65	REP. & MAINT. - EQUIPMEN	101.114.221		7118	245560	P	095	00036
MOTOROLA BODY CAMERA HOLDERS	1,152.00	REP. & MAINT. - EQUIPMEN	101.111.221		8282019863	241580	P	095	00034
MUNICIPAL LEAGUE, SD 2025 MEMBERSHIP DUES	9,515.00	MEMBERSHIP DUES	101.101.261		300000364	024707	P	095	00055
NATURESCAPING DESIGNS LL HOLIDAY LIGHTING	206.55	REP. & MAINT. - BUILDING	201.201.223		4441	078212	P	095	00040

Schedule of Bills

VENDOR NAME DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P ID LINE
NEBRASKA AIRFILTER INC FILTER	395.12	REP. & MAINT. - PLANT	601.601.221		2424	240226	P 095 00039
NEW CENTURY FS FUEL	2,595.87	GARAGE GASOLINE & LUBRIC	801.801.238		381001049	078445	P 095 00041
FUEL	12,318.41	GARAGE GASOLINE & LUBRIC	801.801.238		381001050	078446	P 095 00042
FUEL	14,645.00	GARAGE GASOLINE & LUBRIC	801.801.238		381001051	078458	P 095 00043
	29,559.28	*VENDOR TOTAL					
OVERHEAD DOOR CO SERVICE/REPAIRS	580.00	BUILDING REPAIR & MAINT.	637.637.223		9013	078383	P 095 00044
POWER SOURCE ELECTRIC METER UPGRADE	5,455.78	EQUIPMENT	602.602.350		S-69352	240229	P 095 00045
PRESS & DAKOTAN/YANKTON NOTICE OF HEARING	15.52	PUBLISHING	101.101.211		153194	081508	P 095 00047
NOTICE OF HEARING	13.92	PUBLISHING	101.101.211		153207	081510	P 095 00049
BID NOTICE	147.46	REP. & MAINT. - EQUIPMEN	101.122.221		153341	078447	P 095 00048
ADVERTISEMENT	175.00	PUBLISHING	101.106.211		160729	024667	P 095 00046
	351.90	*VENDOR TOTAL					
PRO JUNKERS LLC ABATEMENT	500.00	ABATEMENT	101.106.204		1041	024666	P 095 00050
RDG PLANNING & DESIGN COMPREHENSIVE PLAN	19,249.66	EQUIPMENT	101.106.350		58349	024430	P 095 00051
SABER SHRED SOLUTIONS IN SCRAP TIRES	506.50	PROFESSIONAL SERVICES &	637.637.202		62873	078451	P 095 00054
SARALYN D. PHOTOGRAPHY DEPARTMENT PHOTOS	180.00	COP'S CARDS	101.111.245		560	241581	P 095 00057
SDWWA SDWWA MEMBERSHIP	100.00	MEMBERSHIP DUES	611.611.261		11072024	241019	P 095 00059
SIEMENS INDUSTRY INC METER	11,979.00	EQUIPMENT	602.602.350		5671152687	240228	P 095 00056
SIGN SOLUTIONS SIGNAGE	797.34	ROAD MATERIALS	101.123.239		414856	078463	P 095 00052
SIGN	27.48	ROAD MATERIALS	101.123.239		414862	078456	P 095 00053
	824.82	*VENDOR TOTAL					
SMITH INSURANCE INC/MT & FIREMAN ACCIDENT POLICY	1,826.00	INSURANCE	101.114.201		1216	245562	P 095 00037
TRE ENVIRONMENTAL STRATE 4TH QTR WET TEST	650.00	PROFESSIONAL SERVICES	611.611.202		5507	241020	P 095 00022



Schedule of Bills

VENDOR NAME	DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P	ID	LINE
TRUCK TRAILER SALES INC										
	REPAIRS	1,527.10	GARAGE PARTS	801.801.249		4882-242	078460	P	095	00060
	REPAIRS	1,781.00	GARAGE PARTS	801.801.249		4905-220	078449	P	095	00063
	REPAIRS	335.76	REP & MAINT - RURAL APP	101.114.226		4923-ENGINE 2	245563	P	095	00064
	REPAIRS	627.50	GARAGE PARTS	801.801.249		4943-241	078462	P	095	00062
	REPAIRS	115.00	GARAGE PARTS	801.801.249		5019-235	078461	P	095	00061
		4,386.36	*VENDOR TOTAL							
XEROX FINANCIAL SERVICES										
	COPIER LEASE	410.99	COPIES	101.105.234		6458066	021748	P	095	00069
	COPIER LEASE	141.94	CONTRACTED SERVICES	203.203.204		6458066	021748	P	095	00070
	COPIER LEASE	141.94	COPIES	101.111.234		6458066	021748	P	095	00071
	COPIER LEASE	141.94	COPIES	101.104.234		6458066	021748	P	095	00072
		836.81	*VENDOR TOTAL							
YANKTON BASKETBALL INC										
	YBI FALL LEAGUE	8,339.78	PROFESSIONAL SERVICES	203.203.202		11132024	078211	P	095	00065

Schedule of Bills

VENDOR NAME	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P ID LINE
DESCRIPTION							
REPORT TOTALS:	629,041.51						

RECORDS PRINTED - 000074

FUND RECAP :

FUND	DESCRIPTION	DISBURSEMENTS
101	GENERAL FUND	54,137.17
201	PARKS AND RECREATION	654.99
203	SUMMIT ACTIVITY CENTER	9,146.95
502	AIRPORT CAPITAL	4,500.00
503	PARK CAPITAL	16,904.68
506	SPECIAL CAPITAL IMPROV	181.50
601	WATER OPERATION	45,316.54
602	WATER RENEWAL/REPLACEMENT	17,434.78
611	WASTE WATER OPERATION	445,568.52
637	JOINT POWER	1,336.50
801	CENTRAL GARAGE	33,859.88
TOTAL ALL FUNDS		629,041.51

BANK RECAP :

BANK	NAME	DISBURSEMENTS
1DAK	FIRST DAKOTA NAT'L BANK CORP	629,041.51
TOTAL ALL BANKS		629,041.51

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

VOL. 59 NUMBER 21

**Commission Information Memorandum**

The Yankton City Commission meeting on Monday, November 25, 2024 will begin at 7:00 pm.

**Non-Agenda Items of Interest**

**1) Finance Department Update**

The monthly utility bills were mailed out on November 18 along with the notice of rate increase that took effect November 1, 2024.

The 2025 Recycling Calendar & 2025 Holiday Collection Schedule will be mailed with the December 17 utility bills. Copies are available now at the Finance Office.

The Finance Office continues to work with local businesses on their annual liquor and video lottery licenses which renew on January 1, 2025. Many other licenses such as animal kennel, electrical contractor, electrician, junk dealer, mobile home park, pawnbrokers, plumbing contractor, plumber, private collector of refuse, sign contractor, water/sewer contractor, and water sewer installer licenses will also expire at the end of the year. These licenses will need to be renewed for January 1, 2025.

Finance Office personnel will be participating in the annual municipal election training webinars conducted by the Secretary of State's Office. There are two webinars scheduled during December to provide City personnel with training on current laws and procedures covering the 2025 election cycle.

Please see the enclosed Finance Monthly Report for October 2024.

**2) Human Resources & Employee Engagement Department Update**

The position of Office Specialist at the Transfer Station in the Public Works Department was filled by Melisa Smith. Melisa has been employed with the City of Yankton for over four years as a Transfer Station Attendant. Melisa began her duties as Office Specialist on November 11. With the transfer of Melisa Smith to Office Specialist, the position of Transfer Station Attendant is open. This position is open through November 24.

We are currently accepting applications for the position of Water Distribution/Wastewater Collection Operation Specialist in our Environmental Services Department. Applications will be accepted until filled. This position is open due to the departure of Jacob Johnson.

November's presentation by Well 365 out of Sioux Falls focused on practicing gratitude. The goal of the presentation was to help employees slow down and appreciate the things that really matter in life. Employees gained tools, resources, and ideas on how gratitude can become a daily part of everyday life.

November's wellness challenge is wrapping up. The challenge for November was mindfulness. Employees were asked to take 10 minutes a day for 20 days in the month towards a mindfulness state and/or exercise. Employees should have spent 10 minutes reflecting on the good that is happening around them. Employees were asked to submit their log at the end of the month to be entered into a drawing for a prize.

The gingerbread house decorating contest will be held December 5. Teams from different departments compete for bragging rights of the best house. The houses will be on display at our Christmas party. The City of Yankton Employee Christmas party is scheduled for December 6 at Meridian Venue in the Meridian District.

### **3) Parks & Recreation Department Update**

An update on the various activities in the Parks & Recreation Department is included in this packet.

### **4) Community & Economic Development Department Update**

House numbers are not only convenient for finding addresses but they are critical for emergency responders to locate those in need. Emergency personnel as well as delivery services depend on address numbers being displayed properly. When doing maintenance around your house or business, be sure to check the visibility of your address numbering. All buildings should display numbers on the door or front of the structure that are a minimum of three inches in height and are visible and legible from the street. Numbering on mailboxes, in landscaping or on curbs is helpful but numbering attached to the structure is needed for first responders to quickly locate addresses in an emergency when seconds matter.

Ever wonder how new addresses are assigned? City staff follow a grid system to assign addresses. In the older parts of the City, the grid is fairly evident. For east-west streets the starting line is Douglas Avenue. East of Douglas Avenue begins with the 100 block of E. (name of street) and west of Douglas Avenue begins with the 100 block of W. (name of street). The starting point for north-south streets begins at the Missouri River in the City and follows the grid to the north. The newer part of the City with curving and horseshoe shaped streets gets more complicated. Sometimes the first number of the address may change mid-block because the address range has reached the grid limit on a longer than standard block. As a rule, even numbered addresses are on the north and east sides of the street and odd numbered addresses are on the south and west sides (although there are exceptions on curvy streets).

Newly proposed street names are carefully compared to other street names in the county. We steer clear of situations where names sound the same as they are being referenced by dispatchers in an emergency. Some names assigned many years ago didn't do a very good job of that, but current technology helps emergency responders get to the correct location.

### **5) Information & Technology Services Department Update**

IT staff is working with Motorola to install a new server to support in-car and body cameras. Installation is estimated to take less than 2 days. We have continued to have issues with BluePeak services at the water plant and, more recently, the Summit Activities Center. We continue to work with them to try to isolate and fix the situation. The library has entered into a new agreement with AT&T for special pricing to provide hot spots for internet access to be checked out to patrons. The agreement was signed this week, the equipment is onsite, and there are just a few final steps to get the devices activated.

## 6) **Public Works Department Update**

Street Department crews have been preparing for winter maintenance operations and crack filling on asphalt streets throughout the community. Crews have also been street sweeping as leaves continue to drop from the trees.

**Cedar Street from 2<sup>nd</sup> Street to 5<sup>th</sup> Street & Cedar Street Parking Lot:** All street, parking lot, and alley concrete paving is complete. Once the parking lot and alley concrete has adequate cure time, they will be opened to traffic. There are some seeding and landscape items that need to be done prior to closing the project out.

**8<sup>th</sup> Street from Burleigh Street to Peninah Street:** All construction items have been completed. Engineering staff will do a walk-thru to develop any punch list items that need to be addressed by the contractor.

**Gehl Drive Extension:** Finished grading and seeding along the street corridor remain to be completed. Stockwell Engineering and City staff will compile a punch list of items that need to be addressed by the contractor. The new street remains closed to traffic.

**Thanksgiving Day Holiday Garbage & Recycling Collection Schedule:** There will be no solid waste collection on Thursday, November 28, due to the Thanksgiving Day holiday. All Wednesday and Thursday routes will be collected on Wednesday, November 27. Friday routes will be picked up on Friday, November 29. All other routes will be collected as scheduled. The Transfer Station will be closed Thursday, November 28, and will be open shortened hours on Friday, November 29 from 8:00 AM to 1:00 PM. The Transfer Station will resume normal scheduled hours on Saturday, November 30 from 8:00 AM to 11:45 AM.

## 7) **Environmental Services Department Update**

The wastewater project continues to move forward. Excavation for the new basin is complete. Some over excavation was required to remove debris. The excavation also revealed some debris under the existing basins. The engineer is designing some additional footings to support the existing basins in that area. The contractor is also coring holes in the existing basin for the buttresses that will be added. The contractor is hoping to complete the concrete for the basin footings and floor before the ground freezes. The contractor is also working on demo of some of the existing piping in the buildings.

Staff continues to work with the South Dakota Department of Agriculture and Natural Resources on finalizing our lead service line inventory and completing the required public notices. Staff will be required to send a public notice to any property owners who have a lead service line, galvanized service line or an unknown service line material. In the City of Yankton, the property owner owns and is responsible for the service line all the way to the main.

Staff has been meeting with representatives from the National League of Cities Service Line Warranty Program. The program partners with cities to offer optional affordable protection for homeowners that covers the cost to repair or replace broken, leaking or clogged external water lines, sewer lines and in-home plumbing and drainage lines. The program is administered by HomeServe and is endorsed by the National League of Cities. The owner pays a monthly fee for the protection. The program would be completely optional to owners.

## 8) **Fire Department Update**

In recent months, the Yankton Fire Department has focused on enhancing their response efficiency and reducing the zero-impact time, the critical period between the arrival of the first fire apparatus and the initiation of effective action. Through live fire drills in Vermillion, the department identified key areas for improvement, including conducting victim searches, lifting and moving victims, and refining

roles during fire scenes. By optimizing these small steps, firefighters aim to save crucial seconds, thereby increasing the potential to save lives.

To further improve response times, especially for vehicle accidents, the command staff (chief officers and captains) are considering deployment changes. Currently, all apparatus responding to vehicle accidents come out of Firehouse #1 near City Hall, and none from Firehouse #2. Many volunteers drive past Firehouse #2 to get to Firehouse #1. Since many volunteers reside closer to Firehouse #2 on West 23rd Street, the department plans to dispatch a pumper apparatus from Firehouse #2 along with the Rescue Truck from Firehouse #1. This change is expected to provide more volunteers with the opportunity to respond to vehicle accidents and ensure a vehicle with suppression capabilities reaches the scene more quickly.

## **9) Police Department Update**

Brady Smith graduated from the South Dakota Law Enforcement Training Academy on November 15 after completing 13 weeks of training in Pierre. He is now certified by the State of South Dakota as a Law Enforcement Officer.

Spectrometer training for the Yankton and Vermillion Police Departments was conducted on November 18. Spectrometers are devices that safely test drugs without removing them from packaging.

Officers C. Schindler, Voigt, and Osborne attended a five-day training on Street Sergeant Evidence Based First Line Supervisor. Attendees learned the fundamentals of first line leadership, personnel management, and coaching techniques to improve officer performance and confront officer misconduct, all with an emphasis on what successful leaders do to improve morale and organizational effectiveness.

Eileen Ibach attended a three-day course for Communications Officer Training in Pierre. Attendees developed tools to teach new prospective members in the industry.

YPD is promoting the “Kids, Cops, & Christmas” event which will be held on December 14. Children in need sign up for the opportunity for a Christmas shopping spree with local law enforcement.

## **10) Library Update**

During the last year, the library has been lucky to have a few outside groups offering consistent programs at the library. A longtime favorite, the Seed Library, a partnership with the Missouri Valley Master Gardeners, offered classes from February to October about gardening with different speakers each month. This year their topics ranged from soil health and native bees to plants for medicine and foraging for native seeds. We also have monthly therapeutic writing led by licensed professional counselor Keley Smith-Keller, Ed.D, which focuses on the purposeful and intentional use of life-based writing to further emotional well-being. The act of journaling can help you recognize patterns in your thoughts, feelings, and behavior which can lead to enhanced mood and physical well-being. The library offers a monthly meditation group led by Jim Pearson of the Yankton Area Meditation Group. Pearson guides the class through exercises to relax your body and quiet your mind. By incorporating these mindfulness and meditation into your routine, it is believed that you can better manage stress, improve your sleep, and cultivate a sense of balance and connection. This summer, the library began partnering with Connecting Cultures to offer monthly Conversational Spanish. They welcome all levels of skill and fluency to socialize and speak Spanish. All of these programs have been popular and these partnerships not only alleviate some of the staffing required to put on

programs at the library, but offer expertise in areas beyond some of the interests, skills and talents of our wonderful staff.

For more information about upcoming events and programs at the library, you can check out our Facebook page or see our calendar at [library.cityofyankton.org](http://library.cityofyankton.org).

**11) Monthly reports**

The Joint Powers monthly report is included for your review as well as minutes from the Park Advisory Board Meeting.

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	OCT 2024	OCT 2023	OCT 2024 YTD	OCT 2023 YTD
<b>UTILITY BILLING:</b>				
<b>Water</b>				
Water Sold (in Millions of Gallons)	85,070	83,710	648,857	658,302
Water Billed	\$784,900.98	\$777,236.11	\$6,473,754.29	\$6,549,339.95
Basic Water Fee/Rate per 1000 gal.	\$27.51/6.30	\$27.51/6.30		
Number of Accounts Billed	5,862	5,762	56,821	56,261
Number of Bills Mailed	5,418	5,762	53,413	56,261
<b>Sewer</b>				
Sewer Billed	\$449,474.45	\$422,955.18	\$4,300,521.64	\$4,014,728.72
Basic Sewer Fee/Rate per 1000 gal.	\$23.84/\$6.80	\$17.53/\$6.80		
<b>Solid Waste</b>				
Solid Waste Billed	\$123,378.52	110,856.84	\$1,225,789.81	\$1,103,026.17
Basic Solid Waste Fee	\$26.00	\$23.61		
Tax Billed	\$7,622.46	\$6,841.41	\$75,733.11	\$70,023.49
Misc. Billed	\$964.34	\$630.00	\$11,203.02	\$11,698.40
<b>Total Utility Billing:</b>	<b>\$1,366,340.75</b>	<b>\$1,318,519.54</b>	<b>\$12,087,001.87</b>	<b>\$11,748,816.73</b>
<b>Adjustment Total:</b>	<b>(\$40.00)</b>	<b>(\$230.00)</b>	<b>(\$1,354.06)</b>	<b>(\$1,527.60)</b>
Misread Adjustments	\$0.00	\$0.00	\$0.00	\$0.00
Other Adjustments	\$0.00	\$0.00	(\$664.06)	(\$787.60)
Penalty Adjustments OFF	(\$100.00)	(\$290.00)	(\$1,160.00)	(\$1,210.00)
Penalty Adjustments ON	\$60.00	\$60.00	\$470.00	\$470.00
Delinquent Notices	380	464	4,083	3,913
Doorknockers	150	149	1,632	1,430
Delinquent Notice Penalties	\$3,800.00	\$4,640.00	\$40,830.00	\$39,130.00
Doorknocker Penalties	\$1,500.00	\$1,490.00	\$16,320.00	\$14,300.00
<b>Other Office Functions:</b>				
Interest Income	\$288,067.54	\$247,942.22	\$2,582,016.34	\$2,283,963.56
Interest Rate-Checking Account	5.74%	5.66%		
Interest Rate-CDs	N/A	N/A		
# of Monthly Vendor Checks	123	132		
Payments Issued to Vendors	\$3,823,014.81	\$3,351,299.08	\$31,352,881.10	\$33,089,501.57
# of Employees on Payroll	199	190		
Monthly Payroll	\$581,274.52	\$529,049.03	\$6,801,731.50	\$6,343,045.04

# Parks and Recreation Department

## Commission Information Memorandum

**Friday, November 15, 2024**

- **Men's Basketball League Registrations Due**
  - Teams – 13 (2023 – 10)

**Monday, November 11, 2024**

- **Veteran's Day – City Staff Holiday**
- **No School Special 1:00-5:00 PM**
  - Participants – 24 (paid)

**Thursday, November 13, 2024**

- **SAC Library Day Passes Used**
  - 1 Coupon (1 Adult)

**Friday, November 15, 2024**

- **SAC Library Day Passes Used**
  - 1 Coupon (1 Adult)

### ***Additional Information for First Half of November:***

- **Aqua Zumba**
  - Participation – 54 Participants
- **Have A Ball**
  - Participation – 8 Participants
- **Power Abs**
  - Participation – 87 Participants
- **Power Yoga**
  - Participation – 17 Participants
- **Prime Time Senior Class**
  - Participation – 37 Participants
- **Step Aerobics**
  - Participation – 7 Participants
- **Strength & Flexibility**
  - Participation – 31 Participants

- **Tabata**
  - Participation – 87 Participants
- **Trim & Tone**
  - Participation – 31 Participants
- **Wake UP**
  - Participation – 7 Participants
- **Water Aerobics Classes**
  - Participation – 98 Participants
- **Water Fitness**
  - Participation – 15 Participants
- **Yoga**
  - Participation – 14 Participants
- **Zumba**
  - Participation – 25 Participants
- **Zumba Gold**
  - Participation – 70 Participants
- **Birthday Party Rentals**
  - Participation – 7 Birthday Parties
  - Revenue - \$525.00
- **Private Pool Party Rentals**
  - Hours Rented – 4 Hours
  - Revenue - \$406.00
- **Auxiliary/Main Gym Rentals**
  - Hours Rented – 11.5 Hours
  - Revenue - \$345.00
- **Theater Rentals**
  - Hours Rented – 4 Hours
  - Revenue – \$0.00
- **Meeting Rooms**
  - Hours Rented – 6 Hours
  - Revenue - \$180.00

- **City Hall Rentals**
  - Hours Rented – 11 Hours
  - Revenue – \$330.00
  
- **Capital Building Rentals**
  - Days Rented – 3 dates
  - Revenue - \$300.00
  
- **Park Shelters**
  - Riverside - 0 Rentals
  - Memorial – 0 Rentals
  - Westside – 0 Rental
  - Meridian Bridge – 0 Rental
  
- **PSA's, Advertisements, and Flyers created:**
  - Fall Hours at the SAC
  - Rates Brochure
  - Rate structure and changes
  - Open Gyms Daily
  - Fitness Classes at the SAC
  - SAC Red Cross Fall Swim Lessons
  - Yankton Parks and Recreation Men's Basketball league Registration
  - Parade of Lights
  - Open Swims back at the SAC
  - Yankton Holiday Festival of Lights
  - YST Swim Meet
  - Veteran's Day No School Special
  - 2025 Season Pool passes now on sale for the HFAC
  
- **Summit Activities Center Membership Information November 1-15, 2024:**

	Members			Memberships
	Current	Last	Change	Current
○ Active & Fit/Renew Active/Silver Sneakers	247	231	16	247
○ Adult Annual	62	63	-1	62
○ Adult Annual plus 1	44	42	2	22
○ Adult Annual plus 2	12	15	-3	4
○ Adult Annual plus 3	4	4	0	1
○ Adult Annual plus 4	0	0	0	0
○ Adult Annual plus 5	0	6	-6	0
○ Adult Annual plus 6	0	0	0	0

o Adult EFT	17	17	0	17
o Adult EFT plus 1	22	24	-2	11
o Adult EFT plus 2	12	12	0	4
o Adult EFT plus 3	8	8	0	2
o Adult EFT plus 4	0	0	0	0
o Adult EFT plus 5	6	6	0	1
o Adult EFT plus 6	0	0	0	0
o Adult Monthly	89	87	2	89
o Adult Monthly plus 1	64	58	6	32
o Adult Monthly plus 2	24	27	-3	8
o Adult Monthly plus 3	20	12	8	5
o Adult Monthly plus 4	15	15	0	3
o Adult Monthly plus 5	6	6	0	1
o Adult Monthly plus 6	0	0	0	0
o City of Yankton Single	65	63	2	65
o Firefighter Single	18	18	0	18
o 10 Use Punch card	85	77	8	85
o Radio	37	35	2	37
o Youth Annual	30	27	3	30
o Youth EFT	1	1	0	1
o Youth Monthly	78	65	13	78
<b>Total # of Active Memberships</b>	<b>966</b>	<b>919</b>	<b>47</b>	<b>823</b>

- **Attendance – 4,361 (2,905 SAC, 1,456 GL) compared to 3,714 (2,376 SAC, 1,338 GL) in 2023**
- **New Members Joined/Renewals Between 11/1-15/24 – 154 compared to 157 in 2023**
- **Total Cash Revenue at the SAC 11/1-15/24 – \$27,200.95 compared to \$20,420.31 in 2023**
- **Great Life Reimbursement Payment:**
  - **October 2024: \$3,633.00 (\$3,442.50 – October 2023)**

Parks is co-sponsoring the Turkey Trot as part of the celebrations for the Meridian Bridge Centennial.

Joint Powers Solid Waste Authority  
Financial Report Thru October 31, 2024

Description	Yankton Transfer	Vermillion Landfill	Total Joint	10 Month Budget	Legal 2024 Budget
<b>Joint Power Transfer/Landfill</b>					
<i>Total Revenue</i>	\$1,653,876.96	\$1,008,973.01	\$2,662,849.97	\$1,981,833.33	\$2,378,200.00
<i>Expenses:</i>					
Personal Services	352,783.83	360,591.94	713,375.77	734,891.67	881,870.00
Operating Expenses	356,897.93	474,420.65	831,318.58	840,321.67	1,008,386.00
Depreciation (est)	165,457.90	234,880.00	400,337.90	380,163.33	456,196.00
Trench Depletion	0.00	243,528.79	243,528.79	191,666.67	230,000.00
Closure/Postclosure Resrv	0.00	11,988.51	11,988.51	23,333.33	28,000.00
Amortization of Permit	0.00	1,929.14	1,929.14	1,666.67	2,000.00
<i>Total Operating Expenses</i>	<u>875,139.66</u>	<u>1,327,339.03</u>	<u>2,202,478.69</u>	<u>2,172,043.33</u>	<u>2,606,452.00</u>
<i>Non Operating Expense-Interest</i>	<u>4,440.07</u>	<u>40,120.74</u>	<u>44,560.81</u>	<u>61,217.50</u>	<u>73,461.00</u>
<i>Landfill Operating Income</i>	<u>774,297.23</u>	<u>(358,486.76)</u>	<u>415,810.47</u>	<u>(251,427.50)</u>	<u>(301,713.00)</u>
<b>Joint Recycling Center</b>					
<i>Total Revenue</i>	0.00	88,583.13	88,583.13	78,333.33	94,000.00
<i>Expenses:</i>					
Personal Services	0.00	233,022.34	233,022.34	230,856.67	277,028.00
Operating Expenses	0.00	128,091.08	128,091.08	125,625.00	150,750.00
Depreciation (est)	0.00	41,720.00	41,720.00	42,500.00	51,000.00
<i>Total Operating Expenses</i>	<u>0.00</u>	<u>402,833.42</u>	<u>402,833.42</u>	<u>398,981.67</u>	<u>478,778.00</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>(314,250.29)</u>	<u>(314,250.29)</u>	<u>(320,648.33)</u>	<u>(384,778.00)</u>
<i>Total Operating Income</i>	<u>\$774,297.23</u>	<u>(\$672,737.05)</u>	<u>\$101,560.18</u>	<u>(\$572,075.83)</u>	<u>(\$686,491.00)</u>
<b>Tonage in Trench:</b>	<u>10/31/2023</u>	<u>10/31/2024</u>			
Asbestos	96.03	158.28	158.28	41.67	50.00
Centerville	262.63	283.92	283.92	916.67	1,100.00
Clay County Garbage	14,575.25	15,248.56	15,248.56	12,083.33	14,500.00
Elk Point	885.80	938.44	938.44	216.67	260.00
Yankton County Garbage	21,069.63	23,253.40	23,253.40	19,916.67	23,900.00
<i>Total Tonage in Trench</i>	<u>36,889.34</u>	<u>39,882.60</u>	<u>39,882.60</u>	<u>33,175.00</u>	<u>39,810.00</u>
Operating Cost per ton			<u>\$55.22</u>	<u>\$67.32</u>	<u>\$67.32</u>

This report is based on the following:

Revenue accrual thru October 31, 2024

Expenses cash thru October 31, 2024 with November bills

Joint Powers Solid Waste Authority  
Financial Report Thru October 31, 2024

Description	Yankton Transfer	Vermillion Landfill	Total Joint	10 Month Budget	Legal 2024 Budget
<b>Source of Funds</b>					
<i>Beginning Balance</i>	(\$501,467.00)	\$3,438,598.00	\$2,937,131.00	\$2,937,131.00	\$2,937,131.00
<i>Operating Revenue:</i>					
Net Income	774,297.23	(672,737.05)	101,560.18	(572,075.83)	(686,491.00)
Depreciation	165,457.90	276,600.00	442,057.90	422,663.33	507,196.00
Trench Depletion	0.00	243,528.79	243,528.79	191,666.67	230,000.00
Amortization of Permit	0.00	1,929.14	1,929.14	1,666.67	2,000.00
<i>Non Operating Revenue:</i>					
Grant	0.00	0.00	0.00	0.00	0.00
Loan Proceeds	0.00	0.00	0.00	0.00	0.00
Contributed Capital	0.00	4,155.00	4,155.00	4,166.67	5,000.00
Sale Proceeds	0.00	0.00	0.00	0.00	0.00
Comp. for Loss & Damage	0.00	0.00	0.00	0.00	0.00
Fire Related Expenses	0.00	0.00	0.00	0.00	0.00
Interest	0.00	128,222.46	128,222.46	20,833.33	25,000.00
<i>Cash Flow Transfer:</i>					
Joint Power Transfer/Landfill	(777,022.74)	777,022.74	0.00	1,450,000.00	1,740,000.00
Joint Recycling Center	0.00	0.00	0.00	0.00	0.00
<b>Total Funds Available</b>	<b>(338,734.61)</b>	<b>4,197,319.08</b>	<b>3,858,584.47</b>	<b>4,456,051.83</b>	<b>4,759,836.00</b>
<b>Application of Funds Available</b>					
<i>Joint Power Transfer/Landfill</i>					
Equipment	149,380.62	7,419.00	156,799.62	874,166.67	1,049,000.00
Trench	0.00	0.00	0.00	0.00	0.00
Closure/Postclosure Cash Res.	0.00	11,988.51	11,988.51	23,333.33	28,000.00
<i>Joint Recycling Center</i>					
Equipment	0.00	6,794.70	6,794.70	47,500.00	57,000.00
<i>Payment Principal</i>	68,535.55	159,933.21	228,468.76	215,642.50	258,771.00
<i>Appropriation to Reserve</i>	0.00	0.00	0.00	0.00	0.00
<b>Total Applied</b>	<b>217,916.17</b>	<b>186,135.42</b>	<b>404,051.59</b>	<b>1,160,642.50</b>	<b>1,392,771.00</b>
<b>Ending Balance</b>	<b>(\$556,650.78)</b>	<b>\$4,011,183.66</b>	<b>\$3,454,532.88</b>	<b>\$3,295,409.33</b>	<b>\$3,367,065.00</b>

Joint Powers Solid Waste Authority  
Financial Report Thru October 31, 2024

<b>Joint Power Transfer/Landfill Description</b>	<b>Yankton Transfer</b>	<b>Vermillion Landfill</b>	<b>Total Joint</b>	<b>10 Month Budget</b>	<b>Legal 2024 Budget</b>
<i>Revenue: (accrual)</i>					
Asbestos	\$0.00	\$10,276.48	\$10,276.48	\$5,000.00	\$6,000.00
Elk Point	0.00	52,083.68	52,083.68	50,000.00	\$60,000.00
Centerville	0.00	15,757.69	15,757.69	11,666.67	14,000.00
Beresford	0.00	0.00	0.00	0.00	0.00
Clay County Garbage	0.00	883,814.13	883,814.13	704,166.67	845,000.00
Compost-Yd Waste-Wood	0.00	15,529.59	15,529.59	7,916.67	9,500.00
Contaminated Soil	0.00	6,081.00	6,081.00	6,250.00	7,500.00
White Goods	0.00	2,826.07	2,826.07	5,000.00	6,000.00
Tires	0.00	11,105.99	11,105.99	10,000.00	12,000.00
Electronics	0.00	866.40	866.40	5,000.00	6,000.00
Other Revenue	7,606.98	10,631.98	18,238.96	4,250.00	5,100.00
Cash long	2.55	0.00	2.55	0.00	0.00
Rubble	70,187.72	0.00	70,187.72	43,333.33	52,000.00
Transfer Fees	1,560,418.25	0.00	1,560,418.25	1,125,000.00	1,350,000.00
Metal	15,425.81	0.00	15,425.81	4,166.67	5,000.00
Other Operational - Solid Waste	235.65	0.00	235.65	83.33	100.00
<b>Total Revenue</b>	<b>1,653,876.96</b>	<b>1,008,973.01</b>	<b>2,662,849.97</b>	<b>1,981,833.33</b>	<b>2,378,200.00</b>
<i>Expenses: (cash)</i>					
Personal Services	352,783.83	360,591.94	713,375.77	734,891.67	881,870.00
Insurance	23,552.63	8,120.14	31,672.77	29,884.17	35,861.00
Professional Service/Fees	56,939.40	63,685.43	120,624.83	95,833.33	115,000.00
Non Professional Fees	0.00	0.00	0.00	0.00	0.00
Processing- Reduction	0.00	7,725.70	7,725.70	16,666.67	20,000.00
State Fees	0.00	39,882.60	39,882.60	39,166.67	47,000.00
Professional - Legal/Audit	5,634.30	0.00	5,634.30	2,291.67	2,750.00
Publishing & Advertising	258.76	173.76	432.52	2,333.33	2,800.00
Rental	0.00	0.00	0.00	416.67	500.00
Hauling fee	0.00	0.00	0.00	0.00	0.00
Equipment repair	13,243.00	130,392.98	143,635.98	59,166.67	71,000.00
Motor vehicle repair	5,510.00	(188.52)	5,321.48	20,833.33	25,000.00
Vehicle fuel & maintenance	163,333.04	45,016.72	208,349.76	229,166.67	275,000.00
Equip, Mat'l & Labor	60,506.60	0.00	60,506.60	54,166.67	65,000.00
Building repair	6,649.33	2,613.96	9,263.29	20,000.00	24,000.00
Facility repair & maintenance	0.00	21,926.66	21,926.66	29,166.67	35,000.00
Postage	334.05	29.16	363.21	708.33	850.00
Office supplies	826.06	675.32	1,501.38	2,916.67	3,500.00
Copy supplies	115.00	159.25	274.25	312.50	375.00
Uniforms	425.11	1,809.98	2,235.09	6,250.00	7,500.00
Small Tools & Hardware	368.51	0.00	368.51	208.33	250.00
Travel & Training	0.00	2,948.96	2,948.96	3,750.00	4,500.00
Operating supply	1,160.95	118,957.61	120,118.56	152,166.67	182,600.00
Electricity	7,308.83	14,867.76	22,176.59	25,833.33	31,000.00
Heating Fuel - Gas	7,490.09	11,390.50	18,880.59	40,833.33	49,000.00
Water	1,593.40	1,515.30	3,108.70	3,416.67	4,100.00
WW service	708.00	0.00	708.00	1,416.67	1,700.00
Landfill	260.00	0.00	260.00	333.33	400.00
Telephone	680.87	2,717.38	3,398.25	3,083.33	3,700.00
Depreciation (est)	165,457.90	234,880.00	400,337.90	380,163.33	456,196.00
Trench Depletion		243,528.79	243,528.79	191,666.67	230,000.00
Closure/Postclosure Resrv		11,988.51	11,988.51	23,333.33	28,000.00
Amortization of Permit		1,929.14	1,929.14	1,666.67	2,000.00
<b>Total Op Expenses</b>	<b>875,139.66</b>	<b>1,327,339.03</b>	<b>2,202,478.69</b>	<b>2,172,043.33</b>	<b>2,606,452.00</b>



Joint Powers Solid Waste Authority  
Financial Report Thru October 31, 2024

Joint Power Transfer/Landfill Description	Yankton Transfer	Vermillion Landfill	Total Joint	10 Month Budget	Legal 2024 Budget
<i>Non Operating Expense-Interest</i>	4,440.07	40,120.74	44,560.81	61,217.50	73,461.00
<i>Bond Issuance Costs</i>	0.00	0.00	\$0.00	0.00	0.00
<i>Operating Income (Loss)</i>	\$774,297.23	(\$358,486.76)	\$415,810.47	(\$251,427.50)	(\$301,713.00)
<i>Capital:</i>					
Capital Outlay	\$149,380.62	\$7,419.00	\$156,799.62	\$874,166.67	\$1,049,000.00
Landfill Development	0.00	67,146.23	67,146.23	61,666.67	\$74,000.00
Capital Lease	0.00	0.00	0.00	0.00	\$0.00
<i>Total Capital Expenditures</i>	\$149,380.62	\$74,565.23	\$223,945.85	\$935,833.33	\$1,123,000.00
<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>	(\$777,022.74)	\$777,022.74	\$0.00	\$0.00	\$0.00
<i>Tonage in Trench:</i>					
Asbestos		158.28	158.28	41.67	50.00
Centerville Garbage		283.92	283.92	916.67	1,100.00
Clay County Garbage		15,248.56	15,248.56	12,083.33	14,500.00
Elk Point		938.44	938.44	216.67	260.00
Yankton County Garbage		23,253.40	23,253.40	19,916.67	23,900.00
<i>Total Tonage in Trench</i>		39,882.60	39,882.60	33,175.00	39,810.00
Operating Cost per ton			\$55.22	\$67.32	\$67.32

Joint Recycling Center Description	Yankton Transfer	Vermillion Center	Total Joint	10 Month Budget	Legal 2024 Budget
<i>Revenue:</i>					
Tipping Fees	\$0.00	0.00	\$0.00	0.00	0.00
Metal/Tin	0.00	0.00	0.00	3,333.33	4,000.00
Plastic	0.00	8,449.88	8,449.88	12,500.00	15,000.00
Aluminum	0.00	19,156.95	19,156.95	13,333.33	16,000.00
Newsprint	0.00	3,999.28	3,999.28	7,500.00	9,000.00
Cardboard	0.00	53,476.72	53,476.72	37,500.00	45,000.00
High Grade Paper	0.00	3,382.60	3,382.60	2,500.00	3,000.00
Other Material	0.00	117.70	117.70	1,666.67	2,000.00
Contributions/Operating Grants	0.00	0.00	0.00	0.00	0.00
<b>Total Revenue</b>	<b>0.00</b>	<b>88,583.13</b>	<b>88,583.13</b>	<b>78,333.33</b>	<b>94,000.00</b>
<i>Expenses:</i>					
Personal Services	0.00	233,022.34	233,022.34	230,856.67	277,028.00
Insurance	0.00	1,509.69	1,509.69	2,000.00	2,400.00
Professional Service/Fees	0.00	2,221.09	2,221.09	416.67	500.00
Hazardous Waste Collection	0.00	62,092.10	62,092.10	50,000.00	60,000.00
Professional-Legal	0.00	0.00	0.00	0.00	0.00
Publishing & Advertising	0.00	295.60	295.60	1,250.00	1,500.00
Rental	0.00	0.00	0.00	0.00	0.00
Equipment repair	0.00	10,132.44	10,132.44	7,916.67	9,500.00
Vehicle repair & maintenance	0.00	1,960.50	1,960.50	666.67	800.00
Vehicle fuel	0.00	3,351.40	3,351.40	5,000.00	6,000.00
Building repair & maintenance	0.00	8,535.82	8,535.82	6,666.67	8,000.00
Postage	0.00	1.16	1.16	41.67	50.00
Freight	0.00	11,280.00	11,280.00	15,416.67	18,500.00
Office supplies	0.00	3,361.50	3,361.50	833.33	1,000.00
Uniforms	0.00	207.91	207.91	625.00	750.00
Materials Purchases	0.00	2,556.05	2,556.05	3,750.00	4,500.00
Travel & Training	0.00	2,665.28	2,665.28	1,666.67	2,000.00
Operating Supplies	0.00	955.48	955.48	8,333.33	10,000.00
Copy Supply	0.00	97.14	97.14	166.67	200.00
Electricity	0.00	4,527.12	4,527.12	5,416.67	6,500.00
Heating Fuel-Gas	0.00	3,508.85	3,508.85	5,833.33	7,000.00
Water	0.00	316.07	316.07	541.67	650.00
WW service	0.00	908.37	908.37	1,000.00	1,200.00
Telephone	0.00	88.00	88.00	833.33	1,000.00
Revenue Sharing	0.00	7,519.51	7,519.51	7,250.00	8,700.00
Depreciation (est)	0.00	41,720.00	41,720.00	42,500.00	51,000.00
<b>Total Op Expenses</b>	<b>0.00</b>	<b>402,833.42</b>	<b>402,833.42</b>	<b>398,981.67</b>	<b>478,778.00</b>
<i>Non Operating Expense-Interest</i>	0.00	0.00	0.00	0.00	0.00
<b>Operating Income (Loss)</b>	<b>\$0.00</b>	<b>(\$314,250.29)</b>	<b>(\$314,250.29)</b>	<b>(\$320,648.33)</b>	<b>(\$384,778.00)</b>
Capital Outlay	\$0.00	\$6,794.70	\$6,794.70	\$47,500.00	\$57,000.00
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 October 31, 2024

Expenses cash thru October 31, 2024 with November bills

2024 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	71,055.23	(26,723.94)	44,331.29	3,090.11	45.93	0.00	(20,089.59)	(20,089.59)	71,055.23	(46,813.53)	24,241.70
February	64,243.92	(19,938.97)	44,304.95	3,068.87	53.57	0.00	(25,079.89)	(25,079.89)	64,243.92	(45,018.86)	19,225.06
Subtotal	135,299.15	(46,662.91)	88,636.24	6,158.98	49.74	0.00	(45,169.48)	(45,169.48)	135,299.15	(91,832.39)	43,466.76
March	19,675.56	(118,222.42)	(98,546.86)	3,280.82	97.61	0.00	(37,400.72)	(37,400.72)	19,675.56	(155,623.14)	(135,947.58)
Subtotal	154,974.71	(164,885.33)	(9,910.62)	9,439.80	66.38	0.00	(82,570.20)	(82,570.20)	154,974.71	(247,455.53)	(92,480.82)
April	112,051.04	(33,641.08)	78,409.96	4,208.17	47.50	0.00	(10,728.69)	(10,728.69)	112,051.04	(44,369.77)	67,681.27
Subtotal	267,025.75	(198,526.41)	68,499.34	13,647.97	60.56	0.00	(93,298.89)	(93,298.89)	267,025.75	(291,825.30)	(24,799.55)
May	85,479.96	(12,460.74)	73,019.22	4,424.35	49.38	0.00	(86,117.72)	(86,117.72)	85,479.96	(98,578.46)	(13,098.50)
Subtotal	352,505.71	(210,987.15)	141,518.56	18,072.32	57.82	0.00	(179,416.61)	(179,416.61)	352,505.71	(390,403.76)	(37,898.05)
June	95,428.67	(26,349.75)	69,078.92	4,160.48	50.31	0.00	(28,743.19)	(28,743.19)	95,428.67	(55,092.94)	40,335.73
Subtotal	447,934.38	(237,336.90)	210,597.48	22,232.80	56.41	0.00	(208,159.80)	(208,159.80)	447,934.38	(445,496.70)	2,437.68
July	80,134.47	12,721.40	92,855.87	4,727.63	48.41	0.00	(14,745.68)	(14,745.68)	80,134.47	(2,024.28)	78,110.19
Subtotal	528,068.85	(224,615.50)	303,453.35	26,960.43	55.01	0.00	(222,905.48)	(222,905.48)	528,068.85	(447,520.98)	80,547.87
August	87,306.80	(17,367.67)	69,939.13	4,622.48	50.86	0.00	(40,150.05)	(40,150.05)	87,306.80	(57,517.72)	29,789.08
Subtotal	615,375.65	(241,983.17)	373,392.48	31,582.91	54.28	0.00	(263,055.53)	(263,055.53)	615,375.65	(505,038.70)	110,336.95
September	89,284.82	(21,971.10)	67,313.72	4,065.83	50.70	0.00	(34,649.64)	(34,649.64)	89,284.82	(56,620.74)	32,664.08
Subtotal	704,660.47	(263,954.27)	440,706.20	35,648.74	53.83	0.00	(297,705.17)	(297,705.17)	704,660.47	(561,659.44)	143,001.03
October	66,469.85	(54,411.75)	12,058.10	4,233.86	65.69	0.00	(16,545.12)	(16,545.12)	66,469.85	(70,956.87)	(4,487.02)
Subtotal	771,130.32	(318,366.02)	452,764.30	39,882.60	55.22	0.00	(314,250.29)	(314,250.29)	771,130.32	(632,616.31)	138,514.01

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 2024	259.05	536.20	507.47	45.40	33.92	1,122.99	423.35	1,805.39
February 2024	248.79	530.49	498.62	47.22	38.26	1,114.59	467.17	1,830.55
March 2024	245.70	583.40	536.51	60.61	39.21	1,219.73	529.84	1,995.27
April 2024	289.80	670.62	594.52	33.76	36.27	1,335.17	902.83	2,527.80
May 2024	316.21	777.88	633.27	81.94	53.08	1,546.17	723.32	2,585.70
June 2024	267.86	642.58	590.06	72.85	48.91	1,354.40	744.58	2,366.84
July 2024	310.87	767.86	625.19	84.36	45.28	1,522.69	717.66	2,551.22
August 2024	309.64	772.39	599.00	89.53	48.57	1,509.49	716.06	2,535.19
September 2024	274.46	648.04	528.59	91.50	40.37	1,308.50	681.18	2,264.14
October 2024	289.60	684.56	609.99	64.84	43.76	1,403.15	698.76	2,391.51
November 2024	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
December 2024	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2024 Total	2,811.98	6,614.02	5,723.22	672.01	427.63	13,436.88	6,604.75	22,853.61
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
October 2023	278.15	669.66	623.57	50.45	38.01	1,381.69	656.53	2,316.37
November 2023	284.20	599.96	555.12	63.61	43.48	1,262.17	555.90	2,102.27
December 2023	256.60	546.69	469.17	87.12	42.60	1,145.58	472.11	1,874.29
2023 Total	3,279.00	7,457.05	6,439.91	790.89	477.08	15,164.93	7,441.25	25,885.18

**CITY OF VERMILLION  
LANDFILL TONS**

	2024	City of Elk Point	Fischer Disposal	Loren Fischer	Herm's Sanitation	Turner County	Vermillion Garbage	Waste Mgmt of Sioux City	Other	Total Tons	
\$55.50 PER TON	Jan	81.88	201.21	482.08	56.79	19.41	66.42	148.92	93.76	1150.47	
	Feb	90.60	181.70	449.03	50.63	20.92	81.63	200.57	160.24	1235.32	
	Mar	81.38	166.92	507.27	56.94	27.61	70.04	169.97	230.68	1310.81	
	April	109.02	230.08	579.18	87.80	25.37	94.18	190.38	238.73	1554.74	
	May	99.11	231.15	814.50	73.87	34.00	93.07	218.87	277.43	1842.00	
	June	82.70	188.86	634.35	63.07	25.32	69.35	124.56	599.88	1788.09	
	July	111.57	217.35	712.05	74.74	32.98	74.22	193.54	722.94	2139.39	
	Aug	94.46	206.69	734.71	62.27	36.81	77.00	235.26	655.52	2102.72	
	Sept	94.19	200.01	705.41	76.28	32.42	69.32	151.52	348.86	1678.01	
	Oct	93.53	225.96	712.20	66.05	29.08	76.90	171.72	452.03	1827.47	
	Nov										0.00
	Dec										0.00
		938.44	2049.93	6330.78	668.44	283.92	772.13	1805.31	3780.07	16629.02	

	2023	Art's Garbage	City of Elk Point	Fischer Disposal	Loren Fischer	Herm's Sanitation	Turner County	Vermillion Garbage	Waste Mgmt of Sioux City	Other	2023 Tons
\$55.50 PER TON	Jan	-	94.06	208.46	477.13	49.46	38.28	58.77	225.10	104.42	1255.68
	Feb	-	79.40	181.63	355.54	30.66	19.69	60.18	210.63	224.63	1162.36
	Mar	-	92.62	214.46	498.46	43.52	35.84	68.96	240.13	200.48	1394.47
	April	-	90.55	216.86	514.73	52.34	35.71	67.55	228.19	262.65	1468.58
	May	-	110.60	256.07	1,092.82	64.25	35.30	83.23	215.79	391.71	2249.77
	June	-	97.63	216.71	749.13	47.98	35.23	67.22	202.52	427.14	1843.56
	July	-	101.18	212.76	749.20	47.55	28.36	76.21	200.25	518.11	1933.62
	Aug	-	102.06	237.18	689.62	68.39	27.64	84.25	250.54	507.77	1967.45
	Sept	-	101.54	226.61	571.56	56.40	22.91	89.83	224.29	320.80	1613.94
	Oct	-	107.88	226.15	652.81	68.99	46.97	71.02	157.19	264.45	1595.46
	Nov	-	90.37	221.31	546.03	66.07	36.37	67.35	215.68	220.89	1464.07
	Dec	-	91.78	183.96	500.20	61.17	13.09	77.09	154.86	117.45	1199.60
		0.00	1159.67	2602.16	7397.23	656.78	375.39	871.66	2525.17	3560.50	19148.56



The MISSION of the City of Yankton is to provide exemplary experiences, services & spaces that create opportunities for everyone to learn, engage, and thrive.

**MINUTES**  
**YANKTON PARK ADVISORY BOARD**  
**Monday, September 16, 2024, 5:30PM, in the Community Room**  
**CMTEA Building, 1200 W. 21<sup>st</sup> Street**

**I. ROUTINE BUSINESS**

Roll Call:

Present: Jeannine Economy-List, Brian Bertsch, Elizabeth Healy, and City Commissioner Brian Hunhoff.

Absent: Jason Tellus, Cody Kneifl and Tom Bixler.

Also present City Manager Amy Leon, and Parks Office Manager Chasity McHenry.

Public Appearances: None.

Minutes: July 15, 2024 minutes approved. Economy-List motioned. Bertsch second. Motion passed 3-0.

**II. OLD BUSINESS**

- A. The Westside Park Pickleball court conversion: Midwest Stripping is sourcing the product used for filling cracks in courts. A modification was made to court paint colors due to availability/supply chain issues. These issues and other work have delayed the start date. We still expect work to occur this fall. We ask members of the public do not call vendors of the City to inquire about the timelines. Michael's Fencing installed the fencing. Posts and nets will still have to be installed. We have the wind screens. City staff will likely be utilized to build the open-air shelter near the courts. Utilizing the priority list of items discussed at the public meeting, remaining project funds will be used to complete other items. We have until June 30, 2026 to have the work completed (fencing, net posts, nets, painting), all part of the grant application.
- B. Review of the summer season including The Huether Family Aquatics Center, Music at the Meridian and other events. At the HFAC there had been a few rainy days during the season but daily passes were up from last year. There was a total of 3,282 season passes sold this year vs. last year with 3,640 passes. There was a lot of success with the 4<sup>th</sup>, and 5<sup>th</sup> of July. Many comments of having the same kind of event in 2025 but as the Nation's 250<sup>th</sup> is in 2026, there are thoughts of having a bigger event then, and having a standard event next year. There have been many positive comments on the flowers and landscapes downtown. Parks is advertising for part-time help in the fall season as they are a bit short on staff with workers on vacation or dealing with family emergencies.

**III. NEW BUSINESS**

- A. Garrett Haas presented his Eagle Scout Project. Would like to do his Eagle project at the outdoor rink at Sertoma Park. Would like to make some hockey benches to sit and they can be used by anyone. They would be located on either side of the entrance to the rink. Hoping



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to get the concrete poured before winter hits and then completing the project by June 2025. Park Advisory Board makes a motion to pass project on to City Commission to start as soon as there is funding and materials. Brian Bertsch motioned. Jeannine Economy-List second. Motion passes 3-0.

- B. Fall maintenance and end of season activities along with projects that Parks staff anticipates completing as well as winter activities was discussed. Parks is working on bleachers at Riverside Baseball. Also looking into installing a rail at the amphitheater. There have been comments on Westside Park pond. The pond is not leaking. It is a combination of evaporation and lack of water from the well. There has also been concern about the lack of fish in the pond. The pond is set to get fish in the spring of 2025. Luke Youmans is working on the Parade of Lights. A couple of things the department will be looking into is the rates that are assigned to the park shelters and the rates at the cemetery. Parks is also looking to getting the holiday décor up before Thanksgiving.
- C. Meridian Bridge's Centennial Celebrations. The Parks Department would like to ask the Park Advisory Committee for their help in promotion the Centennial Celebration of the Bridge. Luke Youmans is very busy on working on the planning of October 12<sup>th</sup>.

#### **IV. OTHER BUSINESS**

- A. General discussion items.
  - Commission information Memorandums (4 CIMs).
  - Other completed work projects for the department are noted in the CIMs.
  - Next Meeting: Monday, November 18, 2024.

#### **V. ADJOURN**

Economy-List motioned, Bertsch second. Motion carried 3-0.

***Memorandum #24-231***

To: City Manager  
 From: Finance Officer  
 Date: November 4, 2024  
 Subject: Renewal of 2025 Liquor Licenses

We have received the following applications for renewal of Alcoholic Beverage Licenses for the 2025 Licensing period.

**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.  
 Riverfront Brewery Inc d/b/a Riverfront Event Center, 121 W. 3<sup>rd</sup> St.

**RETAIL (ON-SALE) LIQUOR**

Flusswerks, LLC d/b/a 1872 Saloon / Levee Street Steak & Lounge, 104 Capitol St.  
 Cedar Street Brews Inc. d/b/a @ The Bar, 222 W. 3<sup>rd</sup> St.  
 Boomer's, Inc. d/b/a Boomer's Lounge, 100 E. 3<sup>rd</sup> 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. 3<sup>rd</sup> St.  
 Lucky Irish, Inc. d/b/a O'Malley's Bar, 204 W. 3<sup>rd</sup> St.  
 Shree, LLC d/b/a Vape God 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. 3<sup>rd</sup> St.  
 Riverfront Brewery Inc d/b/a Brewery, 200-204 Walnut St.  
 Lady Bird, Inc. d/b/a The Cockatoo Bar & Zebra Club, 106 E 3<sup>rd</sup> St STE A  
 M G Oil Company d/b/a Upper Deck, 315 Broadway Ave.  
 Walnut Tavern, Inc. d/b/a Walnut Tavern, 100 W. 3<sup>rd</sup> 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. 27<sup>th</sup> 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 The Liquor Hot Spot, 909 Broadway Ave.  
 ZACCON, Inc. d/b/a Roadrunner Convenience Mart, 300 W. 23<sup>rd</sup> St.  
 Lady Bird, Inc. d/b/a The Cockatoo Bar & Zebra Club, 106 E. 3<sup>rd</sup> St. Ste A  
 The Fox Stop, Inc. d/b/a The Fox Stop, 1316 W. 30<sup>th</sup> 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. 3<sup>rd</sup> St.



RETAIL (ON-OFF SALE) WINE & CIDER

6<sup>th</sup> Meridian LLC d/b/a Farm House Food Co/ Counterfeit Catering, 2503 Fox Run Pkwy Ste 1  
Hanten, Inc. d/b/a Ben's Brewing Co., 719 Walnut St.  
Chuck Stop, LLC. d/b/a Charlie's Pizza, 804 Summit St.  
Korkykaybites LLC d/b/a Kuirk's, 101 Douglas Ave  
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 109A  
Five Futures d/b/a The Boat House, 301 E. 3<sup>rd</sup> St.  
The Fox Stop, Inc. d/b/a The Fox Stop, 1316 W. 30<sup>th</sup> St.  
The Mint Yankton, LLC d/b/a The Mint, 318 Douglas Ave.  
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

The above applications are in compliance with the City Code of Ordinances, as checked by the Department of Finance.


A police check has been done on all the above applicants by the Yankton Police Department.

The applicants are in compliance with all Building and Fire Codes.

Please note the alcohol licensees below did not renew for 2024 Retail (On-Off Sale) Wine & Cider:  
Tokyo Japanese Cuisine of Yankton, Inc., 2007 Broadway Ave., Ste. J

  
\_\_\_\_\_  
Lisa Yardley  
Finance Officer

**MEMORANDUM #24-254**

TO: Yankton City Commission  
 FROM: Amy Leon, City Manager   
 RE: Chapter 2 Code of Ordinances  
 DATE: November 18, 2024

Attached is a revised version of Chapter 2 of the City of Yankton Administrative Code. As the City Commission will remember, discussion was held during the July 22, 2024 work session regarding revisions to the code and found areas that needed to be either omitted, updated, or changed. Following that work session and the feedback staff received from the City Commission, City Attorney Ross Den Herder, City Finance Officer Lisa Yardley, and I met on several occasions to develop new language. The attached clean version we believe is more reflective of how we conduct our business day to day.

While there are a number of significant changes in the code, there are few changes to point out specifically that I would like to bring to your attention as well as to the public's attention.

- **Approval of Expenditures:** The amounts that the Finance Officer and City Manager have the authority to sign and approve of any budget expenditures, contracts or agreements on behalf of the City has increased in the revision from \$5,000 for general operations and \$7,000 for municipal utilities to \$25,000 for general operations. Prepayment is authorized in the amount of \$200,000 for existing approved contracts and approved vendors including payroll and utilities. We are, of course, still subject to all State bid laws and all expenditures must be approved by the Board of City Commissioners and included in the schedule of warrants.
- **Regular Meetings:** Another significant change pertains to regular meetings. If approved, the time of the regular meetings of the Board of City Commissioners will be 6:00 PM on the second and fourth Monday of every month unless otherwise set by the City Commissioners. We would schedule work sessions as needed either at 5:00 PM or on an alternate evening on an as needed basis. Please note that if approved, the new meeting time will interfere with the regularly scheduled Planning Commission. Staff has worked with members of the Planning Commission on an alternate schedule. Changes to ALL meeting schedules would be effective on January 1, 2025. If approved, staff will work with our media partners and on our social media platforms to communicate these changes with the public.
- The revised ordinance also clarifies who can add items to the meeting agenda, how to add items to a meeting agenda and, subsequently, revises the order of business for the agenda.

At the public hearing, staff will provide a more thorough overview of the changes outlined in the attached revision. We have also included the redlined version of the previous code for your comparison.

**Recommendation: Conduct public hearing. Staff recommends approval of amendments to Chapter 2 of the City of Yankton Code of Ordinances.**

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

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE ADMINISTRATIVE FRAMEWORK AND PROCEDURES FOR THE MANAGEMENT OF THE CITY OF YANKTON.**

**WHEREAS**, the Yankton Board of City Commissioners and City Staff have determined that Chapter 2 of the of the Yankton Municipal Code of Ordinances governing the City's administration is outdated, not fully in compliance with existing State law, not fully in conformance with the current manner in which business is being conducted, and should be revised and improved as set forth herein.

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

**Sec. 2-1 of the Yankton Municipal Code of Ordinances shall be amended to read as follows:**

**Sec. 2-1. - City Seal Described.**

The Seal of the City of Yankton shall be a circle within which shall appear in the foreground a river bearing a steamboat. At the exterior of the circle, and within a circumscribed circle shall appear the words "City of Yankton" and "South Dakota."

**Sec. 2-2 of the Yankton Municipal Code of Ordinances shall be amended to read as follows:**

**Sec. 2-2. - Disposition of City Revenue.**

All moneys belonging to the city derived from taxation, licenses, fines, forfeitures, any public utility owned or operated by the city, or from any other source, shall be paid into the city treasury, and the Board of City Commissioners shall designate by the annual appropriation ordinance to what fund such moneys shall be applied.

**Sec. 2-3 of the Yankton Municipal Code of Ordinances shall be amended to read as follows:**

**Sec. 2-3. - Compensation of Personnel Generally.**

The compensation of all city officers and employees shall be as established from time to time by resolution by the Board of City Commissioners.

**Sec. 2-4 of the Yankton Municipal Code of Ordinances shall be amended to read as follows:**

**Sec. 2-4. - Elections.**

- (a) There shall not be separated voting precincts. All eligible voters may cast votes in any official established voting center used for an election. To be eligible to vote in a Yankton municipal election, an individual must reside within the jurisdictional boundaries of the City of Yankton and be properly registered to vote in association with such residential address.
- (b) Election Date. The regular municipal election of the city is hereby scheduled on the second Tuesday in April. The Board of City Commissioners may elect to hold a municipal election in conjunction with a primary election or school district election. Elections shall be conducted in accordance with SDCL Ch. 9-13.

**Sec. 2-5 of the Yankton Municipal Code of Ordinances shall be amended to read as follows:**

**Sec. 2-5. - Approval of Expenditures.**

- (a) The Finance Officer or City Manager has the authority to sign and approve any budgeted expenditures, contracts or agreements on behalf of the city that are less than the bid limits established under state law for public improvement contracts. Such expenditures, contracts or agreements that exceed \$25,000 shall be countersigned by either the Finance Officer or the Deputy Finance Officer. No claim may be paid until approved by the Board of City Commissioners, except as may be otherwise provided by ordinance or resolution.
- (b) Consolidation of items. For the purposes of determining the sum, homogeneous or kindred items shall be consolidated where possible.
- (c) Under the Finance Officer's review, prepayment of claims may be made for existing approved contracts and for budgeted items and approved vendors including payroll-related obligations and utilities not to exceed a total of \$200,000 per transaction in accordance with SDCL 9-23-1. All such expenditures shall be included within the schedule of warrants to be reviewed and approved by the Board of City Commissioners.

A new Sec. 2-6 shall be added to the Yankton Municipal Code of Ordinances to read as follows:

**Sec. 2-6. – Budget Preparation.**

It shall be the duty of the City Manager, with the assistance of the Finance Officer and such other persons as the City Manager may delegate, to prepare and submit to the Board of City Commissioners a proposed budget for the following year no later than August 1st.

Secs. 2-7 through Sec. 2-20 shall be labeled as “Reserved.”

Sec. 2-21 of the Yankton Municipal Code of Ordinances shall be amended to read as follows:

**Sec. 2-21. - Composition.**

Nine (9) Commissioners shall constitute the Board of City Commissioners for the city. Each Commissioner must be elected or appointed in the manner prescribed by state law to serve for a three (3) year term.

Sec. 2-22 of the Yankton Municipal Code of Ordinances shall be amended to read as follows:

**Sec. 2-22. - Compensation of Members.**

The compensation of the members of the Board of City Commissioners shall be as prescribed from time to time by resolution of the Board of City Commissioners.

A new Sec. 2-23 shall be added to the Yankton Municipal Code of Ordinances to read as follows:

**Sec. 2-23. – Mayor’s Term.**

The Mayor shall be a member of the Board of City Commissioners appointed by nomination and election by majority vote of the then-current Board of City Commissioners at the first meeting in May of each year to serve for a term of one (1) year. A Commissioner may be elected to serve as Mayor for more than one (1) term.

Secs. 2-24 through Sec. 2-30 shall be labeled as “Reserved.”

**Sec. 2-31 of the Yankton Municipal Code of Ordinances shall be amended to read as follows:**

**Sec. 2-31. - Regular Meetings.**

- (a) The regular meetings of the Board of City Commissioners shall be held at the Yankton Community Meeting Room located at the CTMEA building located at 1200 West 21st Street, on the second and fourth Mondays of each month at 6:00 p.m., or such alternative location the Board of City Commissioners may designate by majority vote. At any meeting, the Board of City Commissioners may change the date of any future regular meeting by majority vote.
- (b) The City Manager shall have the power and discretion to cancel any regular meeting of the Board of City Commissioners due to inclement weather or for purposes of protecting the safety of the public, the city's employees, or the Board of City Commissioners. The cancellation shall be posted upon the city's public website in a conspicuous place, and the Board of City Commissioners and the local media shall be notified of the cancellation in a reasonably timely and convenient manner. If any regular meeting is canceled for any reason, the regular meeting may be rescheduled in the same manner as a special meeting may be called in accordance with state law and city ordinance. Notwithstanding the foregoing, in no event shall there be less than one (1) regular meeting in any given month.

**Sec. 2-32 of the Yankton Municipal Code of Ordinances shall be amended to read as follows:**

**Sec. 2-32. - Special Meetings.**

- (a) Special meetings of the Board of City Commissioners may be called by the mayor or by any two (2) commissioners at any time to consider such matters as shall be mentioned in the call for the meeting. At any meeting, the Board of City Commissioners may also schedule or change the date of any future special meeting by majority vote.
- (b) If the sole purpose for calling a special meeting of the Board of City Commissioners is to address a "quasi-judicial" matter or request, then the applicant, petitioner, citizen, or entity making the request shall first be required to tender a special meeting fee to the City as a precondition for calling the special meeting. The fee shall be established by resolution of the Board of City Commissioners, but shall be no less than the City's actual costs for posting and publishing the agenda and hosting the special meeting.
- (c) The City Manager shall have the power and discretion to cancel any special meeting of the Board of City Commissioners due to inclement weather or for purposes of protecting the safety of the public, the city's employees, or the board of commissioners. The cancellation shall be posted upon the city's public website in a conspicuous place, and the Board of City Commissioners and the local media shall be notified of the cancellation in a reasonably timely and convenient manner.

If any special meeting is canceled for any reason, the special meeting may be rescheduled in the same manner as a special meeting may be called in accordance with state law and city ordinance.

**Sec. 2-33 of the Yankton Municipal Code of Ordinances shall be amended to read as follows:**

**Sec. 2-33. - Meetings to be Open to the Public; Addressing the Board of City Commissioners.**

All meetings of the Board of City Commissioners, whether regular or special, shall be open to the public, but no person not a member of the board shall participate in the deliberations or address the Board of City Commissioners without permission to do so. The public shall have an opportunity during each regular meeting of the Board of City Commissioners to address the Commission on matters not appearing on the agenda. The Mayor, Mayor Pro Temp, or other person acting as meeting chairperson may set reasonable and practical limitations on the time provided for such public input.

**Sec. 2-34 of the Yankton Municipal Code of Ordinances shall be amended to read as follows:**

**Sec. 2-34. - Quorum.**

A majority of the Board of City Commissioners shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time and may compel the attendance of absent members.

**Sec. 2-35 of the Yankton Municipal Code of Ordinances shall be amended to read as follows:**

**Sec. 2-35. - Preparation of Agenda.**

The City Manager, in cooperation with the Finance Officer, shall prepare a proposed agenda and any additional information for each meeting of the Board of City Commissioners.

The City Manager, Finance Officer, City Attorney, and each member of the Board of City Commissioners may have an item placed on an agenda. City Commissioners are requested to provide the agenda item in writing to the City Manager or City Finance Officer according to the administrative deadlines for agenda and supporting documentation packet preparation. The City Manager will schedule all agenda items in such a manner that staff can provide appropriate time to research the topic and provide a recommendation and pertinent information to the Commission regarding the subject matter. The City Manager

will make every effort to schedule agenda items in a reasonable timeframe. A reasonable timeframe is within two regular meeting cycles of the request.

The agenda shall be published and the agenda and supporting documentation packet shall be posted and available for public inspection at City Hall and on the City's website in the manner required by applicable law.

**Sec. 2-36 of the Yankton Municipal Code of Ordinances shall be amended to read as follows:**

**Sec. 2-36. - Order of Business.**

(a) The order of business at a meeting of the Board of City Commissioners shall be as follows:

(1) Routine business.

- a. Roll call.
- b. Consideration of previous minutes.
- c. Schedule of Bills (if any)
- d. City Manager's Report (if any)
- e. Reading of Proclamations (if any)
- f. Public Appearances and Opportunity for members of the public to address the Commission on matters not on the agenda.

(2) Consent agenda.

- a. Establish dates for hearings or Commission meetings.
- b. Consider application for licenses.
- c. Resolutions approving plats outside the city.
- d. Other routine items.

Any member of the commission may request at the opening of the meeting that an item on the consent agenda be moved to the regular agenda. The meeting chairperson shall move an item to the regular agenda if there is a need for discussion of the item.

(3) Old business.

(4) New business.

(5) Executive Session (if any).

(6) Adjournment.

(b) The provisions of subsection (a) may be temporarily suspended at any meeting by the affirmative vote of two-thirds ( $\frac{2}{3}$ ) of the commissioners present. No matters of business may be added to an agenda except in accordance with the prior posted notice and publication rules as required by State law.



**Sec. 2-37 of the Yankton Municipal Code of Ordinances shall be amended to read as follows:**

**Sec. 2-37. - Voting requirements.**

- (a) The yeas and nays shall be taken upon the passage of all ordinances and upon any proposals to create a liability against the city or for the expenditure or appropriation of its money, and in all other cases at the request of any member of the Board of City Commissioners, and shall be entered on the journal of its proceedings.
- (b) The concurrence of a majority of all the members of the Board of City Commissioners shall be necessary to the passage of any such ordinance or proposal, and it shall require the affirmative vote of two-thirds ( $\frac{2}{3}$ ) of all the Commissioners elected to transfer any city real property.

**A new Sec. 2-38 and Sec. 2-39 shall be added to the Yankton Municipal Code of Ordinances to read as follows:**

**Sec. 2-38. – Journal or Minutes of Commission Meetings Required.**

The Finance Officer shall keep or cause to be kept a journal containing minutes of all official meetings of the Board of City Commissioners. The journal shall be a public record.

**Sec. 2-39. – Annual Appropriation Proceedings**

- (a) No later than the first regular city commission meeting in September, the Board of City Commissioners shall introduce the City's annual appropriation ordinance and set the date for a hearing on said ordinance including tax levies for the upcoming fiscal year.
- (b) No later than the second regular city commission meeting in September, the Board of City Commissioners shall hold a hearing regarding the annual appropriation ordinance including tax levies for the upcoming fiscal year. At the close of the hearing, the Board of City Commissioners shall set such tax levies and direct the Finance Officer to certify such tax levies to the Yankton County Auditor as required by law.

**Secs. 2-40 through Sec. 2-48 shall be labeled as "Reserved."**

**Sec. 2-49 of the Yankton Municipal Code of Ordinances shall be amended to read as follows:**

**Sec. 2-49. - Enumerated.**

- (a) The persons appointed to the following offices shall be deemed to be officers of the city:
  - (1) The City Manager.
  - (2) The Finance Officer.
  - (3) The City Attorney.
- (b) All other persons employed by the city shall be deemed to be employees of the city.

**Sec. 2-50 of the Yankton Municipal Code of Ordinances shall be amended to read as follows:**

**Sec. 2-50. - Appointment.**

- (a) The Board of City Commissioners shall appoint, by a majority vote of its members the following officers for an indefinite term:
  - (1) The City Manager.
  - (2) The Finance Officer.
  - (3) The City Attorney.
- (b) All other employees of the city shall be hired by and report to the City Manager or the City Manager's designee.

**Sec. 2-51 of the Yankton Municipal Code of Ordinances shall be amended to read as follows:**

**Sec. 2-51. - Removal of Officers Appointed by the Board of City Commissioners.**

Any officer appointed by the Board of City Commissioners shall be subject to removal by a majority vote of the members of the Board of City Commissioners at any of its meetings.

**Sec. 2-52 of the Yankton Municipal Code of Ordinances shall be amended to read as follows:**

**Sec. 2-52. - Oath and Bond of Officers.**

All officers of the city shall, before entering upon the duties of their respective offices, execute and file an oath of office and shall, unless the City's insurance provider provides

bonding coverage for City officers in accordance with SDCL 3-5-14, file an official bond with security to be approved by the Board of City Commissioners payable to the city in the penal sum specified for the particular office and conditioned for the faithful performance of the duties of the office and the payment of all money received by the officer according to the laws of the state and the provisions of this Code and other ordinances of the city. The bonds shall be filed in the manner prescribed by law.

**Sec. 2-53 of the Yankton Municipal Code of Ordinances shall be amended to read as follows:**

**Sec. 2-53. - Supervision of City Officers.**

All officers and employees of the city, except the City Attorney and Finance Officer, shall be subject to the supervision of the City Manager.

**Sec. 2-54 of the Yankton Municipal Code of Ordinances shall be amended to read as follows:**

**Sec. 2-54. - City Manager: Office created; Authority and Duties Generally.**

There is hereby created the office of City Manager, who shall have such authority and perform such duties as are prescribed by state law and this Code or other ordinances of the city.

**Sec. 2-55 of the Yankton Municipal Code of Ordinances shall be amended to read as follows:**

**Sec. 2-55. - Duties of the Finance Officer generally.**

- (a) The Finance Officer shall be the department head of the finance department and shall be the chief financial officer of the city. The Finance Officer or the Finance Officer's designee shall perform all of the duties of a municipal auditor, municipal treasurer, and municipal clerk as such duties may be provided in the ordinances of the city or the laws of the state. Whenever reference is made in any city ordinance, state statute or other official document to the term "municipal auditor", "municipal treasurer" or "municipal clerk", or the equivalent thereof, the same shall be deemed to mean the Finance Officer.
- (b) The amount of the official bond of the Finance Officer shall be as required by State law. The Finance Officer shall be bonded through the City's insurance carrier to the extent such coverage is available in accordance with SDCL 3-5-14.

Sec. 2-56 of the Yankton Municipal Code of Ordinances shall be amended to read as follows:

**Sec. 2-56. - Duties of the City Attorney Generally.**

The City Attorney shall attend all meetings of the Board of City Commissioners and shall at all times give such legal advice to the Board of City Commissioners, or any city officer as may be required of him or her, and shall perform such other duties as are prescribed by the laws of the state and the provisions of this Code and other ordinances of the city.

Sec. 2-77 of the Yankton Municipal Code of Ordinances shall be amended to read as follows:

**Sec. 2-77. - Composition; Appointment and Qualifications of Members.**

The park advisory board shall be composed of at least seven (7) members appointed by the mayor and confirmed by the Board of City Commissioners. The members of the park advisory board shall be residents of the city, one (1) of whom shall be a member of the Board of City Commissioners, other than the mayor.

Sec. 2-78 of the Yankton Municipal Code of Ordinances shall be amended to read as follows:

**Sec. 2-78. - Terms of Members.**

The term of office of the six (6) members of the park advisory board, other than the member of the Board of City Commissioners, shall be three (3) years. Each term of the Board of City Commissioners member shall be one (1) year. Each term year shall begin on the first regular Commission meeting in July. If a current board member is unable to serve his or her full three (3) year term, a replacement board member shall be appointed by the mayor and confirmed by majority vote of the Board of City Commissioners to serve the remainder of that term.

Sec. 2-80 of the Yankton Municipal Code of Ordinances shall be amended to read as follows:

**Sec. 2-80. - Park Advisory Board to Act in an Advisory Capacity.**

The chief administrator of the park system of the city shall be the City Manager or the City Manager's designee, who shall administer its affairs in the same manner as all other departments under his or her jurisdiction; the park advisory board shall be an advisory board to advise the City Manager and the Board of City Commissioners of the park needs of the city.

Sec. 2-88 of the Yankton Municipal Code of Ordinances shall be amended to read as follows:

**Sec. 2-88. - Terms of Members.**

The terms of office of the six (6) members of the airport advisory board, other than the member of the Board of City Commissioners, shall be three (3) years. The term of the Board of City Commissioners member shall be one (1) year. Each term year shall begin on the first regular commission meeting in July. If a current board member is unable to serve his or her full three (3) year term, a replacement board member shall be appointed by the mayor and confirmed by majority vote of the Board of City Commissioners to serve the remainder of that term.

Sec. 2-89 of the Yankton Municipal Code of Ordinances shall be amended to read as follows:

**Sec. 2-89. - Compensation of Members.**

The members of the airport advisory board shall serve as such without compensation except for actual expenses, which expenses shall be subject to the approval of the Board of City Commissioners.

Sec. 2-90 of the Yankton Municipal Code of Ordinances shall be amended to read as follows:

**Sec. 2-90. – City Manager as Administrator; Airport Advisory Board to Act in an Advisory Capacity.**

The chief administrator of the airport of the city shall be the City Manager or the City Manager's designee, who shall administer its affairs in the same manner as all other departments under his or her jurisdiction; the Airport Advisory Board shall be an advisory board to advise the City Manager and the Board of City Commissioners of the airport needs of the city.

Sec. 2-91 of the Yankton Municipal Code of Ordinances shall be amended to read as follows:

**Sec. 2-91. - Officers of the Airport Advisory Board and Quorum.**

- (a) The officers of the board shall be a chairman and a vice chairman.
- (b) A quorum shall be a simple majority of the board members.

Sec. 2-98 of the Yankton Municipal Code of Ordinances shall be amended to read as follows:

**Sec. 2-98. - Generally.**

The membership, terms, duties and compensation of the Library Board of Trustees shall be as set forth in State law.

“DIVISION 5 - SISTER CITIES ADVISORY COMMISSION” and Sec. 2-101 through Sec. 2-104 are hereby repealed, and Sec. 2-99 through Sec. 2-110 shall be re-labeled as “Reserved.”

“DIVISION 6 - MAYOR'S COMMISSION FOR RECONCILIATION” shall be renumbered and labeled as “DIVISION 5 - MAYOR'S COMMISSION FOR RECONCILIATION”

Sec. 2-112 of the Yankton Municipal Code of Ordinances shall be amended to read as follows:

**Sec. 2-112. - Appointment of Members; Terms.**

The commission may consist of up to eight (8) members who shall be appointed by the mayor with the approval of the Board of City Commissioners. An initial board may be chosen as follows: Five (5) members for a term of two (2) years; and three (3) members for a term of one (1) year. After the initial appointment all appointments shall be for a period of two (2) years or until a successor is qualified.

Sec. 2-113 of the Yankton Municipal Code of Ordinances shall be amended to read as follows:

**Sec. 2-113. - Duties and Powers.**

When formed, the Mayor's Commission for Reconciliation shall have the following duties and powers:

- (a) To foster a better understanding amongst citizens.
- (b) To hear concerns from citizens about social inequities.
- (c) To take a proactive approach towards the abatement of prejudice.
- (d) To inform the city commission of ongoing problems and concerns within the City of Yankton.

“DIVISION 7 - SOLID WASTE ADVISORY COMMITTEE” and Sec. 2-121 through Sec. 2-125 are hereby repealed, and Sec. 2-114 through Sec. 2-125 shall be labeled as “Reserved.”

Unless modified or repealed as set forth herein, all remaining Sections, Divisions, Subdivisions, and the titling thereof within “Chapter Two – Administration” shall remain as previously codified.

*Savings Clause.* Should any section, subsection, clause, term, or provision of this Ordinance be declared by the Court to be invalid, such invalidity shall not effect the validity of the remainder of the Ordinance as a whole, or any other part thereof, other than the part so declared to be invalid.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2024.

CITY OF YANKTON

ATTEST:

\_\_\_\_\_  
Mason Schramm, Mayor

\_\_\_\_\_  
Lisa Yardley, Finance Officer

(SEAL)

First Reading:  
Second Reading:  
Published:  
Effective:

## ARTICLE I. - IN GENERAL

### Sec. 2-1. - City seal described.

~~The following described seal is hereby declared to be, and is hereby constituted the seal of the city, to wit: A~~ The Seal of the City of Yankton shall be a circle within which shall appear in the foreground a river bearing a steamboat. At the exterior of the circle, and within a circumscribed circle shall appear, ~~in the upper part,~~ the words "City of Yankton" and ~~, in the lower part, the words "South Dakota."~~

### Sec. 2-2. -- Disposition of city revenue.

~~All moneys belonging to the city derived from taxation, licenses, fines, forfeitures, any public utility owned or operated by the city, or from any other source, shall be paid into the city treasury, and the board of commissioners shall designate by the annual appropriation ordinance to what fund such moneys shall be applied.~~

### Sec. 2-3. -- Compensation of personnel generally.

~~The compensation of all city officers and employees shall be as established from time to time by resolution by the board of commissioners.~~

### Sec. 2-4. -- No Precincts established and described and Voter Eligibility.- Elections.

- ~~(a) There shall not be separated voting precincts. All eligible voters may cast votes in any official established voting center used for an election. To be eligible to vote in a Yankton municipal election, an individual must reside within the jurisdictional boundaries of the City of Yankton and be properly registered to vote in association with such residential address. following designated and described precincts shall constitute the voting precincts of the city~~
- ~~(b) Election Date. The regular municipal election of the city is hereby scheduled on the second Tuesday in April. The Board of City Commissioners may elect to hold a municipal election in conjunction with a primary election or school district election. Elections shall be conducted in accordance with SDCL Ch. 9-13.~~
- ~~(a) Precinct No. 1: That portion of the city bounded and described as: Beginning at the intersection of the centerlines of Eighth Street and West City Limits Road; thence east to the intersections of the centerlines of Eighth and Locust Streets; thence south to the intersection of the centerlines of Fourth and Locust Streets; thence east to the intersection of the centerlines of Fourth and Walnut Streets; thence north to the intersection of the centerlines of Sixth and Walnut Streets; thence east along the centerline of Sixth Street extended to the section line lying between sections seventeen and eighteen in township 93 north, range 55 west of the 5th PM; thence south along thereinbefore said section lines to the Missouri River bank thence west along said Missouri River bank to its intersection with West City Limits Road extended centerline; thence north to the point of beginning.~~
- ~~(b) Precinct No. 2: That portion of the city bounded and described as: Beginning at the intersection of the extended centerline of Sixth Street with the section line lying between sections seventeen and eighteen, township 93 north, range 55 west; thence west along the extended centerline of Sixth Street to its intersection with the~~



centerline of Walnut Street; thence north to the intersection of the centerlines of Fifteenth and Walnut Streets; thence east to the intersection of the centerlines of Fifteenth and Peninah Streets; thence north to the intersection of the centerlines of Peninah and Twenty-first Street thence east to the intersection of Twenty-first Street with the east city limits; thence south along the east city limits to the Missouri River; thence west along the Missouri River bank to the east property line of lots 1, 4, and 6 of government lot 3, section 17, township 93 north, range 55 west of the 5th PM; thence north along the east property line described above to its intersection with the north right-of-way line of South Dakota Highway 50; thence southwesterly along the north right-of-way line to the point of beginning.

~~(c) Precinct No. 3: That portion of the city bounded and described as: Beginning at the intersections of the centerlines of Fifteenth and Walnut Streets; thence north to the intersection of the centerlines of Twenty-first and Walnut Streets; thence east to the intersection of the centerlines of Twenty-first Street and Douglas Avenue; thence north to the intersection of the centerlines of Douglas Avenue and James Place; thence east to the intersection of the centerlines of James Place and Peninah Street; thence south to the intersection of the centerlines of Peninah and Fifteenth Streets; thence west to the point of beginning.~~

~~(d) Precinct No. 4: That portion of the city bounded and described as: Beginning at the intersection of the centerlines of Eighth Street and West City Limits Road; thence north to the intersection of the centerlines of West City Limits Road and Nineteenth Street; thence east along Nineteenth Street extended to the centerline of Walnut Street; thence south to the intersection of the centerlines of Walnut and Fourth Streets; thence west to the intersection of the centerlines of Fourth and Locust Streets; thence north to the intersection of the centerlines of Locust and Eighth Streets; thence west along Eighth Street to the point of beginning.~~

~~(e) Precinct No. 5: That portion of the city bounded and described as: Beginning at the intersection of the centerlines of Nineteenth Street and West City Limits Road; thence north to the intersection of West City Limits Road and Thirty-first Street; thence east to the intersection of the centerlines Thirty-first Street and the centerline between the north bound lanes of Broadway Avenue (U.S. Highway 81); thence north to the intersection of the centerline of U.S. Highway 81 and north city limits; thence east and south along the north and east city limits to the intersection of Twenty-first Street extended to Ferdig Avenue; thence west to the intersection of the centerlines of Twenty-first and Peninah Streets; thence north to the intersection of the centerlines of Peninah Street and James Place; thence west to the intersection of the centerlines of James Place and Douglas Avenue; thence south to the intersection of the centerlines of Douglas Avenue and Nineteenth Street; thence west along the centerline of Nineteenth Street to the point of beginning.~~

- Sec. 2-5. - Approval of expenditures ~~involving five thousand dollars or more.~~

(a) The Finance Officer or City Manager has the authority to sign and approve any budgeted expenditures, contracts or agreements on behalf of the city that are less

than the bid limits established under state law for public improvement contracts. Such expenditures, contracts or agreements that exceed \$25,000 shall be countersigned by either the Finance Officer or the Deputy Finance Officer. No claim may be paid until approved by the board of commissioners, except as may be otherwise provided by ordinance or resolution. Board approval required. If a contract, whether for the construction of a public improvement or for the purchase of materials, supplies or equipment which involves the expenditure of a sum equal to or in excess of five thousand dollars (\$5,000.00) for general operations and equal to or in excess of seven thousand dollars (\$7,000.00) for municipal utilities, is to be entered into, it shall first be approved by the board of commissioners.

- (b) Consolidation of items. For the purposes of determining the sum, homogeneous or kindred items shall be consolidated where possible.
- (c) Under the Finance Officer's review, prepayment of claims may be made for existing approved contracts and for budgeted items and approved vendors including payroll-related obligations and utilities not to exceed a total of \$200,000 per transaction in accordance with SDCL 9-23-1. All such expenditures shall be included within the schedule of warrants to be reviewed and approved by the Board of City Commissioners.

#### Sec. 2-6. – Budget preparation.

It shall be the duty of the City Manager, with the assistance of the Finance Officer and such other persons as the City Manager may delegate, to prepare and submit to the Board of City Commissioners a proposed budget for the following year no later than August 1st.

Secs. 2-76—2-20. - Reserved.

## ARTICLE II. - BOARD OF COMMISSIONERS<sup>[2]</sup>

### DIVISION 1. – GENERALLY

#### Sec. 2-21. - Composition.

Nine (9) eCommissioners shall constitute the bBoard of City eCommissioners for the city. Each Commissioner must be elected or appointed in the manner prescribed by state law to serve for a three (3) year term.

#### Sec. 2-22. - Compensation of members.

The compensation of the members of the bBoard of City eCommissioners shall be as prescribed from time to time by resolution of the board of commissioners.

#### Sec. 2-23. – Mayor's term.

The Mayor shall be a member of the Board of City Commissioners appointed by nomination and election by majority vote of the then-current Board of City Commissioners at the first meeting in May of each year to serve for a term of one (1) year. A Commissioner may be elected to serve as Mayor for more than one term.

Secs. 2-~~2324~~—2-30. - Reserved.

## DIVISION 2. - MEETINGS

### Sec. 2-31. - Regular meetings.

- (a) The regular meetings of the ~~b~~Board of ~~C~~ity ~~C~~ommissioners shall be held at the Yankton Community Meeting Room located at the ~~T~~echnical ~~E~~ducation ~~C~~enter ~~C~~TMEA building located at 1200 West 21st Street, on the second and fourth Mondays of each month at ~~7~~6:00 p.m., or such rooms the ~~B~~oard of ~~C~~ity ~~C~~ommissioners may designate by majority vote. At any meeting, the ~~B~~oard of ~~C~~ity ~~C~~ommissioners may change the date of any future regular meeting by majority vote.
- (b) The city manager shall have the power and discretion to cancel any regular meeting of the ~~b~~Board of ~~C~~ity ~~C~~ommissioners due to inclement weather or for purposes of protecting the safety of the public, the city's employees, or the board of commissioners. The cancellation shall be posted upon the city's public website in a conspicuous place, and the ~~b~~Board of ~~C~~ity ~~C~~ommissioners and the local media shall be notified of the cancellation in a reasonably timely and convenient manner. If any regular meeting is canceled for any reason, the regular meeting may be rescheduled in the same manner as a special meeting may be called in accordance with state law and city ordinance. Notwithstanding the foregoing, in no event shall there be less than one (1) regular meeting in any given month.

### Sec. 2-32. - Special meetings.

- (a) Special meetings of the ~~b~~Board of ~~C~~ity ~~C~~ommissioners may be called by the mayor or by any two (2) commissioners at any time to consider such matters as shall be mentioned in the call for the meeting. At any meeting, the ~~b~~Board of ~~C~~ity ~~C~~ommissioners may also schedule or change the date of any future special meeting by majority vote.
- (b) If the sole purpose for calling a special meeting of the Board of City Commissioners is to address a “quasi-judicial” matter or request, then the applicant, petitioner, citizen, or entity making the request shall first be required to tender a special meeting fee to the City as a precondition for calling the special meeting. The fee shall be established by resolution of the Board of City Commissioners, but shall be no less than the City’s actual costs for posting and publishing the agenda and hosting the special meeting.

(b) The city manager shall have the power and discretion to cancel any special meeting of the ~~b~~Board of ~~C~~ity ~~C~~ommissioners due to inclement weather or for purposes of protecting the safety of the public, the city's employees, or the board of commissioners. The cancellation shall be posted upon the city's public website in a conspicuous place, and the ~~b~~Board of ~~C~~ity ~~C~~ommissioners and the local media shall be notified of the cancellation in a reasonably timely and convenient manner. If any special meeting is canceled for any reason, the special meeting may be rescheduled in the same manner as a special meeting may be called in accordance with state law and city ordinance.

### Sec. 2-33. - Meetings to be open to the public; addressing the board of commissioners.

All meetings of the ~~B~~oard of ~~C~~ity ~~C~~ommissioners, whether regular or special, shall be open to the public, but no person not a member of the board shall participate in the deliberations or address the ~~b~~Board of ~~C~~ity ~~C~~ommissioners without permission to do so. The public shall have an opportunity during each regular meeting of the Board of City Commissioners to address the Commission on matters not appearing on the agenda. The Mayor, Mayor Pro Temp, or other person acting as meeting chairperson may set reasonable and practical limitations on the time provided for such public input.

### Sec. 2-34. - Quorum.

A majority of the ~~B~~oard of ~~C~~ity ~~C~~ommissioners shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time and may compel the attendance of absent members.

### Sec. 2-35. - Preparation of agenda.

The ~~C~~ity ~~M~~anager, in cooperation with the Finance Officer, ~~finance officer, under the supervision of the city manager,~~ shall prepare ~~the~~ a proposed agenda and any additional information for each meeting of the ~~b~~Board of ~~C~~ity ~~C~~ommissioners. ~~Matters may be added to any meeting agenda at the direction of the City Manager, the Finance Officer, the Mayor, or at the request of two Commissioners.~~

The City Manager, Finance Officer, City Attorney, and each member of the Board of City Commissioners may have an item placed on an agenda. City Commissioners are requested to provide the agenda item in writing to the City Manager or City Finance Officer according to the administrative deadlines for agenda and supporting documentation packet preparation. The City Manager will schedule all agenda items in such a manner that staff can provide appropriate time to research the topic and provide a recommendation and pertinent information to the Commission regarding the subject matter. The City Manager will make every effort to schedule agenda items in a reasonable timeframe. A reasonable timeframe is within two regular meeting cycles of the request.

An agenda packet shall be prepared that includes, for each item of business placed on the proposed agenda, background information on the subject as available and feasible to reproduce. Each City Commissioner shall receive a copy of the proposed agenda and the

~~agenda packet. The agenda shall be published and the agenda and supporting documentation packet shall be posted and available for public inspection at City Hall and on the City's website in the manner required by applicable law.~~

**Sec. 2-36. - Order of business.**

(a) The order of business at a meeting of the ~~h~~Board of ~~City Ce~~ommissioners shall be as follows:

(1) Routine business.

a. Roll call.

b. Consideration of previous minutes.

c. ~~Recognition of visitors.~~ Schedule of Bills (if any)

d. City Manager's Report (if any)

e. Reading of Proclamations (if any)

f. Public Appearances and Opportunity for members of the public to address the Commission on matters not on the agenda.

(2) Consent agenda.

a. Establish dates for hearings or Commission meetings.

b. Consider application for licenses.

c. Resolutions approving plats outside the city.

d. ~~Bills.~~

~~e.~~Other routine items.

Any member of the commission may request at the opening of the meeting that an item on the consent agenda be moved to the regular agenda. ~~The city manager may place an item on~~ The meeting chairperson shall move an item to the regular agenda if there is a need for discussion of the item.

(3) Old business.

(4) New business.

(5) ~~Other business~~Executive Session (if any).

(6) Adjournment.

(b) The provisions of subsection (a) may be temporarily suspended at any meeting by the affirmative vote of two-thirds ( $\frac{2}{3}$ ) of the commissioners present. No matters of business may be added to an agenda except in accordance with the prior posted notice and publication as required by State law.

**Sec. 2-37. - Voting requirements.**

- (a) The yeas and nays shall be taken upon the passage of all ordinances and upon any proposals to create a liability against the city or for the expenditure or appropriation of its money, and in all other cases at the request of any member of the board of commissioners, and shall be entered on the journal of its proceedings.
- (b) The concurrence of a majority of all the members of the Board of City Commissioners shall be necessary to the passage of any such ordinance or proposal, and it shall require the affirmative vote of two-thirds ( $\frac{2}{3}$ ) of all the commissioners elected to transfer any city real property.

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**Sec. 2-38. – Journal or minutes of commission meetings required.**

The Finance Officer shall keep or cause to be kept a journal containing minutes of all Board of City Commissioners proceedings. The journal shall be a public record.

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**Sec. 2-39. – Annual Appropriation Proceedings**

- (a) No later than the first regular city commission meeting in September, the Board of City Commissioners shall introduce the City's annual appropriation ordinance and set the date for a hearing on said ordinance including tax levies for the upcoming fiscal year.
- (b) No later than the second regular city commission meeting in September, the Board of City Commissioners shall hold a hearing regarding the annual appropriation ordinance including tax levies for the upcoming fiscal year. At the close of the hearing, the Board of City Commissioners shall set such tax levies and direct the finance officer to certify such tax levies to the Yankton County auditor as required by law.

Secs. 2-~~4038~~—2-48. - Reserved.

**ARTICLE III. – OFFICERS**

**Sec. 2-49. - Enumerated.**

- (a) The persons appointed to the following offices shall be deemed to be officers of the city:
  - (1) The eCity mManager.
  - (2) The fFinance officer.
  - (3) The eCity attorney.
- (b) All other persons employed by the city shall be deemed to be employees of the city.

**Sec. 2-50. - Appointment.**

- (a) The ~~b~~Board of ~~C~~ity ~~C~~ommissioners shall appoint, by a majority vote of its members the following officers for an indefinite term:
- (1) The city manager.
  - (2) The finance officer.
  - (3) The city attorney.
- (b) All other employees of the city shall be ~~appointed~~~~hired~~ by ~~and report to~~ the ~~C~~ity ~~M~~anager ~~or the City Manager's designee~~.

**Sec. 2-51. - Removal of ~~e~~Officers ~~a~~Appointed by the ~~b~~Board of ~~C~~ity ~~e~~Commissioners.**

Any officer appointed by the ~~b~~Board of ~~C~~ity ~~C~~ommissioners shall be subject to removal by a majority vote of the members of the ~~b~~Board of ~~C~~ity ~~C~~ommissioners at any of its meetings.

**Sec. 2-52. - Oath and ~~b~~Bond of ~~e~~Officers.**

All officers of the city shall, before entering upon the duties of their respective offices, execute and file an oath of office and ~~shall, unless the City's insurance provider provides bonding coverage for City officers in accordance with SDCL 3-5-14, file~~ an official bond, with security to be approved by the ~~b~~Board of ~~C~~ity ~~e~~Commissioners payable to the city; in the penal sum specified for the particular office; and conditioned for the faithful performance of the duties of the office and the payment of all money received by the officer according to the laws of the state and the provisions of this Code and other ordinances of the city. The bonds shall be filed in the manner prescribed by law.

**Sec. 2-53. - Supervision of ~~e~~City ~~e~~Officers.**

All officers ~~and employees~~ of the city, except the ~~e~~City ~~a~~ttorney ~~and Finance Officer~~, shall be subject to the supervision of the ~~C~~ity ~~M~~anager.

**Sec. 2-54. - City ~~m~~Manager: Office ~~c~~reated; ~~a~~Authority and ~~d~~Duties ~~g~~Generally.**

There is hereby created the office of ~~e~~City ~~m~~anager, who shall have such authority and perform such duties as are prescribed by state law and this Code or other ordinances of the city.

**Sec. 2-55. - Duties of the ~~f~~inance ~~e~~Officer ~~g~~Generally.**

- (a) ~~The duties of the finance officer shall be such as are prescribed by the laws of the state, and the provisions of this Code and other ordinances of the city, and such other duties as may be prescribed by the board of commissioners. The Finance Officer shall be the department head of the finance department and shall be the chief financial officer of the city. The Finance Officer or the Finance Officer's~~

designee shall perform all of the duties of a municipal auditor, municipal treasurer, and municipal clerk as such duties may be provided in the ordinances of the city or the laws of the state. Whenever reference is made in any city ordinance, state statute or other official document to the term "municipal auditor", "municipal treasurer" or "municipal clerk", or the equivalent thereof, the same shall be deemed to mean the Finance Officer.

- (b) The amount of the official bond of the finance officer shall be as required by State law. The finance officer shall be bonded through the City's insurance carrier to the extent such coverage is available in accordance with SDCL 3-5-14. ~~one-half (1/2) of the amount of the estimated taxes and special assessments for the current year, which amount shall be fixed each year by resolution of the board of commissioners at the time the finance officer is appointed, and in case bonds are sold, the finance officer shall execute an additional undertaking in the amount thereof.~~

**Sec. 2-56. - Duties of the Ceity Attorney generally.**

The city attorney shall attend all meetings of the board of City Commissioners and shall at all times give such legal advice to the board of commissioners, or any city officer as may be required of him or her, and he shall perform such other duties as are prescribed by the laws of the state and the provisions of this Code and other ordinances of the city.

Secs. 2-57—2-68. - Reserved.

**ARTICLE IV. - BOARDS AND COMMISSIONS  
DIVISION 1. - GENERALLY**

Secs. 2-69—2-75. - Reserved.

**DIVISION 2. - THE PARK ADVISORY BOARD**

**Sec. 2-76. - Created.**

There is hereby created a park advisory board.

**Sec. 2-77. - Composition; appointment and qualifications of mMembers.**

The park advisory board shall be composed of at least seven (7) members appointed by the mayor and confirmed by the board of commissioners. The members of the park advisory board shall be residents of the city, one (1) of whom shall be a member of the board of commissioners, other than the mayor.

**Sec. 2-78. - Terms of mMembers.**

The terms of office of the six (6) members of the park advisory board, other than the member of the Board of City Commissioners, shall be three (3) years, ~~the~~ Each term of



the Board of City Commissioners member shall be one (1) year. Each term year shall begin on the first regular eCommission meeting in ~~June~~July. ~~When the park advisory board is enlarged, one (1) additional member shall be appointed for one (1) year and one (1) additional member for two (2) years. All new appointments shall be for three (3) years. If a current board member is unable to serve his or her full three (3) year term, a replacement board member shall be appointed by the mayor and confirmed by majority vote of the Board of City Commissioners to serve the remainder of that term.~~

**Sec. 2-79. - Compensation of members.**

The members of the park advisory board shall serve as such without compensation except for actual expenses, which expenses shall be subject to the approval of the board of commissioners.

**Sec. 2-80. - Park aAdvisory bBoard to aAct in an aAdvisory eCapacity.**

The chief administrator of the park system of the city shall be the eCity mManager ~~or the City Manager's designee~~, who shall administer its affairs in the same manner as all other departments under his ~~or her~~ jurisdiction; the park advisory board shall be an advisory board to advise the eCity mManager and the bBoard of City eCommissioners of the park needs of the city.

**Secs. 2-81—2-85. - Reserved.**

**DIVISION 3. - THE AIRPORT ADVISORY BOARD**

**Sec. 2-86. - Created.**

There is hereby created an airport advisory board.

**Sec. 2-87. - Composition; appointment and qualifications of members.**

The airport advisory board shall be composed of seven (7) members appointed by the mayor and confirmed by the board of city commissioners. The members of the airport advisory board shall be residents of the city, except that as long as Yankton County participates in providing funding assistance for the airport, one (1) member may be a resident of Yankton County in the area outside of the corporate limits of the city, and one (1) of whom shall be a member of the board of city commissioners, other than the mayor.

**Sec. 2-88. - Terms of members.**

The terms of office of the six (6) members of the airport advisory board, other than the member of the board of commissioners, shall be three (3) years.†† The term of the bBoard

of City Commissioners member shall be one (1) year. Each term year shall begin on the first regular commission meeting in ~~June~~ July. ~~All new appointments shall be for three (3) years.~~ If a current board member is unable to serve ~~their~~ his or her full three (3) years term, a replacement board member shall be appointed by the mayor and confirmed by majority vote of the Board of City Commissioners to serve the remainder of that term.

**Sec. 2-89. - Compensation of ~~m~~Members.**

The members of the airport advisory board shall serve as such without compensation except for actual expenses, which expenses shall be subject to the approval of the ~~b~~Board of City Commissioners.

**Sec. 2-90. - City Manager as Administrator; Airport aAdvisory bBoard to aAct in an aAdvisory eCapacity.**

The chief administrator of the airport of the city shall be the city manager or the city manager's designee, who shall administer its affairs in the same manner as all other departments under his jurisdiction; the airport advisory board shall be an advisory board to advise the city manager and the ~~b~~Board of City Commissioners of the airport needs of the city.

**Sec. 2-91. - Officers of the Airport Advisory bBoard; and qQuorum, ~~and bonding.~~**

- (a) The officers of the board shall be a chairman and a vice chairman.
- (b) A quorum shall be a simple majority of the board members.
- ~~(c) The bond for board members shall be set at zero.~~

**Sec. 2-92. - Meeting schedule and reporting.**

- (a) The frequency of board meetings shall be called at the discretion of the board chairman, but the board shall meet no less than once per calendar quarter.
- (b) The minutes of the board meetings shall be the only required report submitted to the city manager and the board of city commissioners.

Secs. 2-93—2-96. - Reserved.

**DIVISION 4. - LIBRARY BOARD OF TRUSTEES**

**Sec. 2-97. - Created.**

There is hereby created a library board of trustees.

**Sec. 2-98. - Generally.**

The membership, terms, duties and compensation of the ~~Library~~ ~~Board of Trustees~~ shall be as set forth in ~~State law, South Dakota Compiled Laws 1967, Chapter 14-4, and amendments thereof.~~

Secs. 2-99, 2-~~110~~100. - Reserved.

## ~~DIVISION 5. -- SISTER CITIES ADVISORY COMMISSION~~<sup>[7]</sup>

### ~~Sec. 2-101. -- Created.~~

~~The city hereby authorizes an advisory commission to be known as the Yankton Sister Cities Advisory Commission hereinafter referred to as "commission" to fulfill the purposes of this division.~~

### ~~Sec. 2-102. -- Appointment of members; terms.~~

~~The commission shall consist of seven (7) members who shall be appointed by the mayor with the approval of the board of city commissioners. The initial board will be chosen as follows: Two (2) members for a term of one (1) year; three (3) members for a term of two (2) years; and two (2) members for a term of three (3) years. After the initial appointment all appointments shall be for a period of three (3) years or until a successor is qualified.~~

### ~~Sec. 2-103. -- Adoption of bylaws.~~

~~The commission shall adopt such bylaws as may be necessary to accomplish the purposes for its organization. These bylaws shall be effective upon adoption by the commission and approval by the Board of City Commissioners of the City of Yankton. The commission shall then organize and select officers as specified in the bylaws.~~

### ~~Sec. 2-104. -- Duties and powers.~~

~~The Yankton Sister Cities Advisory Commission shall have the following duties and powers:~~

- ~~(a) — To draft a set of bylaws for such a commission and to periodically review said bylaws for any necessary changes;~~
- ~~(b) — To develop guidelines and a program for a sister city relationship with other cities throughout the world;~~
- ~~(c) — To prepare an annual report of the activities of the sister city advisory commission for the City of Yankton and to compare the commission's activities to those of similar commissions in the comparable cities throughout the country;~~
- ~~(d) — To develop a budget as necessary for the sister city advisory commission projects to be considered by the board of city commissioners;~~
- ~~(e) — To initiate, sponsor or conduct, alone or in conjunction with other cities or agencies, public programs to further public awareness of and interest in communities throughout the world emphasizing such things as the cultural, historical, and economic aspects of the city's adopted sister cities;~~
- ~~(f) — To advise and assist the city in connection with such other activities as may be referred to the commission by the board of directors;~~

- ~~(g) — To generally stimulate, facilitate, coordinate and cooperate with existing organizations throughout the country for the promotion and development of sister city relationships.~~

~~Secs. 2-105—2-110. — Reserved.~~

## DIVISION 65. - MAYOR'S COMMISSION FOR RECONCILIATION

### Sec. 2-111. - Created.

The city hereby authorizes an advisory commission to be known as the mayor's commission for reconciliation hereinafter referred to as "commission" to fulfill the purposes of this division.

### Sec. 2-112. - Appointment of ~~m~~Members; ~~t~~Terms.

The commission ~~shall~~may consist of up to eight (8) members who shall be appointed by the mayor with the approval of the board of city commissioners. ~~The~~An initial board ~~will~~may be chosen as follows: Five (5) members for a term of two (2) years; and three (3) members for a term of one (1) year. After the initial appointment all appointments shall be for a period of two (2) years or until a successor is qualified.

### Sec. 2-113. - Duties and powers.

When formed, ~~T~~the mayor's commission for reconciliation shall have the following duties and powers:

- (a) To foster a better understanding amongst citizens.
- (b) To hear concerns from citizens about social inequities.
- (c) To take a proactive approach towards the abatement of prejudice.
- (d) To inform the city commission of ongoing problems and concerns within the City of Yankton.

~~Secs. 2-114—2-1250. - Reserved.~~

## ~~DIVISION 7. — SOLID WASTE ADVISORY COMMITTEE~~<sup>(9)</sup>

### ~~Sec. 2-121. — Created.~~

~~The city hereby authorizes an advisory commission to be known as the solid waste advisory committee hereinafter referred to as "committee" to fulfill the purposes of this division.~~

### ~~Sec. 2-122. — Membership.~~

~~The commission shall consist of nine (9) members who shall be appointed by the mayor with the approval of the board of city commissioners. The initial board will be chosen as follows: Three (3) members shall be residents of Yankton County and shall reside outside the corporate limits of the City of Yankton; four (4) members shall be residents of the City of Yankton and reside within the corporate limits of the City of Yankton; one (1) member shall be a Yankton City Commissioner and one (1) member shall be a Yankton County Commissioner. The Yankton County Commission shall advise the mayor in the appointment of the three (3) Yankton County members and the Yankton County Commission representative. The terms of the members shall be as follows: The two (2) city and county commission representatives shall be for a term of one (1) year; four (4) members for a term of two (2) years; and three (3) members for a term of three (3) years. After the initial appointment all appointments shall be for a period of three (3) years or until a successor is qualified.~~

**~~Sec. 2-123. -- Officers.~~**

~~The officers of the advisory board shall consist of a chairperson and a secretary. They shall be elected annually for a one-year term at the first regular meeting of the advisory board scheduled after July 1. Their respective powers and duties shall include the following:~~

- ~~(1) The chairperson shall preside at all meetings.~~
- ~~(2) In the event of the absence of the chairperson, an acting chairperson shall be appointed for said meeting.~~
- ~~(3) The secretary shall record, transcribe, and maintain the minutes of all meetings, and shall distribute the minutes of the prior meeting and the agenda for the coming meetings to all members and others entitled to receive same.~~

**~~Sec. 2-124. -- Adoption of bylaws.~~**

~~The commission shall adopt such bylaws as may be necessary to accomplish the purposes for its organization. These bylaws shall be effective upon adoption by the commission and approval by the Board of City Commissioners of the City of Yankton. The commission shall then organize and select officers as specified in the bylaws.~~

**~~Sec. 2-125. -- Duties and powers.~~**

~~The solid waste advisory committee shall have the following duties and powers:~~

- ~~(a) To draft a set of bylaws for such a committee and to periodically review said bylaws for any necessary changes.~~
- ~~(b) To establish a recycling plan for the City of Yankton.~~
- ~~(c) To open the lines of communication between residents of the community and the City of Yankton and Yankton County to promote ongoing recycling efforts.~~
- ~~(d) To work actively in an advisory role, to assist the community in determining recycling and solid waste disposal needs.~~
- ~~(e) To work with all groups and individuals interested in developing programs to improve the community's environment and to promote a greater understanding of environmental issues.~~

~~(f) — To advise and make recommendations as are appropriate to the city commission regarding solid waste and recycling issues.~~

## Memorandum #24-242

**To:** City Manager and City Commission  
**From:** Dana Schmidt, Library Director  
**Subject:** FY 2025 County Contract for Library Services  
**Date:** November 25, 2024

---

The current contract with Yankton County for the Yankton Community Library to provide library services for residents living outside the corporate limits of the City of Yankton expires December 31, 2024.

Attached to this memorandum, please find a copy of Resolution #24-58 which would extend library services to Yankton County residents through Fiscal Year 2025.

Presently, the Yankton Community Library serves 907 cardholders residing outside of Yankton City limits and within Yankton County. Each member of the household may have their own card, if they so choose, with only one payment required per household (not per card).

A non-resident library card (outside of Yankton County) is \$40.00 per household per year. Under this agreement, each Yankton County household pays \$20.00 per year for a library card and Yankton County provides \$20,000.00 per year to supplement the remaining costs. The current fee of \$20.00 per household per year was effective January 1, 2020.

Respectfully submitted,



Dana Schmidt  
 Library Director

**Recommendation: The Yankton Community Library Board of Trustees formally recommends that the Yankton City Commission approve this contract.**

I concur with the recommendation.

I do not concur with the recommendation.




---

Amy Leon  
 City Manager

**RESOLUTION #24-58**

**WHEREAS**, the City of Yankton and Yankton County have entered into an agreement for the provision of library services for residents living outside corporate limits of the City; and,

**WHEREAS**, the current agreement is slated to expire December 31, 2024; and,

**WHEREAS**, Yankton County has contracted with the City of Yankton for library services since 1993; and,

**WHEREAS**, more than 907 Yankton County residents are cardholders at the Yankton Community Library; and,

**WHEREAS**, the current agreement between the City and County contains a provision for extending this service until December 31, 2025.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of City Commissioners of the City of Yankton, South Dakota that the Agreement for the Provision of Library Services between the City and Yankton County be extended for the term January 1, 2025, through December 31, 2025.

Adopted:

\_\_\_\_\_  
Mason Schramm, Mayor

ATTEST:

\_\_\_\_\_  
Lisa Yardley, Finance Officer



## Agreement for the Provision of Library Services

This Agreement made this \_\_\_\_ day of \_\_\_\_\_, 2024 between the City of Yankton, a municipal corporation acting through its Board of Library Trustees and its Board of City Commissioners and Yankton County, a political subdivision acting through its Board of County Commissioners.

The parties do agree as follows:

1. The City of Yankton will provide the same library services to all residents of Yankton County living outside of the corporate limits of the City of Yankton as it provides for citizens of the City.
2. Yankton County will pay \$20,000 to the City of Yankton to provide library services for all Yankton County residents from January 1, 2025 until December 31, 2025. The City of Yankton will bill Yankton County semi-annually (April and October – see County Commission Minutes, 01/11/00)
3. Additionally, every household must pay an annual \$20.00 out-of-pocket charge directly to the Library upon issuance or renewal for a nonresident Yankton County card (for individuals living outside of the corporate limits of the City of Yankton but within Yankton County). Library cards may also be purchased for a 3-month membership (\$5) or a 6-month membership (\$10). Nonresident (outside of Yankton County) cards are issued at \$40.00 per household per year.
4. While the Library agrees to verify that each person or family to whom a card issued is a resident of Yankton County by using a current means of identification and proof of address, both the County and Library have agreed upon the following definition of a county resident that is eligible to purchase a County card:  
  
*“Person or persons owning residential or business property within Yankton County or, through rent or lease, paying property taxes to the County and County youth, high school freshmen through seniors. Verification of property tax payment may be additionally required for persons renting or leasing. The property owners (residing within the county or not) as well as the renter/lessee have the same right to obtain a library card.”*
5. During the contract period, the Library will track the utilization of library services by county residents and provide patron database numbers, renewal and new card figures, and circulation percentages upon request to the Board of County Commissioners.
6. The Board of County Commissioners is entitled to appoint an additional member to the Board of Library Trustee of the City of Yankton as provided in SDCL 14 2-36. Said member shall have all of the powers and responsibilities granted to members of the Library Board of Trustees under state law and city code/ordinance. The term of the county representative shall be tied to this contract date as well as the term and appointment calendar for County Commissioners. If the contract is terminated for any reason, the County Commissioner’s representative on the

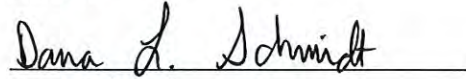
Library Board of Trustee will end upon the date of contract termination.

- 7. This agreement shall be effective and binding on January 1, 2025 extending until December 31, 2025 unless amended or terminated by either/or both parties. A mutual resolution for extension may also be included.

Approved this 18 day of September, 2024, Yankton Community Library Board of Trustees.

  
David Koerner  
Board President

Attest:

  
Dana Schmidt  
Library Director

Approved this 19 day of November, 2024, Board of Commissioners, Yankton County.

  
John Marquardt  
Chairman



The seal is circular with a double-line border. The outer ring contains the text 'COUNTY YANKTON S. DAKOTA'. The inner ring contains 'SEAL' in the center and 'SOUTH DAKOTA' at the bottom.

Attest:

  
Patty Hojem  
Auditor

Approved this \_\_\_\_ day of \_\_\_\_\_, 2024, Board of Commissioners, City of Yankton.

\_\_\_\_\_  
Mason Schramm  
Mayor

Attest:

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

## *Memorandum #24-243*

*To: City Commission*  
*From: Finance Officer*  
*Date: November 14, 2024*  
*Subject: Write Off of Uncollectible Utility Accounts*

Attached is departmental correspondence from Deputy Finance Officer, Raelle Hummel. Raelle has reviewed the uncollectible accounts and is recommending a write off of \$2,631.16. This is \$7,919.09 less than the last write off done in in November 2023 and is completed on an annual basis, if needed. This year's write offs are comprised of ten residential customers. The total amount represents approximately 0.017% of our total operating revenues (approximately \$15,087,146) for water, waste water, and solid waste collection for the one-year period.

I would like to point out at this time that the philosophy behind penalties and enforcement of shut-offs is to assess any increased expenses occurring from this process to the customers that caused these expenses rather than to absorb them and spread them among all the regular paying customers. When accounts are written off in the above manner, they technically become an expense to these regular customers. We currently have approximately 5,862 customers. This write off thus becomes an annual expense to these customers of approximately \$0.45 (compared to \$1.85 in 2023) per customer.

Attached is a list of accounts returned by the collection agency since December 2023 with the account holder's name and reason the account was returned.

*It should be noted that although these accounts have been returned, the collection agency still keeps them on file for possible future collection. We also keep a list at the City Finance Office in case one of these customers attempts to receive City utilities in the future. At that time, we will require payment of the old amount plus a deposit before a new account is authorized.*

Good accounting practice dictates we remove old accounts receivable from our records on a regular basis.

The following are explanations of the reasons used on the list:

- **Skipped** – customer has left town with no forwarding address and all attempts to locate them have been unsuccessful
- **Imprisonment** – customer in prison – unable to collect
- **Bankruptcy** - no legal ability to collect
- **Deceased** - no assets at time of death to allow collection
- **Uncollectible** – the collection agency has made numerous contacts with the customer but is unable to obtain payment. The agency notes that the individuals are uncooperative, refuse payment, are often credit abusers and cannot force payment. Litigation is at times filed to garnish wages but these attempts are unsuccessful.

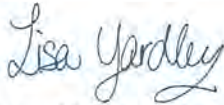
- **Credit abuser** – term used for a customer with multiple outstanding bills and little chance of collecting
- **Outlawed** – the judgement is past ten years or the bill without a judgement is past six years and expired. Credit collections is unable to enforce and deems uncollectible.

The accounts in question were returned by the collection agency as uncollectible, so all possible avenues have been exhausted. Therefore, I request the Board of City Commissioners write off the uncollectible accounts as authorized by SDCL 9-22-4 (see below).

*9-22-4. Assignment of delinquent accounts receivable--Disposition of uncollectible accounts. Every municipality may assign for collection any or all delinquent accounts receivable. After reasonable collection efforts the governing body may determine that an account is uncollectible, and by formal action direct that the uncollectible amount be removed from the records and disclosed on that year's financial report. Evidence of the debt removed from the records by the formal action of the governing body shall be retained by the municipality to support possible subsequent collection of that debt.*

*Source: SDC Supp 1960, § 45.0201-1 (23) as added by SL 1964, ch 138; SL 1974, ch 74; SL 1979, ch 57.*

Respectfully submitted,

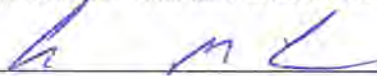


Lisa Yardley  
Finance Officer

**It is recommended that the City Commission authorize the write off of \$2,631.16 as uncollectible utility accounts per SDCL 9-22-4.**

I concur with this recommendation.

I do not concur with this recommendation.



Amy Leon  
City Manager

## *Departmental Correspondence*

*To: Finance Officer*  
*From: Deputy Finance Officer*  
*Date: November 14, 2024*  
*Subject: Utilities – Accounts Receivable Write Off*

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As authorized in SDCL 9-22-4, I am recommending the Board of Commissioners write off the attached utility accounts in the amount of \$2,631.16 against the reserve balance of \$101,498.32. Utility accounts were sent to a local collection agency and have been returned as uncollectible due to a number of reasons. Reasons include: credit abuser-10%; in prison-10%; refused to pay/judgement- 40%; and deceased-40%. The \$2,631.16 has accumulated since the prior year write off and represents account balances from 2014 through November 2024. This reflects 1.0528% of all delinquent accounts receivable. Delinquent accounts are categorized as follows:

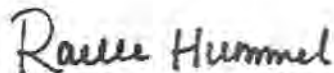
Customers on Service (30 days delinquent)	\$ 110,121.38
Credit Collection Agency	\$ 137,174.06
Uncollectible	\$ 2,631.16
 Total Delinquent Accounts Receivable	 <u>\$ 249,926.60</u>

The aged analysis of the accounts receivable remaining at the Credit Collection Service as of November 2024 is:

30 days or less	\$ 126.44
30 to 60 days	\$ 2,799.75
60 to 90 days	\$ 40,188.53
Over 90 days	\$ 47,625.33
Over 120 days	\$ 46,434.01
 Total	 <u>\$ 137,174.06</u>

I have attached documentation on those accounts that we request be removed from our records and to be disclosed to the City's 2024 financial report.

Respectfully Submitted,



Raelle Hummel  
Deputy Finance Officer

**City of Yankton  
Utility Write Offs - November 2024**

<u>ACCOUNT#</u>	<u>NAME (LAST, FIRST)</u>	<u>AMOUNT</u>	<u>REASON</u>	<u>YEAR SENT TO COLLECTIONS</u>
81-1544-01-01	LUNDSTROM, KATHLEEN	\$667.14	Deceased	2024
81-1545-01-01	GUY, JOEY	\$325.65	Deceased	2024
81-1546-01-01	HARRISON, TREVOR	\$257.91	Imprisonment	2023
81-1547-01-01	KOPEJTKA, ALYSIA	\$172.54	Refused Judgement	2015
81-1548-01-01	MEAD, ERIC	\$310.66	Refused Judgement	2014
81-1549-01-01	PENNING, JOY	\$141.92	Refused Judgement	2014
81-1550-01-01	READ, JOHN CHARLES	\$311.87	Refused Judgement	2018
81-1551-01-01	SNODGRASS, LUCAS	\$40.00	Credit Abuser	2015
81-1552-01-01	FERNAU, KEVIN	\$179.46	Deceased	2018
81-1553-01-01	AUCH, MARIE	\$224.01	Deceased	2024
<b>TOTAL</b>		<b>\$2,631.16</b>		

**Memorandum #24-244**

**TO:** Amy Leon, City Manager  
**FROM:** Brittany Orr, Human Resources Director *BO*  
**RE:** Addendum to Collective Bargaining Agreement Wages  
**DATE:** November 25, 2024

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Pursuant to Article 13 and Article 26 of the Collective Bargaining Agreement between The City of Yankton and the American Federation of State, County and Municipal Employees AFL-CIO, Local 3968, the parties met to renegotiate wages effective January 1, 2025.

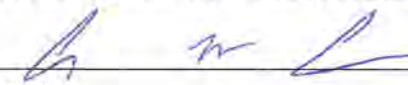
Representatives from AFSCME and the City of Yankton met on November 14, 2024, to renegotiate wages effective January 1, 2025. The parties tentatively agreed upon a 4% cost of living increase for the AFSCME bargaining unit for the calendar year 2025, and a one-step increase for those eligible to receive a step.

As part of the renegotiation, a one-time, eight (8) hour holiday will be granted to all full-time eligible employees for December 23, 2024.

**Recommendation:** It is recommended that the City Commission approve Resolution #24-61 and authorize Mayor Schramm to sign the Addendum to Collective Bargaining Agreement between the City of Yankton and the American Federation of State, County, and Municipal Employees, AFL-CIO Local 3968 for wages effective January 1, 2025 and grant a one-time, eight (8) hour holiday for December 23, 2024.

I concur with this recommendation.

I do not concur with this recommendation.

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

## Resolution #24-61

A Resolution Establishing Base Salary Adjustments at 4.0%, and a one-step increase on the pay plan for American Federation of State, County and Municipal Employees AFL-CIO, Local 3968 Union Represented Eligible City Employees of the City of Yankton, South Dakota

**WHEREAS**, adequate monies have been provided for in the adopted 2025 budget for the remuneration of services rendered by City of Yankton employees; and

**WHEREAS**, the City Commission wishes to provide a base adjustment for all American Federation of State, County and Municipal Employees AFL-CIO, Local 3968 Union represented eligible City employees of 4.0% and a one-step increase on the pay plan;

**WHEREAS**, the City Commission wishes to grant a one-time, eight (8) hour holiday for December 23, 2024, for all full-time eligible employees.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of City Commissioners that starting with hours worked on January 1, 2025, the City Manager shall implement a base adjustment of 4.0 % for all American Federation of State, County and Municipal Employees AFL-CIO, Local 3968 Union regular full-time employees that are at or below the maximum of their respective pay range, and a one-step increase on the pay plan for all American Federation of State, County and Municipal Employees AFL-CIO, Local 3968 Union regular full-time employees that are below the maximum of their respective pay range and grant a one-time, eight (8) hour holiday for December 23, 2024, for all full-time eligible employees.

Adopted:

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Mason Schramm  
Mayor

ATTEST:

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Lisa Yardley  
Finance Officer



## **AMENDED ADDENDUM TO COLLECTIVE BARGAINING AGREEMENT**

On the 12<sup>th</sup> day of December, 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 Local 3968, American Federation of State, County and Municipal Employees, AFL-CIO, hereinafter referred to as the "Union." Pursuant to Section 23.0 of the CBA, the parties hereby agree to amend the CBA to replace Sections 3.0, 5.3, and 13.0 to read as follows:

**Section 3.0 Holidays.** Full-time employees shall receive eight (8) hours pay for each of the holidays listed below on which they perform no work. All regular part-time employees shall receive holiday pay based upon a prorated basis equal to their standard equivalent workday.

1. New Year's Day;
2. President's Day;
3. Memorial Day;
4. Independence Day;
5. Labor Day;
6. Veteran's Day;
7. Thanksgiving (fourth Thursday and Friday in November);
8. Christmas Eve (24th of December), unless Christmas Eve falls on a Friday, Saturday or Sunday – and in contract year 2024 only, Monday, December 23;
9. Christmas Day (25th of December); and,
10. Three Personal 8-Hour Days (to be used at any time through the year pending their department head or the department head's designee's approval), and a fourth Personal 8-Hour Day in each year in which Christmas Eve falls on a Friday, Saturday, or Sunday. Personal days for new-hire employees will be pro-rated based on the date of hire as follows:
  - a. Date of Hire in 1st Quarter - Three 8-hour days (Four 8-hour days in years when there are four personal days accrued);

- b. Date of Hire in 2nd Quarter - Two 8-hour days (Three 8-hour days on years when there are four personal days accrued);
- c. Date of Hire in 3rd Quarter - One 8-hour day (Two 8-hour days on years when there are four personal days accrued); and
- d. Date of Hire in 4th Quarter - No personal day (One 8-hour day on years when there are four personal days accrued).

**Section 5.3 Sick Leave Payout Upon Retirement or Death.** Each employee that meets the eligibility conditions set forth herein and the applicable retirement eligibility criteria set by the South Dakota Retirement System shall, upon the employee's death while still employed with the City or upon retirement from the City of Yankton, receive as a lump sum payout of twenty-five percent (25%) of their unused accrued sick leave accumulated in excess of four hundred eighty (480) hours. This payout will be in addition to, but not inclusive of, any calculated annual sick leave payout in accordance with Section 5.2 (i.e. a retiring employee shall receive fifty percent (50%) of the excess accrued sick leave payable under Section 5.2 and twenty-five percent (25%) of all remaining accrued sick leave accumulated in excess of four hundred eighty (480) hours). The cash payment shall be calculated at the employee's hourly rate of pay on their last day of employment. To be eligible for this payout, the following conditions shall apply at the time of such employment termination:

- (i) The retiring employee shall have been then-continuously employed by the City of Yankton without a break in service for greater than ten (10) years of benefit-eligible status, excepting only a break in service due to layoff/reduction-in-force lasting less than one (1) year; and
- (ii) The retiring employee holds an accrued sick leave balance of at least four hundred eighty hours (480).

Payment for the unused sick leave will be made in a lump sum on the first payday following the date employment ceases.

**Section 13.0 Wage Increase for 2025.** Pay ranges and wage rates for Union Eligible Positions are attached hereto and incorporated herein. Effective January 1, 2025, each eligible employee will receive a Four Percent (4%) cost of living base adjustment increase, and a One (1) Step increase on the pay scale, if eligible. The Parties agree that they shall renegotiate the cost-of-living base adjustment if Initiated Measure 28 (elimination of sales tax on

food/consumables) should fail to pass in the South Dakota general election held on Tuesday, November 5, 2024. The Parties agree that they shall renegotiate wages for subsequent years at a later date subject to the notice and renewal provisions of Article 26.

All other provisions contained within the CBA dated December 12, 2022, are incorporated herein by this reference and remain in full force and effect.

Dated this \_\_\_\_ day of November, 2024.

Dated this \_\_\_\_ day of November, 2024.

**AMERICAN FEDERATION  
OF STATE, COUNTY AND  
MUNICIPAL EMPLOYEES, AFL-  
CIO, LOCAL 3968**

**CITY OF YANKTON**



By: *Dylan Ruter*

\_\_\_\_\_  
By: Mason Schramm, Mayor

Attest:

\_\_\_\_\_  
Lisa Yardley, Finance Officer

**Memorandum #24-245**

**TO:** Amy Leon, City Manager  
**FROM:** Brittany Orr, Director of Human Resources and Employee Engagement BO  
**RE:** Base Salary Adjustment & Step Plan for Non-Represented Members  
**DATE:** November 25, 2024

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In coordination with approval of the updated classification plan, it is time to implement the base adjustment and step increase for the employees of the City of Yankton.

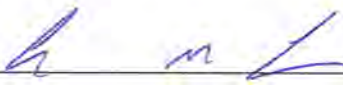
It has been the practice to implement the same adjustments for union represented and non-represented members of the organization at a similar rate. AFSCME wages tentatively propose to provide a 4% increase in base adjustment plus one-step for those not at the top of their pay range.

This recommendation provides for a 4.0% increase in the base adjustment of the classification plan, and a one-step increase on the step plan for all non-union regular full-time employees that have not yet reached the top of their respective pay range. Both the base and the step adjustment would be reserved for those that are not currently above their maximum of their respective pay range. The 4% and a one-step increase would be effective for all non-represented employees. All full-time eligible employees will be granted a one-time, eight (8) hour holiday for December 23, 2024.

**Recommendation:** It is recommended that the City Commission approve Resolution #24-62 authorizing the City Manager to implement a base adjustment of 4.0% and a one-step increase on the pay plan effective January 1, 2025 for all regular full-time non-represented employees that are below the maximum of their respective pay range and grant a one-time, eight (8) hour holiday for December 23, 2024.

  X   I concur with this recommendation.

       I do not concur with this recommendation.

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

       Roll Call

## **Resolution #24-62**

A Resolution Establishing Base Salary Adjustments at 4.0%, and a one-step increase on the pay plan for Non-Union Represented Eligible City Employees of the City of Yankton, South Dakota

**WHEREAS**, adequate monies have been provided for in the adopted 2025 budget for the remuneration of services rendered by City of Yankton employees; and

**WHEREAS**, the City Commission wishes to provide a base adjustment for all Non-Union represented eligible City employees of 4.0% and a one-step increase on the pay plan;

**WHEREAS**, the City Commission wishes to grant a one-time, eight (8) hour holiday for December 23, 2024, for all full-time eligible employees.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of City Commissioners that starting with hours worked on January 1, 2025, the City Manager shall implement a base adjustment of 4.0 % for all Non-Union regular full-time employees that are at or below the maximum of their respective pay range, and a one-step increase on the pay plan for all Non-Union regular full-time employees that are below the maximum of their respective pay range and grant a one-time, eight (8) hour holiday for December 23, 2024, for all full-time eligible employees.

Adopted:

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Mason Schramm  
Mayor

ATTEST:

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Lisa Yardley  
Finance Officer

**Memorandum #24-246**

*To:* City Commission  
*From:* City Management for Todd Larson, Parks & Recreation Director  
*Date:* November 19, 2024  
*Subject:* Cemetery Rates Recommendation

*Handwritten:*  
 Lmk  
 for TC

It is the recommendation of the City of Yankton staff to increase the 2025 cemetery rates to help ease the current subsidy and align with other local cemeteries.

In the attached document, the cemetery rates are compared with other municipal cemeteries throughout South Dakota, Sacred Heart Cemetery, and Garden of Memories Cemetery. The local average includes the two other cemeteries found in the City of Yankton but does not include the City's cemetery fees.

The last time rates were increased was in 2016. Staff requests to bring back the extra fee for weekend/holiday interments to help compensate for staff overtime and recommends an additional \$100 added to the interment fee. Another new addition is to provide a free grave space to a fallen soldier or first responder for a line of duty death. Lastly, a processing fee for buying back grave spaces is proposed at a rate of 10% of the lot purchase price. This fee would be taken off the reimbursement. For example, a lot purchased in 1924 was \$26 so essentially that family would receive a refund of \$23.40.

Please view the proposed rates below:

<b>FEE DESCRIPTION</b>	<b>CURRENT AMOUNT</b>	<b>STAFF PROPOSED</b>	<b>PAB RESPONSE</b>
Disinterment: Reburial out of Cemetery	2 x interment		
Disinterment: Reburial within Cemetery	3 x interment		
Grave Interments: Adult	\$650.00	<b>\$700 weekday \$800 weekend/holiday</b>	Accepted
Grave Interments: Cremains	\$400.00	<b>\$425 weekday \$525 weekend/holiday</b>	Accepted
Grave Interments: Infant	\$400.00	<b>\$400 weekday \$500 weekend/holiday</b>	Lower to Average rate
Grave Space Buy-Back Processing Fee	-	<b>10% off lot purchase price reimb.</b>	Accepted
Grave Space Sales: Adult	\$600.00	<b>\$650</b>	Accepted
Grave Space Sales: Adult - Line of Duty Death	-	<b>No charge</b>	Accepted
Grave Space Sales: Infant	\$600.00	<b>\$650</b>	Accepted
Late Notice Fee: <i>All interments with less than 48 hour's notice</i>	\$100		Accepted
Setting Monuments/Markers	\$60/each		Accepted

As of October 2024, the City of Yankton has received \$56,224 and expensed \$118,223 or 70.6% of its budget. The 2024 general fund transfer is budgeted at \$140,184 compared to the 2023 general fund transfer of \$87,232 (budgeted \$128,976). The total increase in revenue with the rate increase would be projected at approximately **\$2,875 per year**. The increased revenues would help decrease the general fund transfer.

	<u>New Rate</u>	<u>Old Rate</u>
Avg. sale of adult lots	30 x \$650= \$19,500	30 x \$600= \$18,000
Avg. adult internments <i>(Not including weekend extra rate)</i>	25 x \$700= \$17,500	25 x \$650= \$16,250
Avg. cremations	5 x \$425= \$ 2,125	5 x \$400= \$2,000
Total Revenue	<b><u>=\$39,125</u></b>	<b><u>=\$36,250</u></b>

These rates were considered by the Parks Advisory Board (PAB) at their regular meeting on November 18, 2024. The consensus of the PAB was to accept the rate proposals with exception of the infant grave space. The PAB advises lowering this amount to be more comparable with the average rate for an infant burial space.

According to the 2024 Cemetery Rate Study attached, the local average rate for an infant interment is \$312.50. The state average rate is \$270.63/weekday and \$593.50/weekend. Sacred Heart charges \$450.00 while the Garden of Memories charges \$175.00. City staff requires input from City Commission on the rate to charge for an infant grave interment.

Respectfully submitted,



Lisa Yardley  
Finance Officer  
City of Yankton

**Recommendation: Staff recommends input for the rate to charge for an infant grave interment and to approve Resolution #24-59 to implement the new Cemetery rate structure on January 1, 2025.**

**RESOLUTION #24-59**  
**YANKTON MUNICIPAL CEMETERY RATE STRUCTURE**

**WHEREAS**, the City of Yankton has determined that it is necessary to adjust the existing municipal cemetery rates to a level which will ease the current subsidy and help maintain the current cemetery, and;

**WHEREAS**, the City Commission has authority to establish fees by resolution per Yankton Municipal Code Sec. 7 ½ -19 through Sec. 7 ½ -30, and;

**WHEREAS**, the current fees have not increased since 2016, and;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of City Commissioners of Yankton, South Dakota do hereby adopt the following cemetery rates effective January 1, 2025:

**Sale of Lots:**

Adult	\$650/burial space
Adult - Line of Duty Death	Free
	<i>Applicable to law enforcement, firefighters, or active military</i>
Infant	\$650/burial space

**Interments:**

Adult	\$700 weekday or \$800 weekend/holiday
Cremains	\$425 weekday or \$525 weekend/holiday
Infant	\$_____ weekday or \$_____ weekend/holiday

**Grave Space Buy-Back**

**Processing Fee:** 10% off lot purchase price reimbursement

**Late Notice Fee:** \$100  
*all interments with less than 48 hours' notice*

**Setting Monuments/Markers:** \$60/each

Adopted: This \_\_\_\_\_ day of November, 2024.

\_\_\_\_\_  
Mason Schramm  
Mayor

ATTEST:

\_\_\_\_\_  
Lisa Yardley  
Finance Officer



2024 Cemetery Rate Study

Description								State	
	Rapid City	Brookings	Watertown	Vermillion	Mitchell	Aberdeen	Sioux Falls	Pierre	Avg.
Sale of Lots	All Sales tax included								
Adult	\$1,150.00	\$750-\$1200	\$737.23-\$902.01	\$700.00	\$600.00		\$1,575.00	\$500.00	\$905.00
Infants	\$200.00		N/A		\$300.00			\$100.00	\$200.00
Small Child			N/A	N/A	N/A	N/A	N/A	N/A	
Interments									
Adult-Weekday	\$1,150.00	\$300.00	\$785.16	\$725.00	\$692.25		\$1,450.00	\$532.50	\$804.99
Adult-Weekend/Holiday	surcharge \$350	grave digger fee	surcharge \$363.32	\$825.00	\$1,065.00		\$2,000.00	\$532.50	\$1,105.63
Niche Ely Ossuary		Columbarium fees	Columbarium fees		Columbarium fees		Columbarium fees		
Ossuary	\$700.00	\$150 per opening	\$94.58-\$169.80				\$3,245.00		\$1,972.50
Niches, Rows A & G	\$1,700.00	\$1,975.00	\$1,108.52-\$2,082.22		\$2,236.50		\$500.00		\$1,602.88
Niches, Rows B & C	\$2,000.00	\$2,275.00	\$1,563.27-\$2,860.11		\$2,343.00		\$500.00		\$1,779.50
Niches, Rows D & F	\$2,300.00	\$2,675.00	\$1,108.52		\$2,662.50		\$500.00		\$1,849.20
Small Child-Weekday	\$850.00	\$300.00		\$350.00	N/A	N/A	N/A	N/A	\$500.00
Small Child-Weekend	surcharge \$350	grave digger fee		\$450.00	N/A	N/A	N/A	N/A	\$450.00
Remains -Weekday	\$550.00	\$300.00	\$388.59-\$785.16	\$350.00	\$426.00		\$1,100.00	\$266.25	\$498.71
Remains -Weekend/Holiday	surcharge \$350	grave digger fee	surcharge \$363.32	\$450.00	\$585.75		\$1,500.00	\$532.50	\$767.06
Infant -Weekday	\$200.00		FREE-\$245.00	\$350.00	\$426.00		N/A	\$106.50	\$270.63
Infant-Weekend/Holiday	surcharge \$350	grave digger fee	surcharge \$363.32	\$450.00	\$798.00		N/A	\$532.50	\$593.50
Disinterments (All)									
Reburial within Cemetery	3 x Interment Rate	N/A	3 x Interment Rate	3 x Interment Rate	\$1,757.25	3 x Interment Rate	3 x Interment Rate	\$852.00	
Reburial out of Cemetery	2 x Interment Rate	N/A	2 x Interment Rate	2 x Interment Rate	\$1,224.75	2 x Interment Rate	2 x Interment Rate	\$852.00	
Other									
Setting Markers/Monuments	\$100.00	\$150.00	\$94.59	\$100.00	\$60 - \$90		\$110.00	N/A	\$110.92

Description	2019	2024	2019	2024	Local	Proposed	Yankton Current	2016 Yankton
	Sacred Heart	Sacred Heart	Garden of Mem.	Garden of Mem.	Avg.			
Sale of Lots								
Adult	\$600.00	\$650.00	\$595.00	\$650.00	\$650.00	\$650.00	\$600.00	\$600.00
Infants	\$600.00	\$300.00	\$175.00	\$175.00	\$237.50	\$650.00		
Adult - Line of Duty Death						Free		
Interments								
Adult-Weekday	\$600.00	\$700.00	\$650.00	\$750.00	\$725.00	\$700.00	\$650.00	\$650.00
Adult-Weekend/Holiday	\$600.00	\$700.00	\$650.00		\$700.00	\$800.00	\$650.00	\$650.00
Remains -Weekday	\$400.00	\$450.00	\$300.00	\$400.00	\$425.00	\$425.00	\$400.00	\$400.00
Remains -Weekend/Holiday	\$400.00	\$450.00	\$300.00		\$450.00	\$525.00	\$400.00	\$400.00
Infant -Weekday	\$400.00	\$450.00	\$175.00	\$175.00	\$312.50	\$400.00	\$400.00	\$400.00
Infant-Weekend/Holiday	\$400.00	\$450.00	\$175.00		\$450.00	\$500.00	\$400.00	\$400.00
Mausoleum								
Tiers 1 & 4			\$3,595.00	\$8,495.00	\$8,495.00			
Tiers 2 & 3			\$3,795.00	\$8,895.00	\$8,895.00			
Niches Single								
Tiers 1 & 2			\$1,495.00	\$2,995.00	\$2,995.00			
Tiers 3 & 4			\$1,695.00	\$19,500.00	\$19,500.00			
Niches Companion								
Tiers 1 & 2			\$2,195.00	\$2,995.00	\$2,995.00			
Tiers 3 & 4			\$2,395.00	\$19,500.00	\$19,500.00			
Crypt Opening			\$250.00	\$500.00	\$500.00			
Niche Opening			\$150.00	\$300.00	\$300.00			
Disinterments (All)								
Reburial within Cemetery	\$1,000.00	Case by Case basis	\$1,200.00	Case by Case basis	N/A	3 x Interment Rate	3 x Interment Rate	3 x Interment Rate
Reburial out of Cemetery	\$1,000.00	Case by Case basis	\$1,200.00	Case by Case basis	N/A	2 x Interment Rate	2 x Interment Rate	2 x Interment Rate
Other								
Setting Markers/Monuments	\$60.00	\$60.00	\$75.00	\$50.00	\$55.00	\$60.00	\$60.00	\$60.00 includes tax
Late Notice Fee: less than 48 hours						\$100.00		
Grave Space Buy-Back Processing Fee						10% off purchase price		

## Memorandum #24-247

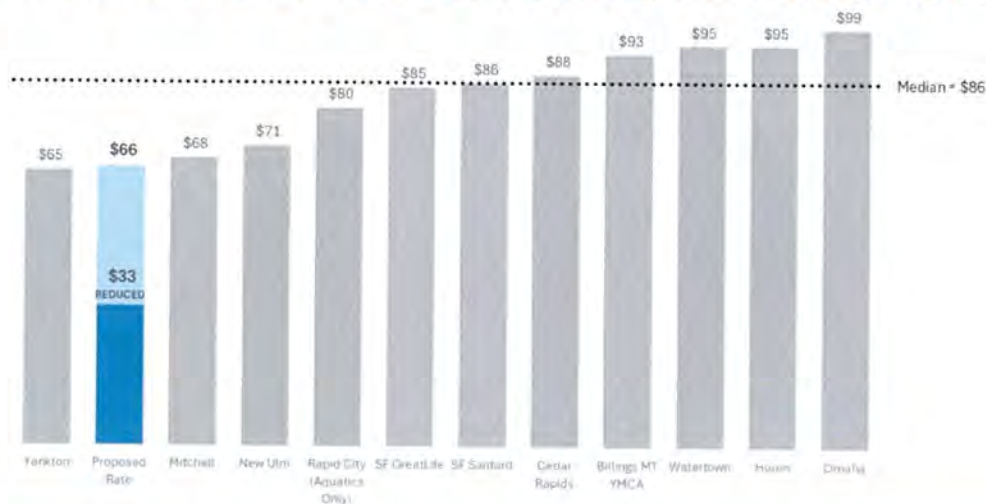
To: City Commission  
 From: City Management for Todd Larson, Parks & Recreation Director  
 Date: November 19, 2024  
 Subject: Summit Activities Center Rates Recommendation

*Handwritten initials: TLT*

It is the recommendation of the City of Yankton staff to not increase the 2025 Summit Activities Center membership rates or daily rate at this time. After the 2023 taskforce, all rates were raised significantly and the City is still evaluating the effects from the taskforce changes.

In the attached document, the fitness center rates are compared with other local fitness centers. The 2025 rate increases for those other entities is unknown. A Keloland article (<https://www.keloland.com/keloland-com-original/could-the-new-rec-center-have-the-cheapest-fees/>) from July 2024 showed Yankton's wellness center as one of the cheapest options and states the the median family rate is \$86/month. See the graphic below:

### Comparative Scale for Family Monthly Rate



As of October 2024, the City of Yankton has received \$377,606 and expensed \$680,251 or 75.7% of its budget. The 2024 general fund transfer is budgeted at \$538,581 compared to the 2023 general fund transfer of \$390,132 (budgeted \$685,058).

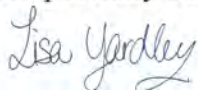
There are several fees at the Summit Activities Center that do not have a clear paper trail with approval via city resolution. As a matter of transparency, the rates listed below marked "add to resolution" are presented for approval via the attached Resolution #24-59. Consumable items, such as Gatorade and merchandise, are set at a rate determined by the City of Yankton Parks & Recreation Director or his designee and vary dependent on cost of goods.

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

<b>SUMMIT ACTIVITIES CENTER Fee Description</b>	<b>Amount</b>	<b>Effective Date</b>	<b>Authorized by</b>	<b>Proposed</b>
<b>Auxiliary Gym Open Court Rental</b>	\$30/hour per court	6/11/2024	Resolution 24-30	
<b>Concession - Gatorade</b>	Set by Park Director			<b>add to resolution</b>
<b>Concession - water</b>	Set by Park Director			<b>add to resolution</b>
<b>Corporate Membership</b>	Determined by Park Director			<b>add to resolution</b>
<b>Day Pass: Adult</b>	\$9/day	1/1/2024	Resolution 23-23	
<b>Day Pass: Youth</b> ( <i>age 17 or younger</i> )	\$7/day	1/1/2024	Resolution 23-23	
<b>Meeting Room Rental</b>	\$30/hour	6/11/2024	Resolution 24-30	
<b>Membership: Adult</b>	\$440/year plus tax \$40/month plus tax	1/1/2024	Resolution 23-23	
<b>Membership: Adult +1</b>	\$550/year plus tax \$50/month plus tax	1/1/2024	Resolution 23-23	
<b>Membership: Adult +2</b>	\$660/year plus tax \$60/month plus tax	1/1/2024	Resolution 23-23	
<b>Membership: Adult +3</b>	\$715/year plus tax \$65/month plus tax	1/1/2024	Resolution 23-23	
<b>Membership: Adult +4</b>	\$770/year plus tax \$70/month plus tax	1/1/2024	Resolution 23-23	
<b>Membership: Adult +5</b>	\$825/year plus tax \$75/month plus tax	1/1/2024	Resolution 23-23	
<b>Membership: Adult +6</b>	\$889.76/year \$85.76/month			<b>add to resolution</b>
<b>Membership: Youth</b> ( <i>17 years or younger</i> )	\$235.84/year \$21.44/month			<b>add to resolution</b>
<b>Merchandise</b>	Various - set by Park Director			<b>add to resolution</b>
<b>Shower Fee</b>	\$3/day			<b>\$9/day plus tax</b>

The Parks Advisory Board (PAB) considered these rate proposals at their regular meeting on November 18, 2024. The consensus of the PAB was to accept the proposal.

Respectfully submitted,



Lisa Yardley  
Finance Officer

**Recommendation: Staff recommends the City Commission approve the Summit Activities Center rates including those in Resolution #24-63 for 2025 as presented.**

**RESOLUTION #24-63**  
**SUMMIT ACTIVITIES CENTER RATE STRUCTURE**

**WHEREAS**, the City of Yankton has determined that it is necessary to adjust the existing Summit Activity Center rates to a level which will ease the current subsidy and help maintain the facility, and;

**WHEREAS**, at this time the City wishes to keep the same membership rates for 2025 as originally resolved with Resolution #23-23, and;

**WHEREAS**, the City has listed the fees below for governing authority approval, and;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of City Commissioners of Yankton, South Dakota do hereby adopt the Summit Activity Center rates and fees below:

<b>Concession items:</b>	Set at a rate determined by the Parks & Recreation Director or his designee
<b>Corporate Membership:</b>	Set at a rate determined by the Parks & Recreation Director or his designee
<b>Membership:</b>	
Individual Adult +6	\$889.76/year \$85.76/month
Youth	\$235.84/year \$21.44/month
<b>Merchandise:</b>	Set at a rate determined by the Parks & Recreation Director or his designee
<b>Shower Fee:</b>	\$9/day plus tax

Adopted: This \_\_\_\_ day of November, 2024.

\_\_\_\_\_  
Mason Schramm  
Mayor

ATTEST:

\_\_\_\_\_  
Lisa Yardley  
Finance Officer

2024 Fitness Center Study

	SAC	Avera <i>Rates not available online</i>	Anytime Fitness <i>Rates not available online</i>	Great Life <i>\$50 Enrollment Fee For 6 Month or 1 Year Memberships</i>			
<b>Annual Membership</b>							
Adult	471.68	637.08	720.00	<b>Fitness PLUS</b>	<b>Golf &amp; Fitness PLUS</b>	<b>Golf &amp; Fitness PLUS &amp; Unlimited Cart</b>	
Adult +1	589.60	766.80		Annual / Monthly	Annual / Monthly	Annual / Monthly	
Adult +2	707.52			12 Month			
Adult +3	766.48			Single	659.88 / 54.99	1019.88 / 84.99	1769.88 / 147.49
Adult +4	825.44			Single +child	779.88 / 64.99	1139.88 / 94.99	2069.88 / 172.49
Adult +5	884.44			Married Couple	779.88 / 64.99	1139.88 / 94.99	2069.88 / 172.49
Adult +6	889.76			Family	899.88 / 74.99	1259.88 / 104.99	2369.88 / 197.49
Youth	235.84			6 Month	Annual / Monthly		
<b>Day Pass</b>				Single	359.94 / 59.99		
Adult	9.00	10.62	15.00	Single +child	419.94 / 69.99		
Youth	7.00			Married Couples	419.94 / 69.99		
<b>Monthly</b>				Family	479.94 / 79.99		
Adult	42.88	53.09	56.00	Month to Month			
Adult +1	53.60	63.09		Single	64.99		
Adult +2	64.32			Single +child	74.99		
Adult +3	69.68			Married Couples	74.99		
Adult +4	75.04			Family	84.99		
Adult +5	80.40			Day Pass	15.00		
Adult +6	85.76			<b>Cart</b>			
Youth	21.44			Single		12 Months	
<b>Average Rates (not including SAC)</b>				Couple		750 / 62.50	
Adult Individual Annual		672.32		Family		930 / 77.50	
Adult Individual Month		58.03				1110 / 92.50	
Day Pass		13.54		<b>Range</b>			
				Single	All Facilities	Fox Run	
				Family	400	200	
					475	275	
				<b>Junior Golf</b>			
				Single	400		

**Memorandum #24-248**

To: City Commission  
 From: City Management for Todd Larson, Parks & Recreation Director  
 Date: November 19, 2024  
 Subject: The Huether Family Aquatics Center Rates Recommendation

It is the recommendation of the City of Yankton staff to not increase the 2025 membership rates or daily rate at this time. This summer did see a slight decrease in pass revenue of \$18,700 (\$342,290 in 2024 compared to \$360,990 in 2023); however, interest rates continue to be over 5.5% and pledges are still being received for the new pool project.

Since constructing the new pool in 2020, the City has charged the following rates:

Pass Rate not including tax and fees	2021	2022	2023	2024
Daily	\$10	\$10	\$10	\$10
Season	\$62	\$62	\$64	\$66

There are several fees at the Huether Family Aquatic Center that do not have a clear paper trail showing approval via City resolution. As a matter of transparency, the rates listed below marked “add to resolution” are presented for approval via the attached Resolution #24-64.

Fee Description	Amount	Effective Date	Authorized by	Proposed
<b>Birthday Package (12-person):</b> <i>includes admission, three large pizzas, twelve drinks, twelve ice cream treats</i>	\$275.00			<b>\$300 plus tax &amp; fees</b>
<b>Birthday Package (8-person):</b> <i>includes admission, two large pizzas, eight drinks, eight ice cream treats</i>	\$225.00			<b>\$250 plus tax &amp; fees</b>
Concessions	Prices set by Park Director			<b>add to resolution</b>
Daily Pass	\$10 plus tax & fees	1/1/2024	Resolution 23-65	
Season Pass	\$66 plus tax & fees	1/1/2024	Resolution 23-65	
Shelter Rental	\$30/hour			<b>add to resolution</b>
Special Event Admission	Prices set by Park Director			<b>add to resolution</b>

Consumable items, such as concessions and swimming gear, are set at a rate determined by the City of Yankton Parks & Recreation Director or his designee and vary dependent on cost of goods. Staff does plan to increase concession rates as well as the birthday package rates to accommodate for inflated food costs. The birthday packages are recommended to increase \$25 per party.

Special Event Admissions pertain to the following examples:

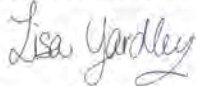
- Evening admission rate of \$6 from 5pm-7:30 pm every day
- Family night rate of \$4 every Wednesday evening from June 12-August 14
- 4<sup>th</sup> of July special day pass rates, games, crafts, and fun happenings
- Special teen night only evening events

In 2024, there were significant increases in costs for chemicals and utilities, especially natural gas. Weather is a major factor in this component. Personnel wages increased 9.7% from 2023 to 2024. However, this year's personnel wages are offset with spending less in total operating expenses.

The general fund transfer is funded by opt out taxes (\$884,043) received from Yankton County. Debt service for the pool is \$934,132 each year and the \$50,088 difference is supplemented by the 505 construction fund. NOT considering the debt service and capital outlay, total revenues year-to-date are \$763,292 and expenses are \$752,107. With this in mind, the City is not subsidizing the pool's operations; therefore, rates do not need to be adjusted at this time.

The Parks Advisory Board (PAB) considered these rate proposals at their regular meeting on November 18, 2024. The consensus of the PAB was to accept the proposal with the recommendation to evaluate the birthday party packages to ensure the City was not losing money on this program.

Respectfully submitted,



Lisa Yardley  
Finance Officer  
City of Yankton

**Recommendation: Staff recommends the City Commission approve The Huether Family Aquatics Center rates including those in Resolution #24-64 for 2025 as presented.**

**RESOLUTION #24-64**  
**THE HUETHER FAMILY AQUATICS CENTER RATE STRUCTURE**

**WHEREAS**, the City of Yankton has determined that it is necessary to adjust the existing Summit Activity Center rates to a level which will ease the current subsidy and help maintain the facility, and;

**WHEREAS**, at this time the City wishes to keep the same pass rates for 2025 as originally resolved with Resolution #23-65, and;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of City Commissioners of Yankton, South Dakota do hereby adopt The Huether Family Aquatics Center rates and fees below:

<b>2025 Daily Pass:</b>	\$10 plus tax and fees
<b>2025 Season Pass:</b>	\$66 plus tax and fees
<b>Special Events Admission:</b>	Set at a rate determined by the Parks & Recreation Director or his designee
<b>Concession items:</b>	Set at a rate determined by the Parks & Recreation Director or his designee
<b>Shelter Rental:</b>	\$30/hour
<b>Birthday Package</b>	
8-person:	\$250 plus tax and fees
12-person:	\$300 plus tax and fees

Adopted: This \_\_\_\_ day of November, 2024.

\_\_\_\_\_  
Mason Schramm  
Mayor

ATTEST:

\_\_\_\_\_  
Lisa Yardley  
Finance Officer



**Memorandum #24-249**

To: City Commission  
 From: City Management for Todd Larson, Parks & Recreation Director  
 Date: November 19, 2024  
 Subject: Park Rentals & Facilities Rate Recommendation

*hml  
7/17/24*

It is the recommendation of the City of Yankton staff to increase the rates for park facilities. Key deposits for the City Hall gym and Capitol building are recommended to increase to \$50 which is refundable upon return. Smaller shelter rentals are proposed to increase from \$60 to \$75 per day. Larger shelter rentals will increase from \$75 to \$100 per day. The Westside Park pickleball courts are also added at \$100 per court per day.

Please view the recommendations below:

PARK	FEE DESCRIPTION	AMOUNT	Authorized by	Proposed
ALL	Boulevard Tree Planting Permit	No charge 75% reimbursement up to \$100 max		75% reimbursement up to \$150 max
ALL	Memorial Bench	\$1,200/bench		add to resolution
ALL	Memorial Tree	\$600/tree		add to resolution
BASEBALL FIELDS	Baseball Fields	Contact Mount Marty University		
CITY HALL GYM	Gym Rental (no food)	\$30/hour		add to resolution
	Key Deposit - Refundable upon return			\$50
	Rental & Event Fees (food, décor)	\$400/day \$50 setup fee \$50 tear down fee		\$500/day \$150 setup fee \$150 tear down fee
FANTLE MEMORIAL	North Wood Shelter Rental - (20' x 25') holds approx 30 people, no electricity	\$60/day		\$75/day
	South Wood Shelter Rental - (40' x 55') holds approx 200 people, has electricity	\$75/day		\$100/day
	Tennis & Pickleball Courts	First come - first serve		
	West Concrete Shelter Rental - (24' x 50') holds approx 80 people, has electricity	\$60/day		\$75/day
MERIDIAN PEDESTRIAN BRIDGE	Rental - one level	\$300 for first two hours, \$100/hour for each additional hour		add to resolution

\_\_\_\_ Roll Call

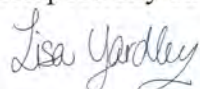
RIVERSIDE	Shelter #1 Rental - (25' x 25') <i>holds approx 50 people, has electricity, ADA accessible</i>	\$60/day	\$75/day
	Shelter #2 Rental - (24' x 48') <i>holds approx 60 people, has electricity, not ADA accessible</i>	\$60/day	\$75/day
	Shelter #3 Rental - (45' x 80') <i>holds approx 250 people, has electricity, ADA accessible</i>	\$75/day	\$100/day
	Shelter #4 Rental - (24' x 48') <i>holds approx 60 people, has electricity, not ADA accessible</i>	\$60/day	\$75/day
	Shelter #5 Rental - (25' x 25') <i>holds approx 50 people, has electricity, ADA accessible</i>	\$60/day	\$75/day
	Shelter #6 Rental - (24' x 24') <i>holds approx 32 people, no electricity, ADA accessible</i>	\$60/day	\$75/day
RIVERSIDE - DAKOTA TERRITORIAL CAPITOL REPLICA BUILDING	Building Rental - (25' x 40') <i>heated and cooled, two floors, restroom, tables &amp; chairs available</i>	\$100/day	\$150/day
	Key Deposit - <i>Refundable upon return</i>	\$10.00	\$50
RIVERSIDE AMPHITHEATER	Outdoor Stage Rental - <i>overhead stage lighting, audience seating for approx 300 people, not ADA accessible</i>	\$100/day	\$150/day
SERTOMA	East Shelter - (22' x 36') <i>holds approx 60 people, has electricity, ADA accessible</i>	First come - first serve	
	West Shelter - (22' x 36') <i>holds approx 60 people, has electricity, ADA accessible</i>	First come - first serve	
TRIPP	Shelter - (25' x 40') <i>holds approx 30 people, has electricity</i>	First come - first serve	
WESTSIDE	Pickleball Court Rental <i>(6 courts)</i>		\$100 per court/day
	Pickleball Shelter - (25' x 25') <i>holds approx 50 people, has electricity</i>		\$75/day*
	Shelter - (25' x 60') <i>holds approx 70 people, has electricity, ADA Accessible</i>	\$60/day	\$75/day
PARKS & RECREATION	City Event Food Vendor Contract Fee	\$25/day	Resolution 23-13
PARKS & RECREATION	Exclusive Alcohol Vendor Contract Fee	\$1,050.00	Resolution 24-19
PARKS & RECREATION	Special Event Application Administrative Fee <i>(if submitted less than 60 days before event)</i>	\$50.00	Resolution 23-24
PARKS & RECREATION	Special Event Delivery Fee: A-frame No-parking signs	\$25.00	Resolution 23-24
PARKS & RECREATION	Special Event Delivery Fee: Benches	\$25.00	Resolution 23-24

PARKS & RECREATION	Special Event Delivery Fee: Bleachers	\$25.00	Resolution 23-24
PARKS & RECREATION	Special Event Delivery Fee: Class 3 street closure barricades	\$25.00	Resolution 23-24
PARKS & RECREATION	Special Event Delivery Fee: Fence posts	\$25.00	Resolution 23-24
PARKS & RECREATION	Special Event Delivery Fee: Garbage barrels	\$25.00	Resolution 23-24
PARKS & RECREATION	Special Event Delivery Fee: Orange cones	\$25.00	Resolution 23-24
PARKS & RECREATION	Special Event Delivery Fee: Other material	\$25.00	Resolution 23-24
PARKS & RECREATION	Special Event Delivery Fee: Picnic tables	\$25.00	Resolution 23-24
PARKS & RECREATION	Special Event Delivery Fee: Plastic snow fence	\$25.00	Resolution 23-24
PARKS & RECREATION	Special Event Delivery Fee: Traffic barrels/candles	\$25.00	Resolution 23-24
PARKS & RECREATION	Special Event Service: Fire protection	\$50/hour	Resolution 23-24
PARKS & RECREATION	Special Event Service: Police security walk-throughs	\$50/hour	Resolution 23-24
PARKS & RECREATION	Special Event Service: Police traffic control	\$50/hour	Resolution 23-24
PARKS & RECREATION	Special Events Application Fee: Tier 1 (more than 1,000 participants and sales of alcohol)	\$100.00	Resolution 23-24
PARKS & RECREATION	Special Events Application Fee: Tier 2 (parades utilizing City streets)	\$50.00	Resolution 23-24
PARKS & RECREATION	Special Events Application Fee: Tier 2 (less than 1,000 participants, sale of merchandise/food, no alcohol)	\$25.00	Resolution 23-24

All courts and shelters are a first come – first serve basis unless a reservation is requested. As of October 2024, Parks rental income amounted to \$11,995 which is average.

The Parks Advisory Board (PAB) met on November 18, 2024 to consider these proposed rate changes. The PAB recommended the changes as presented with the suggestion that if a group/person rents all of the pickleball courts at Westside Park, they would have the shelter next to the courts reserved at no additional charge.

Respectfully submitted,



Lisa Yardley  
Finance Officer, City of Yankton

**Recommendation: Staff recommends the City Commission approve the Yankton parks and facilities rate proposal and Resolution #24-60 with the addition of the Westside Park pickleball shelter (yet to be named – adjacent to the WSP pickleball courts) being rented at no charge if the renter reserves all of the courts effective January 1, 2025 as presented.**

\_\_\_\_ Roll Call

**RESOLUTION #24-60**  
**YANKTON PARKS AND FACILITIES RATE STRUCTURE**

**WHEREAS**, the City of Yankton has determined that it is necessary to adjust the existing Yankton parks and facilities rental rates to a level which will ease the current subsidy and help maintain the facility, and;

**WHEREAS**, the City expects the cost to operate parks and facilities will increase each year, and;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of City Commissioners of Yankton, South Dakota do hereby adopt rates and fees for Yankton parks and facilities effective January 1, 2025 as shown below:

**Boulevard Tree Planting Permit:** No charge, 75% reimbursement up to \$150 max

**Memorial Bench:** \$1,200/bench

**Memorial Tree:** \$600/tree

**Small Shelter Rental:** \$75/day

Fantle Memorial – North Wood Shelter

Fantle Memorial – West Concrete Shelter

Riverside – Shelters #1, #2, #4, #5, #6

Westside – Pickleball Shelter

Westside – Picnic Shelter

**Large Shelter Rental:** \$100/day

Fantle Memorial – South Wood Shelter

Riverside – Shelter #3

**City Hall Gym:**

Key Deposit \$50 refundable deposit

Rental (no food) \$30/hour

Rental Event Fees \$500/day, \$150 setup fee, \$150 tear down fee

**Meridian Pedestrian Bridge:** \$300 for the first two hours  
\$100/hour for each additional hour

**Dakota Territorial Capitol Replica Building:**

Key Deposit \$50 refundable deposit

Rental \$150/day

**Riverside Park Amphitheater:**

Outdoor Stage Rental \$150/day

**Westside Park Pickleball Courts:**

Rental \$100 per court/day

\*If all six courts are rented by one group/person, the pickleball shelter (if available) is included at no extra charge.

Adopted: This \_\_\_\_\_ day of November, 2024.

\_\_\_\_\_  
Mason Schramm  
Mayor

ATTEST:

\_\_\_\_\_  
Lisa Yardley  
Finance Officer

**MEMORANDUM #24-250**

TO: City Commission  
 FROM: Amy Leon, City Manager for Todd R Larson  
 DATE: November 15, 2024  
 RE: The Huether Family Aquatics Center Caulking



2024 was our fourth season at the Huether Family Aquatics Center. This facility continues to be a local quality of life amenity that is enjoyed by residents and all ages. Additionally, this facility is a regional draw, attracting people visiting our community for activities such as sports events and camping. Attendance at the facility remains high. In 2024, the City of Yankton sold 3,282 season passes and 17,872 day passes. Total attendance this year was 51,561 throughout the 98 days of operation.

We are proud of this facility and the manner in which it has been staffed, maintained, and operated. Likewise, we are grateful to the tax payers who voted to pay for this facility and create such a beautiful space, and to the many people and businesses that donated funds. For these reasons, we as City staff are adamant about making sure we maintain the facility at a level in which we can be assured many seasons of enjoyment and decades of use in our community.

All of our facilities require ongoing maintenance. Facilities that involve water (pools, fountains, ponds) require even a higher level of upkeep. Unfortunately, water features in our climate are more labor intensive to maintain due to the severity of the winter months, short season of operation, and freeze and thaw cycles.

Global Specialty Contractors from Minneapolis were subcontractors during the construction of the Huether Family Aquatics Center. At the time of construction, Parks, Recreation, and City Events Director Todd Larson requested a "maintenance schedule" to assist staff in understanding recommendations for the timeline and the costs associated with future capital replacement and maintenance. As the City Commission will notice, we have placeholders in the five-year capital plan for the Huether Family Aquatics Center, but so far have been able to push any major repair or maintenance (with exception of the current insulation of the pump house) into future years.

Upon closing down the pool this season and making preparations for winterization of the facility, staff noticed a number of expansion joints around the competition pool and lifestyle pool were beginning to separate. In the worst areas, this separation is causing portions of the concrete near the joints to loosen and separate. Staff consulted Global Specialty Contractors from Minneapolis. The good news is this is normal wear and tear in our climate for an outdoor facility like ours. In fact, the contractor indicated that, depending on the amount of freeze and thaw and the severity of the winters, three to five years is about the time period a community can expect that the pools will need caulking to be cut out and reinstalled. We are exactly in that timeframe. Overall, the general condition of the pool is good for its age.

It was recommended to us that this work be professionally done in the spring prior to opening the facility for the season.

A quote was received from the original subcontractor for this portion of the project, Jones Caulking & Tuckpointing out of Sioux Falls. To perform the work on just the worst areas with the most separation, the base quote is \$28,480.00 plus excise tax. To completely re-caulk the entire facility excluding the bathhouses, splashpad, and mechanical building, the alternative quote is an additional \$21,950.00 plus excise tax, for a total of \$50,430.00 plus excise tax.

The Commission may be wondering whether or not this type of work could be done internally. While we have some experience on staff with water features and caulking, it was recommended to us that we hire a professional who has experience with this type of facility. In addition, the scheduling of this work will come at the same time the Parks Department will begin to mow, manicure the cemetery, onboard summer staff, and install playground equipment at Crockett Park and Morgan Park.

Jones Caulking & Tuckpointing was the only quote staff solicited due to their specific knowledge of our facility.

If approved by the City Commission, the work would be performed in 2025 and supplemented in next year's budget. While this is NOT budgeted work for 2025, Commissioners will recall that a number of years ago the City Commission transferred a portion of the balance of the construction fund for long term maintenance and repairs at the facility and, therefore, has adequate funds to pay for this project.

**Recommendation: It is recommended the City Commission authorize the expenditure to be spent from the long-term maintenance fund, and authorize the City Manager to sign the quote and schedule the work in 2025. In addition, it is recommended that the City Finance Officer make the adjustment in the 2025 capital budget.**



*Handwritten scribbles*

**JOB:** HUETHER FAMILY AQUATICS CENTER CONCRETE RECAULK  
**LOCATION:** YANKTON, SD  
**DATE:** NOVEMBER 6, 2024  
**ADDENDUMS:**

**TO:** CITY OF YANKTON  
**ATTN:** LUKE YOUMANS

*Handwritten:* Huether Family Aquatics Center

**BASE BID:** 079200 JOINT SEALANTS

- CUT OUT AND RECAULK CONCRETE TO POOL PERIMETER AT COMPETITION POOL
- CUT OUT AND RECAULK CONCRETE TO POOL PERIMETER AT LIFESTYLE POOL

**BID PRICE** \$28,480.00 + EXCISE TAX *Full Facility cutout & recaulk*

**ALT. BID:** CONCRETE EXPANSION JOINTS

- CUT OUT AND RECAULK EXPANSION JOINTS NEAR COMPETITION AND LIFESTYLE POOL
- CUT OUT AND RECAULK SHADE STRUCTURE COLUMN ISOLATION JOINTS

**ALT. BID PRICE:** ADD \$21,950.00 + EXCISE TAX

EXCLUDES – SPLASH PAD, BATHHOUSES, AND MECHANICAL BUILDING

WE RESERVE THE RIGHT TO WITHDRAW THIS PROPOSAL IF NOT ACCEPTED IN 30 DAYS.

**GUARANTEE:** JONES CAULKING AND TUCKPOINTING WILL GUARANTEE ALL MATERIALS AND WORKMANSHIP FOR A PERIOD OF 1 YEAR FROM THE DATE OF FINAL ACCEPTANCE.

JONES CAULKING & TUCKPOINTING INC.

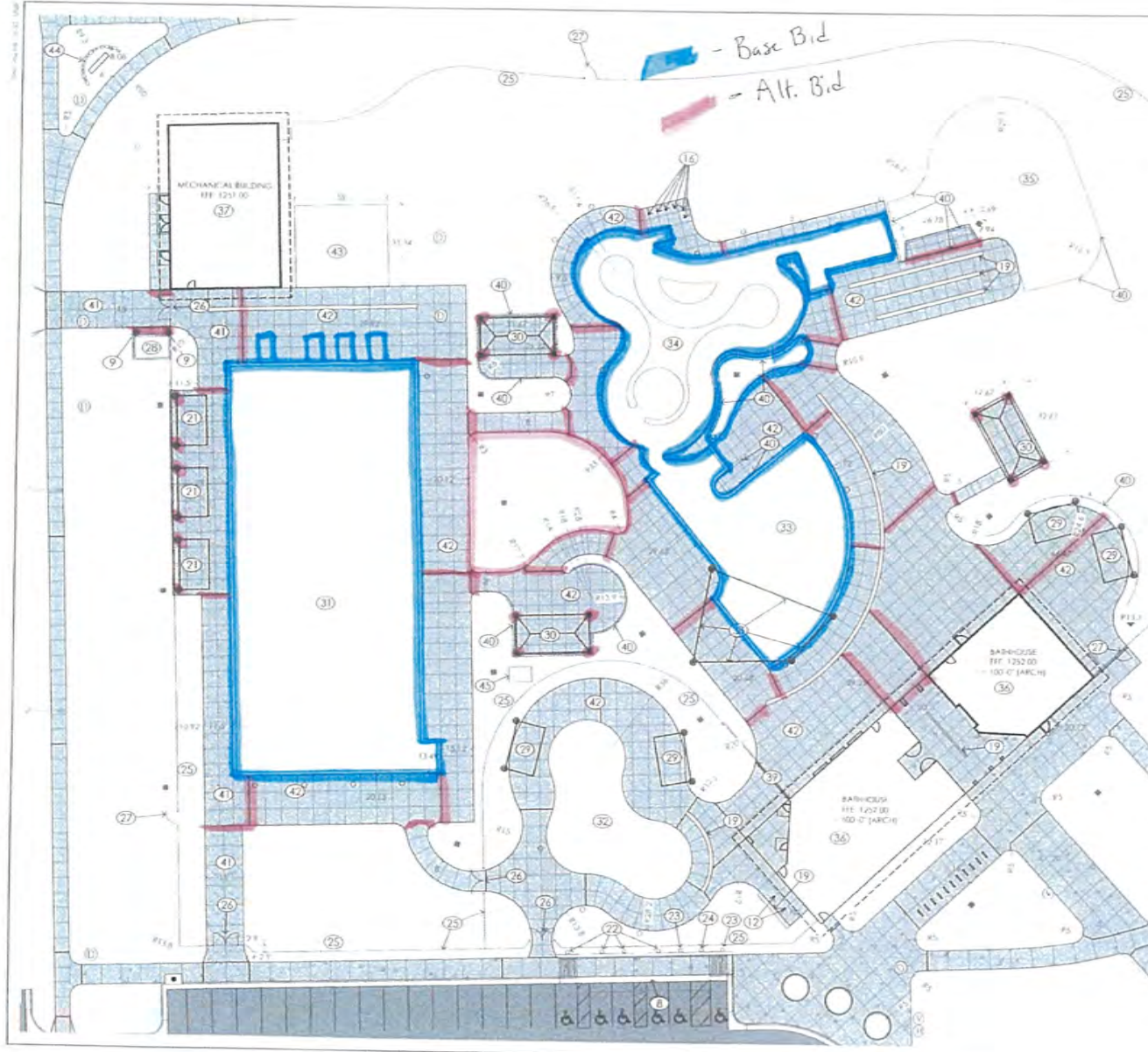
TANNER JONES

IF YOU ACCEPT THIS CONTRACT OUTLINED ABOVE, PLEASE SIGN, DATE AND RETURN.

SIGNATURE: \_\_\_\_\_ DATED: \_\_\_\_\_



Full Bid is all blue/pink



KEYNOTES

- 1 ASPHALT SURFACING OVER 12" AGGREGATE BASE COURSE - ASPHALT SURFACING TO BE INSTALLED BY CITY - CONTRACTOR SHALL ENSURE BASE COURSE IS COMPACTED AND APPROVED BY CITY FOR INSTALLATION OF ASPHALT
- 2 ASPHALT SURFACING OVER 12" AGGREGATE BASE COURSE - ASPHALT SURFACING TO BE INSTALLED BY CITY - CONTRACTOR SHALL ENSURE BASE COURSE IS COMPACTED AND APPROVED BY CITY FOR INSTALLATION OF ASPHALT
- 3 REINFORCED CONCRETE WALKWAY OVER 12" AGGREGATE BASE COURSE
- 4 REINFORCED CONCRETE WALKWAY OVER 12" AGGREGATE BASE COURSE
- 5 REINFORCED CONCRETE WALKWAY OVER 12" AGGREGATE BASE COURSE
- 6 REINFORCED CONCRETE WALKWAY OVER 12" AGGREGATE BASE COURSE
- 7 3/4" TYPE CONCRETE CURB AND GUTTER
- 8 DROP CURB WITH 2 CURB TIES
- 9 CONCRETE SIDEWALK OVER 4" AGGREGATE BASE COURSE (ACCORDANT)
- 10 DROP CURB WITH 4 CURB TIES
- 11 BOLLARD
- 12 1" BRASS CURB
- 13 BRASS CURB
- 14 CURB AND GUTTER SEE MECHANICAL PLAN
- 15 CONCRETE SIDEWALK OVER 4" AGGREGATE BASE COURSE
- 16 CONCRETE SIDEWALK OVER 4" AGGREGATE BASE COURSE
- 17 DROP CURB WITH 2 CURB TIES
- 18 SIDE POOL SEE DETAIL
- 19 FANTLE MEMORIAL PARK MONUMENT SIGN PROPERTY BY OWNER AND INSTALLED BY CONTRACTOR ON 12" DIA. 5' 48" DEEP FOOTING PER POOL
- 20 CONCRETE APPROACH OVER 12" AGGREGATE BASE COURSE
- 21 SIDE WALK BRANCH FROM SEE STORM SEWER PLAN
- 22 3/4" TYPE CONCRETE CURB AND GUTTER (DOUBLE END 4' 8" DIA) FOOTING COURSE DEPENDS ON BARS SPACING AT 30" ON CENTER AND FINISH CURB WITH PAVERS
- 23 20 X 12" CANDELER SHADE STRUCTURE WITH 14" CLEARANCE (SEE DETAIL)
- 24 ADA VAN ACCESSIBLE PARKING SIGN AND POST
- 25 ADA VAN ACCESSIBLE SIGN AND POST
- 26 CHAIN LINK FENCE
- 27 GATE OPENING WITH LOCKABLE LATCH AND CENTER DROP HOOD (SEE CONTRACTOR SPEC)
- 28 GATE OPENING WITH 18" X 18" (24" X 24") 1/2" PLATE BARS ON 24" (18" X 14" GAUGE) STEEL PLATE (BACK FORDING ON) AND LOCKABLE LATCH (DEPENDS ON CHAIN LINK FENCE)
- 29 20 X 12" CANDELER SHADE STRUCTURE WITH 14" CLEARANCE (SEE DETAIL)
- 30 30 X 15" SHADE STRUCTURE (SEE DETAIL)
- 31 SIGN POLE AND EQUIPMENT (SEE POOL PLANS)
- 32 SLASH PAD (SEE POOL PLANS)
- 33 LEGAL POOL (SEE POOL PLANS)
- 34 LIFTWAY (SEE POOL PLANS)
- 35 AGGREGATE SLICES (SEE POOL PLANS)
- 36 BATHHOUSE (SEE ARCHITECTURE PLANS)
- 37 AQUATICS MECHANICAL BUILDING (SEE ARCHITECTURE PLANS)
- 38 1/4" DIA. ANGLE STRUCTURE (SEE DETAIL)
- 39 20" CANDELER SHADE GATE WITH BOLLARD AND 1/2" (SEE CONTRACTOR SPEC)
- 40 1/2" DIA. ANGLE STRUCTURE (SEE DETAIL)
- 41 REINFORCED CONCRETE (18" X 24" (24" X 24")) OVER 4" AGGREGATE BASE COURSE
- 42 REINFORCED CONCRETE (18" X 24" (24" X 24")) OVER 4" AGGREGATE BASE COURSE
- 43 5" HIGH BOLLARD (SEE POOL PLANS)
- 44 1/2" DIA. ANGLE STRUCTURE (SEE ARCHITECTURE PLANS)
- 45 SLASH PAD VALVE WALKWAY (SEE POOL PLANS)
- 46 1/2" DIA. ANGLE STRUCTURE (SEE DETAIL)

LEGEND

- |  |   |
|--|---|
|  | PROPERTY LINE   |
|  | 2" ASPHALT PAVEMENT W/ 12" AGGREGATE BASE COURSE            |
|  | 4" ASPHALT PAVEMENT W/ 12" AGGREGATE BASE COURSE            |
|  | 8" REINFORCED CONCRETE PAVEMENT W/ 4" AGGREGATE BASE COURSE |
|  | 4" CONCRETE PAVEMENT W/ 4" AGGREGATE BASE COURSE            |
|  | 4" CONCRETE PAVEMENT W/ 4" AGGREGATE BASE COURSE            |
|  | 8" REINFORCED CONCRETE PAVEMENT W/ 4" AGGREGATE BASE COURSE |
|  | EXPANSION JOINT   |
|  | CHAIN LINK FENCE  |



THE HUETHER FAMILY AQUATICS CENTER  
 FANTLE MEMORIAL PARK IMPROVEMENTS  
 YANKTON, SOUTH DAKOTA  
 04/16/2017



BID SET  
 SITE PLAN  
 CS-101

*Memorandum #24-251*

**To:** Amy Leon, City Manager  
**From:** Gregg Homstad, Building Official  
**Subject:** Introduction and First Reading of Revisions to Building Code Ordinances  
**Date:** November 25, 2024

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The following are the current Building Codes adopted by the City of Yankton:

- 2015 International Building Code
- 2015 International Residential Code
- 2015 International Mechanical Code
- 2015 International Fuel Gas Code
- 2015 Uniform Plumbing Code
- 2017 National Electrical Code
- ICC A117.1-2009

The State of South Dakota has enacted legislation to allow municipalities to adopt the 2021 International Codes. The International Code Council updates its codes every three years. Staying up to date with the codes demonstrates the City's commitment to building safety and helps to maintain our ISO (Insurance Services Office) rating. To date, the following South Dakota municipalities have adopted the 2021 International Building Codes: Sioux Falls, Spearfish, Sturgis, Harrisburg, Brookings and Brandon. Other communities such as Watertown, Aberdeen and Pierre have adopted the 2018 Codes.

In addition, adoption of the 2021 International Existing Building Code is recommended to facilitate the conversion of existing buildings to different uses, particularly in the downtown area. The adoption of these codes will not cause any significant changes in the way structures are built and should not cause undue additional costs to the area's contractors.

Attached are the ordinances and amendments for the adoption of the 2021 International Codes. The amendments are based on previous amended code cycles and the desire to balance local needs with national standards.

The proposed actions will repeal the 2015 International Building Code, 2015 International Residential Code, 2015 International Mechanical Code, 2015 International Fuel Gas Code, 2015 Uniform Plumbing Code, ICC A117.1-2009, and will enact the 2021 International Building Code, 2021 International Residential Code, 2021 International Mechanical Code, 2021 International Fuel Gas Code, ICC A117.1-2017, 2021 Uniform Plumbing Code, and the 2023 National Electrical Code.

The following separate actions will need to be taken to enact the above listed codes:

**ACTION #1 An Ordinance repealing the 2015 International Building Code (Ordinance 996) and the and enacting Ordinance 1086 adopting the 2021 International Building Code and the related documents: 2021 International Mechanical Code, 2021 International Fuel Gas Code**

**and the ICC A117.1-2017 Accessible and Usable Buildings and Facilities**

- ACTION #2** An Ordinance repealing the 2015 International Residential Code (Ordinance 997) and enacting Ordinance 1087 adopting the 2021 International Residential Code with the addition of the above listed amendments.
- ACTION #3** Enacting Ordinance 1088 adopting the 2021 International Existing Building Code.
- ACTION #4** An Ordinance repealing the 2015 Uniform Plumbing Code (Ordinance 784) and enacting Ordinance 1089 adopting the 2021 Uniform Plumbing Code.
- ACTION #5** An Ordinance repealing the 2017 National Electrical Code (Ordinance 999) enacting Ordinance 1090 to enact the 2023 National Electric Code.

Respectfully,

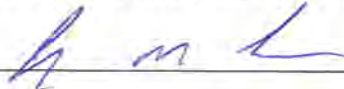


Gregg Homstad  
Building Official

**Recommendation:** It is recommended that the Board of Commissioners approve the following actions to repeal the 2015 International Building Code, 2015 International Residential Code, 2015 International Mechanical Code, 2015 International Fuel Gas Code, ICC A117.1-2009, 2015 Uniform Plumbing Code and 2017 National Electrical Code and enact the 2021 International Building Code, 2021 International Residential Code, 2021 International Mechanical Code, 2021 International Fuel Gas Code, 2021 Uniform Plumbing Code, ICC A117.1-2017 Accessible and Usable Buildings and Facilities and 2023 National Electrical Code and associated amendments and documents.

I concur with this recommendation.

I do not concur with this recommendation.

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

cc: Dave Mingo

\_\_\_\_ Introduction

**ORDINANCE #1086  
ADOPTION OF THE  
2021 INTERNATIONAL BUILDING CODE**

An ordinance repealing the 2015 International Building Code, (Ordinance 996) and enacting the adoption of the 2021 International Building Code, including amendments, Appendix C, Appendix I and associated documents as published by the International Code Council Inc. The adoption of the *International Building Code*, 2021 edition, will become effective January 1, 2025. The minimum building standards in the 2021 edition of the *International Building Code* and amendments thereto shall be applied to any building permit issued after December 31, 2024.

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

**Section 1.** Chapter 7, Article I, Section 7-4, Ordinance 996, (and all of its sub-parts thereof) is hereby repealed and replaced by a new Section 7-4 to be added to Chapter 7, Article I of the City of Yankton Code of Ordinances to read as follows:

**Chapter 7 – BUILDINGS**

**ARTICLE I. - IN GENERAL**

**Sec. 7-4. - Building code adopted; amendments.**

Those certain documents, one (1) copy of which will be kept on file and available for public inspection in the office of Community and Economic Development, being marked as:

- (a) 2021 International Building Code, published by the International Code Council;
- (b) 2021 International Mechanical Code, published by the International Code Council;
- (c) 2021 International Fuel Gas Code, published by the International Code Council;
- (d) 2017 American National Standard for Accessible and Usable Buildings and Facilities A117.1-2017, published by the International Code Council; and
- (e) Amendments by the City of Yankton to the 2021 International Building Code;

are hereby adopted as the code of the City of Yankton, South Dakota for regulating the erection, construction, enlargement, alternation, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height of buildings and structures in the City of Yankton South Dakota providing for the issuance of permits and collection of fees.

**[Note: The following portions of this Ordinance are hereby adopted, but shall not be published within the City of Yankton’s Municipal Code or added to Yankton’s Municode online library of municipal ordinances, but rather shall be freely available in print at Yankton City Hall, Office of Community and Economic Development or via the City of Yankton website:]**

**Section 2.** The following sections and subsections of the 2021 *International Building Code* adopted in this article shall be amended, added, or not adopted by the city as follows. All other sections or subsections of the 2021 *International Building Code* as published shall remain the same.

**101.1 Title:** These regulations shall be known as the Building Code of the City of Yankton, South Dakota hereinafter referred to as “This Code.”

**[A] 101.4.1 Gas.** The provisions of the *International Fuel Gas Code* or the Uniform Plumbing Code shall apply to the installation of gas piping from the point of delivery to gas appliances, and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

**101.4.3 Plumbing:** The provision of Uniform Plumbing Code (UPC) shall apply to the installation, alteration, repair, and replacement of plumbing systems including equipment appliances fixtures, fittings and appurtenances as mandated by the South Dakota Plumbing Commission.

**101.4.8 Electrical:** The provisions of the National Electrical Code (NEC) shall apply to the installation of electrical systems, including alterations, repairs, replacement equipment, appliances, fixtures, fittings, and appurtenances as mandated by the South Dakota Electrical Commission.

**R103.1 Enforcement Agency:** The Office of Community and Economic Development and the official in charge shall be known as the "Building Official."

**[A] 105.1 Required.** Any *owner* or owner’s authorized agent who intends to construct, enlarge, alter, *repair*, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, *repair*, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the *building official* and obtain the required *permit*. The building official may in the exercise of his/her sole & absolute discretion exempt permits for minor work.

**[A] 105.2 Work exempt from permit.** Exemptions from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. *Permits* shall not be required for the following:

**Building:**

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided that the floor area is not greater than 200 square feet (18.6 m<sup>2</sup>). Placement of all

accessory structures is subject to approval by the Building Official and must comply with City Ordinance.

2. Oil derricks.
3. Retaining walls that are not over 4 feet (1,219 mm) in height measured from grade elevation to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
4. Flag poles and similar structures that are less than 30 feet (9.14m) in height above grade plane.
5. Water tanks supported directly on grade if the capacity is not greater than 5,000 gallons (18,925 L) and the ratio of height to diameter or width is not greater than 2:1.
6. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or *story* below and are not part of an *accessible route*. Sidewalk and driveway installations or replacements located in the city Right of Way require Right of Way Excavation Permits per Ordinance Section 21-76.
7. Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work.
8. Temporary motion picture, television, and theater stage sets and scenery.
9. Prefabricated *swimming pools* accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings and other playground equipment accessory to detached one- and two-family *dwelling*s.
12. Window awnings in Group R-3 and U occupancies, supported by an exterior wall that do not project more than 54 inches (1,372 mm) from the *exterior wall* and do not require additional support.
13. Nonfixed and movable fixtures, cases, racks, counters, and partitions not over 5 feet 9 inches (1,753 mm) in height.

**107.1 General.** Submittal documents consisting of one complete set of plans in an electronic submittal in PDF format along with other *construction documents*, statement of *special inspections*, geotechnical report and other data shall be submitted with each *permit* application. The *construction documents* shall be prepared by a *registered design professional* where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the *building official* is authorized to require additional *construction documents* to be prepared by a *registered design professional*.

**Exception:** The *building official* is authorized to waive the submission of *construction documents* and other data not required to be prepared by a *registered design professional* if it is

found that the nature of the work applied for is such that review of *construction documents* is not necessary to obtain compliance with this code.

**107.3.1 Approval of construction documents.** When the *building official* issues a *permit*, the *construction documents* shall be considered approved. One set of *construction documents* so reviewed shall be retained by the *building official*. A set of plans shall be kept at the site of work and shall be open to inspection by the building official or a duly authorized representative.

**109.2 Schedule of permit fees:** On buildings, structures, or *alterations* requiring a *permit*, a fee for each *permit* shall be paid as required, in accordance with the schedule as established by commission resolution.

**113 Appeals:** In order to provide for final interpretations of the provisions of this code and to hear appeals provided, a board of appeals is hereby created which shall be the board of city commissioners. Any person may appeal any notice and order or any action of the building official by filing at the office of the building official within ten (10) days from the date of the service of such order a written appeal containing:

1. A brief statement of the specific order or action protested, together with any material facts claimed to support the contentions of the person appealing
2. A brief statement of the relief sought and reasons why it is claimed the protested order or action should be reversed, modified or otherwise set aside.
3. Upon receipt of any appeal filed pursuant to this section, the building official shall present it to the city commission within twenty (20) days. As soon as practicable after receiving the written appeal, the city commission shall fix a date, time and place for the hearing of the appeal. Written notice of the time and place of the hearing shall be given at least ten (10) days prior to the date of the hearing to each appellant. Failure of any person to file an appeal in accordance with the provisions of this section shall constitute a waiver of his right to an administrative hearing and adjudication of the notice and order, or any portion, thereof. Enforcement of any notice and order of the building official issued under this article shall be stayed during the pendency of an appeal therefrom which is properly and timely filed.

**423.5 Group E occupancies.** All Group E occupancies with an occupant load of 50 or more shall have a storm shelter constructed in accordance with ICC 500 to withstand a wind of 200 mph.

**Exceptions:**

1. Group E day care facilities.
2. Group E occupancies accessory to places of religious worship.
3. Buildings meeting the requirements for shelter design in ICC 500.

**716.2.6.1 Door closing.** *Fire doors* shall be latching and self- or automatic-closing in accordance with this section.

**Exceptions:**

1. *Fire doors* located in common walls separating *sleeping units* in Group R-1 shall be permitted without automatic- or *self-closing* devices.
2. The elevator car doors and the associated hoistway enclosure doors at the floor level designated for recall in accordance with Section 3003.2 shall be permitted to remain open during Phase I emergency recall operation.
3. Interior doors located in exit enclosures, smoke proof enclosures, and exit passageways in Group R and I-1 occupancies shall be automatic-closing fire door assemblies in accordance with NFPA 80 and controlled in accordance with NFPA 72.

**903.2.8 Group R.** An *automatic sprinkler system* installed in accordance with Section 903.3 shall be provided throughout all buildings with Group R-1 and R-4 *fire areas* and Group R-2 multifamily residences having six or more dwelling units.

**903.3.1.1.1 Exempt locations.** Automatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an *approved* automatic fire detection system in accordance with Section 907.2 that will respond to visible or invisible particles of combustion. Sprinklers shall not be omitted from a room merely because it is damp, of fire-resistance-rated construction, or contains electrical equipment.

1. A room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. A room or space where sprinklers are considered undesirable because of the nature of the contents, where *approved* by the fire code official. Such rooms shall be separated from the remainder of the building by fire barrier walls and horizontal assemblies having a fire-resistance rating of not less than 2 hours.
3. Generator and transformer rooms separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a *fire-resistance rating* of not less than 2 hours.
4. Rooms or areas that are of noncombustible construction with wholly noncombustible contents.
5. Fire service access elevator machine rooms and machinery spaces.
6. Machine rooms, machinery spaces, control rooms, and control spaces associated with occupant evacuation elevators designed in accordance with Section 3008.

**904.13.2 System interconnection.** The actuation of the fire suppression system shall automatically shut down the fuel and/or electrical power supply to the cooking equipment and all electrical receptacles located beneath the hood. The fuel and electrical supply reset shall be manual.

**907.2.1.1 System initiation in Group A occupancies with an occupant load of 1,000 or more.** Activation of the fire alarm in Group A occupancies with an *occupant load* of 1,000 or more shall initiate a signal using an emergency voice/alarm communications system in accordance with Section 907.5.2.2.



**Exceptions:**

1. Group A-3 occupancies used for religious worship.
2. Where *approved*, the prerecorded announcement is allowed to be manually deactivated for a period of time, not to exceed 3 minutes, for the sole purpose of allowing a live voice announcement from an *approved, constantly attended location*.

**[F] 907.2.2 Group B.** A manual fire alarm system, which activates the occupant notification system in accordance with Section 907.5, shall be installed in Group B occupancies where one of the following conditions exists:

1. The combined Group B *occupant load* of all floors is 500 or more.
2. The Group B *occupant load* is more than 100 persons above or below the lowest *level of exit discharge*.
3. The *fire area* contains an ambulatory care facility.
4. The Group B occupancy has more than two occupied levels.

**Exception:** Manual fire alarm boxes are not required where the building is equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1 and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

**[F] 907.2.8.2 Automatic smoke detection system.** An automatic smoke detection system that activates the occupant notification system in accordance with Section 907.5 shall be installed throughout all interior *corridors* serving *sleeping units* and at the top of each stairwell.

**Exception:** An automatic smoke detection system is not required in buildings that do not have interior *corridors* serving *sleeping units* and where each *sleeping unit* has a *means of egress* door opening directly to an *exit* or to an exterior *exit access* that leads directly to an *exit*.

**[F] 912.2.1 Visible location.** Fire department connections shall be located on the street side of buildings or facing approved fire apparatus access roads, fully visible and recognizable from the street, fire apparatus access road or nearest point of fire department vehicle access, or as otherwise *approved* by the *fire code official*. A weather-rated horn/strobe connected to the fire detection or sprinkler system shall be located not lower than 8 feet above the fire department connection and within 10 feet horizontally of the connection. The weather-rated horn/strobe must be visible from the fire lane or street.

**1031.3.1 Minimum size.** *Emergency escape and rescue openings* shall have a minimum net clear opening of 5.0 square feet (.46 m<sup>2</sup>).

**1031.3.3 Maximum height from floor.** *Emergency escape and rescue openings* shall have the bottom of the clear opening not greater than 48 inches (1,219 mm) measured from the floor.

**1031.5.2 Ladders or steps.** Area wells with a vertical depth of more than 48 inches (1,219 mm) shall be equipped with an approved permanently affixed ladder or steps. The ladder or steps shall not

be obstructed by the emergency escape and rescue opening when the window or door is in the open position. Ladders or steps required by this section shall not be required to comply with Section 1011.

**1601.1 Scope.** The provisions of this chapter shall govern the structural design of buildings, structures and portions thereof regulated by this code.

It shall not be the responsibility of the building official to determine engineering requirements of this code. Exclusive of conventional light-frame wood construction provisions referenced in Section 2308, the method to resist loads as referenced in this chapter is the responsibility of a structural engineer or other qualified design professional.

**1612.3 Establishment of flood hazard areas.** Delete. Refer to the City of Yankton’s Floodplain Management Ordinance for provisions that regulate “Special Flood Hazard Areas”.

**Section 3.** That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason, held to be unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance

**Section 4.** The adoption of the International Building Code, 2021 edition, will become effective and in full force the latter of January 1, 2025 or 20 days after final passage, adoption and publication. The minimum building standards in the 2021 edition of the International Building Code and amendments thereto shall be applied to any building permit issued after the effective date.

**Section 5.** That the Finance Officer is hereby ordered and directed to cause this ordinance to be published as required by law.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2024

\_\_\_\_\_  
Mason Schramm, Mayor

Attest:

\_\_\_\_\_  
Lisa Yardley, Finance Officer

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

**ORDINANCE #1087**  
**ADOPTION OF THE**  
**2021 INTERNATIONAL RESIDENTIAL BUILDING CODE (IRC)**

An ordinance repealing the 2015 International Residential Code (Ordinance 997) and enacting the adoption of the 2021 International Residential Code edition, including Appendix AE, Appendix AG, and Appendix AQ as published by the International Code Council Inc. as amended, is hereby adopted as the residential building code by the city for regulating the design, construction, enlargement, alteration, repair, moving, removal, demolition, occupancy, use, height and maintenance of One and Two-Family Dwellings and Townhouses in the City of Yankton, South Dakota. The adoption of the *International Residential Code*, 2021 edition, will become effective January 1, 2025. The minimum building standards in the 2021 edition of the *International Residential Code* and amendments thereto shall be applied to any building permit issued after December 31, 2024.

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

**Section 1.** Chapter 7, Article I, Section 7-11, Ordinance 997, (and all of its sub-parts thereof) is hereby repealed and replaced by a new Section 7-11 to be added to Chapter 7, Article I of the City of Yankton Code of Ordinances to read as follows:

**Sec. 7-11. - Residential code adopted; amendments.**

That certain documents, one (1) copy of which is on file and available for public inspection in the office of community and economic development, being marked and designated as:

- (a) "2021 International Residential Code" published by the International Code Council; and
- (b) "2021 International Residential Code" additions, deletions, modifications and amendments by the City of Yankton;

are hereby adopted as the code of the City of Yankton, South Dakota, for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of One and Two-Family Dwellings and Townhouses in the City of Yankton, South Dakota, providing for the issuance of permits and collection of fees.

**[Note: The following portions of this Ordinance are hereby adopted, but shall not be published within the City of Yankton's Municipal Code or added to Yankton's Municode online library of municipal ordinances, but rather shall be freely available in print at Yankton City Hall, Office of Community and Economic Development or via the City of Yankton website:]**

**Section 2.** The following sections and subsections of the 2021 International Residential Code adopted in this article shall be amended, added, or not adopted by the city as follows. All other

sections or subsections of the 2021 International Residential Code as published shall remain the same.

**R101.1 Title:** These provisions shall be known as the Residential Code for one and two-family dwellings and townhouses not exceeding three stories in height and shall be referred to as "This Code."

**R101.2 Scope.** The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal, and demolition of detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress and their accessory structures not more than three stories above grade plane in height.

Exception 1: The following shall be permitted to be constructed in accordance with this code where provided with an automatic sprinkler system complying with Section P2904:

1. A care facility with five or fewer persons receiving custodial care within a dwelling unit.
2. A care facility with five or fewer persons receiving medical care within a dwelling unit.
3. A care facility for five or fewer persons receiving care that are within a single-family dwelling.

Exception 2: The following shall be permitted to be constructed in accordance with this code. A fire sprinkler system if installed may be in accordance with Section P2904.

1. Owner-occupied lodging houses with five or fewer guestrooms.

Exception 3: Existing buildings undergoing repair, alteration or additions, and change of occupancies may be permitted to comply with the International Existing Building Code.

**R103.1 Enforcement Agency:** The Office of Community and Economic Development and the official in charge shall be known as the "Building Official."

**R105.1 Required:** Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to cause any such work to be performed, shall first make application to the Building Official and obtain the required permit. The Building Official may exempt permits for minor work.

**R105.2 Work Exempt from a Permit:**

1. Other than storm shelters, one-story detached accessory structures, provided that the floor area does not exceed 200 square feet.

2. Fences not over 7 feet in height.
3. Retaining walls that are not over 4 feet in height measured from the bottom of the grade elevation to the top of the wall.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
5. Flag poles and similar structures that are less than 30 feet in height above grade.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Swings and other playground equipment.
8. Window awnings supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support.

**R106.1 Submittal Documents:** Submittal of construction documents, and other data shall be submitted with each permit application. The construction documents shall be prepared by a registered design professional where required by South Dakota Codified Law or by the Building Official.

**Exception:** The Building Official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work does not require construction documents to obtain compliance with this code.

**R106.1.6 Energy efficiency.** Construction documents for detached one- and two-family dwellings and townhomes shall be submitted with the intended R-value for the ceilings, walls, floors, basement walls (if finished), slab perimeter R-value and depth, and crawl space walls.

**R106.1.7 Foundation reinforcement.** Construction for detached one- and two-family dwellings and town houses shall be provided with the intended reinforcement of foundation walls referenced in Tables R404.1.1(2), R404.1.1(3), and R404.1.1(4) for reinforced masonry foundation walls; Tables R404.1.2(2), R404.1.2(3), R404.1.2(4), and R404.1.1(8) for flat concrete foundation walls; Tables 404.1.2(5) and R404.1.2(6) for waffle-grid basement walls; and Table R404.1.2(7) for screed-grid basement walls where the foundation wall exceeds the provisions for plain masonry and concrete foundation walls.

**R106.2 Site plan or plot plan.** The construction documents submitted with the application for permit shall be accompanied by a site plan showing the size and location of new construction and existing structures on the site and distances from lot lines. Site plans for new dwellings are required to specify the finished floor elevation and the minimum ground elevation (MGE) which designates the elevation of the top of the black dirt under the grass, or the top of the landscape

rock or other landscape material at the lowest exposed part of the house. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official is authorized to waive or modify the requirement for a site plan where the application for permit is for alteration or repair or where otherwise warranted.

**R106.3.1 Approval of construction documents.** Where the building official issues a permit, the construction documents shall be considered reviewed and approved. One set of construction documents so reviewed shall be retained by the building official. A set of plans shall be kept at the site of work and shall be open to inspection by the building official or a duly authorized representative.

**R109.1.1 Footing inspection.** Inspection of the footing shall be made after poles or piers are set or trenches or basement areas are excavated and any required forms erected and any required reinforcing steel is in place and supported prior to the placing of concrete. The footing ~~foundation~~ inspection shall include excavations for thickened slabs intended for the support of bearing walls, partitions, structural supports, or equipment and special requirements for wood foundations. At the Building Official's discretion, the footing inspection may consist of submitted photos and/or video images showing pertinent dimensions and reinforcement size and placement.

Commentary: The reference to foundation inspections is eliminated because inspections occur for the footings but do not occur prior to the pouring of foundation walls.

**R109.1.3 Floodplain Inspections:** Not Adopted.

**R112 Appeals:** In order to provide for final interpretations of the provisions of this code and to hear appeals provided, a board of appeals is hereby created which shall be the board of city commissioners. Any person may appeal any notice and order or any action of the building official by filing at the office of the building official within ten (10) days from the date of the service of such order a written appeal containing:

1. A brief statement of the specific order or action protested, together with any material facts claimed to support the contentions of the person appealing
2. A brief statement of the relief sought and reasons why it is claimed the protested order or action should be reversed, modified or otherwise set aside.
3. Upon receipt of any appeal filed pursuant to this section, the building official shall present it to the city commission within twenty (20) days. As soon as practicable after receiving the written appeal, the city commission shall fix a date, time and place for the hearing of the appeal. Written notice of the time and place of the hearing shall be given at least ten (10) days prior to the date of the hearing to each appellant. Failure of any person to file an appeal in accordance with the provisions of this section shall constitute a waiver of his right to an administrative hearing and adjudication of the notice and order, or any portion, thereof. Enforcement of any notice and order of the building official issued under this article shall be stayed during the pendency of an appeal therefrom which is properly and timely filed.

**R302.2 Townhouses:** Walls separating townhouse units shall be constructed in accordance with Section R302.2.1 or R302.2.2 and shall comply with Sections R302.2.3 through R302.2.5.

**R302.2.2 Common walls.** Common walls separating *townhouse units* shall be assigned a fire-resistance rating in accordance with Item 1 or 2 and shall be rated for fire exposure from both sides. Common walls shall extend to and be tight against the exterior sheathing of the exterior walls, or the inside face of exterior walls without stud cavities, and the underside of the roof sheathing. The common wall shared by two *townhouse units* shall be constructed without plumbing or mechanical equipment, ducts or vents, other than water-filled fire sprinkler piping in the cavity of the common wall.

1. Where an automatic sprinkler system in accordance with Section P2904 is provided, the common wall shall be not less than a 1-hour fire-resistance-rated wall assembly tested in accordance with ASTM E119, UL 263 or Section 703.2.2 of the *International Building Code*.
2. Where an automatic sprinkler system in accordance with Section P2904 is not provided, the common wall shall be not less than a 2-hour fire-resistance-rated wall assembly tested in accordance with ASTM E119, UL 263 or Section 703.2.2 of the *International Building Code*.

**Exception:** Common walls are permitted to extend to and be tight against the inside of the exterior walls if the cavity between the end of the common wall and the exterior sheathing is filled with a minimum of two 2-inch nominal thickness wood studs.

**R302.2.3 Continuity.** The fire-resistance-rated wall or assembly separating townhouse units shall be continuous from the foundation to the underside of the roof sheathing, deck or slab. The fire-resistance rating shall extend the full length of the wall or assembly, including wall extensions through and separating attached enclosed *accessory structures*.

Exterior walls that extend beyond an adjacent structure that has a fire separation distance less than 5 feet (1,523 mm) to a common property line shall have not less than a one-hour fire rating with exposure from both sides with no openings allowed therein.

Projections such as a deck that have a fire separation distance of less than 3 feet (914 mm) to a common property line shall have a 1-hour fire rating with exposure from both sides with no openings allowed therein that extends at least 30 inches (762 mm) above the projection.

**R302.3 Two-family dwellings.** Dwelling units in two-family dwellings shall be separated from each other by wall and floor assemblies having not less than a 1-hour fire-resistance rating where tested in accordance with ASTM E119, UL 263, or Section 703.2.2 of the *International Building Code*. Such separation shall be provided regardless of whether a lot line exists between the two dwelling units or not. Fire-resistance-rated floor/ceiling and wall assemblies shall extend to and be tight against the exterior wall, and wall assemblies shall extend from the foundation to the underside of the roof sheathing.

**Exceptions:** †.A fire-resistance rating of 1/2 hour shall be permitted in buildings equipped throughout with an automatic sprinkler system installed in accordance with Section P2904.

**R302.13 Fire Protection of Floors:** Not adopted.

**R307.1 Space required.** Fixtures shall be spaced in accordance with Universal Plumbing Code.

**R309.5 Fire Sprinklers:** Not adopted.

**R310.2.1 Minimum Opening:** Emergency and escape rescue openings shall have a net clear opening of not less than 5.0 square feet. The net clear opening dimensions required by this section shall be obtained by the normal operation of the emergency escape and rescue opening from the inside. The net clear height opening shall be not less than 24 inches and the net clear width shall be not less than 20 inches.

**R310.2.3 Maximum height from floor.** Emergency escape and rescue openings shall have the bottom of the clear opening not greater than 48 inches above the floor. Where the sill height is below grade, it shall be provided with a window well in accordance with Section R310.4.

**R310.4.2 Ladder and Steps:** Window wells with a vertical depth greater than 48 inches shall be equipped with a permanently affixed ladder or steps usable with the window in the fully open position. Ladders or rungs shall have an inside width of not less than 12 inches, shall project not less than 3 inches from the wall and shall be spaced not more than 18 inches on center vertically for the full height of the window well.

**R310.7 Amended - Alterations or repairs of existing basements.**

Section R310.7 Alterations or Repairs of Existing Basements, is hereby amended by deleting said section and exception and inserting in lieu thereof the following:

**Section R310.7 Alterations or Repairs of Existing Basements.** New habitable spaces created in an existing basement shall be provided with emergency escape and rescue openings in accordance with Section R310.1.

**R311.7.8.3 Grip Size.** Required handrails shall comply with R33.7.8.3 for graspability with the following exception added.

**Exception:** Exterior stairs are allowed to have a horizontal 2X member to form a 1-1/2-inch graspable dimension in lieu of the above-referenced R311.7.8.3 standard.

**R313.1 Townhouse Automatic Fire Sprinkler Systems:** Not adopted.

**R313.2 One and Two-Family Dwellings Automatic Fire Sprinkler Systems:** Not Adopted.

**R313.2.1 Design and installation.** When an automatic residential fire sprinkler system is installed, it shall be designed and installed in accordance with Section P2904 or NFPA 13D.

**R314.4 Interconnection.** Where more than one smoke alarm is required to be installed within an individual dwelling unit in accordance with Section R314.3, the alarm devices shall be



interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual *dwelling unit*. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm.

**Exception:** Interconnection of smoke alarms in existing areas shall not be required where *alterations* or repairs do not result in removal of interior wall or ceiling finishes exposing the structure, unless there is an *attic*, crawl space, or *basement* available that could provide access for interconnection without the removal of interior finishes.

**R403.1.4.1 Frost Protection:** Except where otherwise protected from frost, foundation walls, piers, and other permanent supports of buildings and structures shall be protected from frost by one or more of the following methods:

1. Extended below the frost line specified in Table R301.2. (1).
2. Constructed in accordance with Section R403.3.
3. Constructed in accordance with ASCE 32.
4. Erected on solid rock.

**Exceptions:**

1. Protection of freestanding accessory structures with an area of 1,600 square feet or less, of light-frame construction, with an eave height of 10 feet or less shall not be required.
2. Decks not supported by a dwelling need not be provided with footings that extend below the frost line.

**N1101.2 (R101.3) Intent:** This chapter regulates the design and construction of buildings for the effective use and conservation of energy over the useful life of each new building. Additions, alterations, renovations, or repairs to an existing building, building system or portion thereof may conform to the provisions of this code as they relate to new construction without requiring the unaltered portion(s) of the existing building or building system to comply with this code. This chapter is intended to provide flexibility to permit the use of innovative approaches and techniques to achieve this objective. This chapter is not intended to abridge safety, health or environmental requirements contained in other applicable codes or ordinances.

Table N1102.1.1 (R402.1.1)  
INSULATION AND FENESTRATION  
REQUIREMENTS BY COMPONENT<sup>a,k</sup>  
FOR NEW CONSTRUCTION

Climate Zone <sup>b</sup>	Fenestration U-Factor <sup>b</sup>	Sky Light U Factor <sup>b</sup>	Glazed Fenestration SHGC <sup>b,c</sup>	Ceiling R Value <sup>e</sup>	Wood Frame Wall R Value	Mass wall R Value	Floor R Value	Basement Wall R Value <sup>e</sup>	Slab R Value <sup>d</sup>	Crawl Space Wall Value <sup>e</sup>
5	0.6	NR	NR	38	20 or 13+5 <sup>h</sup>	5/10 <sup>i</sup>	13 <sup>g</sup>	7/10	5 2 feet	7/10

a. R-values are minimums. U-factors and Solar Heat Gain Coefficient (SHGC) are maximums. When insulation is installed in a cavity which is less than the label or design

thickness of the insulation, the installed *R*-value of the insulation shall not be less than the *R*-value specified in the table.

b. The fenestration *U*-factor column excludes skylights. The SHGC column applies to all glazed fenestration.

**Exception:** Skylights may be excluded from glazed fenestration SHGC requirements in Climate Zones 1 through 5 where the SHGC for such skylights does not exceed 0.30.

c. 7/10 means R-7 continuous insulated sheathing on the interior or exterior of the home or R-13 cavity insulation at the interior of the basement wall. The perimeter wall of an enclosed mechanical room is allowed to not be a component of the thermal envelope.

d. R-5 shall be added to the required slab edge *R*-values for heated slabs. Insulation depth shall be the depth of the footing or 2 feet, whichever is less in Zones 1 through 5 for heated slabs.

e. There are no SHGC requirements in the Marine Zone.

f. Basement wall insulation is not required in warm-humid locations as defined by Figure N1101.10 and Table N1101.10.

g. Or insulation sufficient to fill the framing cavity, R-7 minimum.

h. The first value is cavity insulation, the second value is continuous insulation, 13+5 means R-13 cavity insulation plus R-5 continuous insulation.

i. The second *R*-value applies when more than half the insulation is on the interior of the mass wall.

j. The minimum *R*-value for ceilings shall be measured at a distance 24 inches from the interior of the top plate. Insulation shall be placed to extend to the top plate as allowed by the rafter or truss heel space.

k. Requirements by of N1102.1.1 shall only apply to new construction.

**N1102.2.9 (R402.2.9) Basement Walls:** Walls associated with conditioned basements shall be insulated from the top of the basement wall to the basement floor. Walls associated with unconditioned basements shall meet this requirement unless the floor overhead is insulated in accordance with Sections N1102.1.2 and N1102.2.8.

**Exception:** Exterior basement walls of enclosed mechanical rooms or unfinished basement rooms.

**N1102.4.1.2 (R402.4.1.2) Testing:** Not adopted

**N1103.3.2.1 (R403.3.2.1) Sealed Air Handler:** Not adopted

**N1103.3.3 (R403.3.3) Duct Testing:** Not adopted

**N1103.3.5 (R403.3.5) Building Cavities:** Building framing cavities shall not be used as ducts or plenums.

**Exception:** Stud spaces and floor joist cavities may be used for return air plenums

**N1104.1 (R404.1) Lighting Equipment:** Not adopted.

**N1104.2 (R404.2) Interior lighting controls:** Not adopted.

**Part VII, Plumbing:** The following chapters are not adopted by the city: Chapter 25 Plumbing Administration; Chapter 26 General Plumbing Requirements; Chapter 27 Plumbing Fixtures; Chapter 28 Water Heaters; Chapter 29 Water Supply and Distribution; Chapter 30 Sanitary Drainage; Chapter 31 Vents; Chapter 32 Traps; and Chapter 33 Storm Drainage. The

provisions of the Plumbing Code of the City of Yankton or the most current plumbing code adopted by the South Dakota State Plumbing Commission shall apply to the installation, alterations, repairs, and replacement of plumbing systems, including equipment, appliances, fixtures, and appurtenances, and where connected to a water or sewage system for detached one- and two-family dwellings and multiple single-family dwellings (town houses) not more than three stories high with separate means of egress and their accessory structures.

**Part VIII, Electrical:** The following chapters are not adopted by the city: Chapter 34 General Requirements; Chapter 35 Electrical Definitions; Chapter 36 Services; Chapter 37 Branch Circuit and Feeder Requirements; Chapter 38 Wiring Methods; Chapter 39 Power and Lighting Distribution; Chapter 40 Device and Luminaires; Chapter 41 Appliance Installation; Chapter 42 Swimming Pools; Chapter 43 Class 2 Remote-Control, Signaling and Power- Limited Circuits. The provisions of the Electrical Code of the City of Yankton or the most current code adopted National Electrical Code by the South Dakota State Electrical Commission shall apply to the installation, alteration, repair, relocation, replacement, addition to, use, or maintenance of any electrical system, apparatus, wiring, or equipment for electrical, light, heat, power, fire alarms, and associate controls for detached one- and two-family dwellings and multiple single-family dwellings (town houses) not more than three stories high with separate means of egress and their accessory structures.

**Section 3.** That any section, subsection, sentence, clause or phrase of this ordinance is for any reason, held to be unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance

**Section 4.** That the finance Officer is hereby ordered and directed to cause this ordinance to be published as required by law

**Section 5.** That this ordinance and the rules, regulations, provisions, requirement, orders and matters established and adopted hereby shall take effect and be in full force 20 days from the date of its final passage, adoption and publication.

\_\_\_\_\_  
Mason Schramm, Mayor

Attest:

\_\_\_\_\_  
Lisa Yardley, Finance Officer

Adopted:

1st Reading:

2nd Reading:

Publication Date:

Effective Date:

**ORDINANCE #1088  
ADOPTION OF THE  
2021 INTERNATIONAL EXISTING BUILDING CODE**

An ordinance adopting the *2021 International Existing Building Code*. As adopted and amended by the City of Yankton.

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

**Section 1.** A new Section 7-13 to be added to Chapter 7, Article I of the City of Yankton Code of Ordinances to read as follows:

**Sec. 7-13. – Existing building code adopted; amendments.**

That certain documents, one (1) copy of which is on file and available for public inspection in the office of community and economic development, being marked and designated as:

- (a) “2021 International Existing Building Code” published by the International Code Council; and
- (b) “2021 International Existing Building Code” additions, deletions, modifications and amendments by the City of Yankton;

are hereby adopted as the code of the City of Yankton, South Dakota, for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of One and Two-Family Dwellings and Townhouses in the City of Yankton, South Dakota, providing for the issuance of permits and collection of fees.

**[Note: The following portions of this Ordinance are hereby adopted, but shall not be published within the City of Yankton’s Municipal Code or added to Yankton’s Municode online library of municipal ordinances, but rather shall be freely available in print at Yankton City Hall, Office of Community and Economic Development or via the City of Yankton website:]**

**Section 2.** The following sections and subsections of the existing building code adopted in this article shall be amended, added, or deleted as follows. All other sections or subsections of the *2021 International Existing Building Code* shall remain the same.

**[A] 101.1 Title.** These regulations shall be known as the *Existing Building Code* of the City of Yankton, herein after referred to as “this code.”

**[A] 103.1 [A] 103.1 Creation of enforcement agency.** The Office of Community and Economic Development and the official in charge shall be known as the "Building Official."

**[A] 103.2 Appointment.** Not adopted by the city.

**[A] 104.8 Liability.** The *code official*, member of the Board of Appeals, or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered civilly or criminally liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties.

This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating, or controlling any building or structure for any damages to persons or property caused by defects, nor shall the code enforcement agency or the city be held as assuming any such liability by reason of the inspection authorized by this code or any permits or certificates issued under this code.

**[A] 105.1 Required.** Any owner or owner's authorized agent who intends to repair, add to, alter, relocate, demolish, or change the occupancy of a building or to repair, install, add, alter, remove, convert, or replace any electrical, gas, mechanical, or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the *code official* and obtain the required permit. The code official may exempt permits for minor work.

**[A] 105.1.1 Annual permit.** Not adopted by the city.

**[A] 105.1.2 Annual permit records.** Not adopted by the city.

**302.2 Additional codes.** *Alterations, repairs, additions, and changes of occupancy* to, or relocation of, *existing buildings* and structures shall comply with the provisions for *alterations, repairs, additions, and changes of occupancy* or relocation, respectively, in this code and the *International Fire Code, International Fuel Gas Code, International Mechanical Code, Uniform Plumbing Code, International Residential Code,* and NFPA 70. Where provisions of the other codes conflict with provisions of this code, the provisions of this code shall take precedence.

**Section 303 Storm Shelters.** Not adopted by the city.

**702.7 Materials and methods.** New work shall comply with the materials and methods requirements in the *International Building Code, International Residential Code, International Mechanical Code, International Fuel Gas Code, NFPA 70,* and the *Uniform Plumbing Code,* as applicable, that specify material standards, detail of installation and connection, joints, penetrations, and continuity of any element, component, or system in the building.

**[M] 702.6.2 International Mechanical Code.** The following sections of the *International Mechanical Code* shall constitute the mechanical materials and methods requirements for Level 1 alterations:

1. All of Chapter 3, entitled "General Regulations," except Sections 303.7 and 306.
2. All of Chapter 8, entitled "Chimneys and Vents."
3. All of Chapter 9, entitled "Specific Appliances."

**[R] 702.6.3 International Residential Code.** The following sections of Part V—Mechanical of the *International Residential Code* shall constitute the residential mechanical and fuel gas materials and methods requirements for Level 1 alterations:

1. All of Chapter 13, entitled “General Mechanical System Requirements,” except Section M1305.
2. All of Chapter 18, entitled “Chimneys and Vents.”
3. All of Section G2412 entitled “General” and G2413 entitled “Pipe Sizing” except Sections 2412.8 and G2413.3.
- 3.1 Sections G2412 and G2413 shall apply where the work being performed increases the load on the system such that the existing pipe does not meet the size required by code. Existing systems that are modified shall not require resizing as long as the load on the system is not increased and the system length is not increased even if the altered system does not meet code minimums.
4. All of Sections G2431 through G2454 governing the appliances and equipment specifically identified therein.

**804.4.1.2.1 Fire escape access and details.** Fire escapes shall comply with all of the following requirements:

1. Occupants shall have unobstructed access to the fire escape without having to pass through a room subject to locking.
2. Access to a new fire escape shall be through a door, except windows shall be permitted to provide access from single dwelling units or sleeping units in Group R-1, R-2, and I-1 occupancies or to provide access from spaces having a maximum occupant load of 10 in other occupancy classifications.
  - 2.1 The window shall have a minimum net clear opening of 5.0 square feet (.46 m<sup>2</sup>)
  - 2.2 The minimum net clear opening height shall be 24 inches (610 mm) and net clear opening width shall be 20 inches (508 mm).
  - 2.3 The bottom of the clear opening shall not be greater than 48 inches (1,219 mm) above the floor.
  - 2.4 The operation of the window shall comply with the operational constraints of the *International Building Code*.
3. Newly constructed fire escapes shall be permitted only where exterior stairways cannot be utilized because of lot lines limiting the stairway size or because of the sidewalks, alleys, or roads at grade level.

4. Openings within 10 feet (3,048 mm) of fire escape stairways shall be protected by fire assemblies having minimum 3/4-hour fire-resistance ratings.

**Exception:** Opening protection shall not be required in buildings equipped throughout with an *approved* automatic sprinkler system.

5. In all buildings of Group E occupancy, up to and including the 12th grade, buildings of Group I occupancy, rooming houses, and childcare centers, ladders of any type are prohibited on fire escapes used as a required means of egress.

**1009.1 Increased demand.** Where the occupancy of an *existing building* or part of an *existing building* is changed such that the new occupancy is subject to increased or different plumbing fixture requirements or to increased water supply requirements in accordance with the *Uniform Plumbing Code*, the new occupancy shall comply with the intent of the respective *Uniform Plumbing Code* provisions.

**Exception:** Only where the occupant load of the story is increased by more than 20 percent, plumbing fixtures for the story shall be provided in quantities specified in the *International Building Code* based on the increased occupant load.

**1009.2 Food-handling occupancies.** If the new occupancy is a food-handling establishment, all existing sanitary waste lines above the food or drink preparation or storage areas shall be panned or otherwise protected to prevent leaking pipes or condensation on pipes from contaminating food or drink. New drainage lines shall not be installed above such areas and shall be protected in accordance with the *Uniform Plumbing Code*.

**1009.3 Interceptor required.** If the new occupancy will produce grease or oil-laden wastes, interceptors shall be provided as required in the *Uniform Plumbing Code*.

**1009.5 Group I-2.** If the occupancy group is changed to Group I-2, the plumbing system shall comply with the applicable requirements of the *Uniform Plumbing Code*.

**1011.5.6 Existing emergency escape and rescue openings.** Where a *change of occupancy* would require an *emergency escape and rescue opening* in accordance with Section 1031 of the *International Building Code*, operable windows serving as the *emergency escape and rescue opening* shall comply with the following:

1. An existing operable window shall provide a minimum net clear opening of 4 square feet (0.38 m<sup>2</sup>) with a minimum net clear opening height of 22 inches (559 mm) and a minimum net clear opening width of 20 inches (508 mm) provided the operable window has a sill height of not more than 48 inches (1,219 mm) above the floor.
2. A replacement window where such window complies with both of the following:
  - 2.1. The replacement window meets the size requirements in Item 1.
  - 2.2. The replacement window is the manufacturer's largest standard size window that will fit within the existing frame or existing rough opening. The replacement window shall be

permitted to be of the same operating style as the existing window or a style that provides for an equal or greater window opening area than the existing window.

**1301.2.6 Plumbing fixtures.** Plumbing fixtures shall be provided in accordance with Section 1009 for a change of occupancy and Section 808 for *alterations*. Plumbing fixtures for *additions* shall be in accordance with the *Uniform Plumbing Code*.

**1401.2 Conformance.** The building shall be safe for human occupancy as determined by the *International Fire Code*. Any *repair, alteration, or change of occupancy* undertaken within the moved structure shall comply with the requirements of this code applicable to the work being performed. Any field-fabricated elements shall comply with the requirements of the *International Building Code* or the *International Residential Code* as applicable.

**Exceptions:**

1. Manufactured homes used as a dwelling and located in a licensed manufactured home park.
2. Structures used as a temporary office or shelter on a construction or development site when approved by the building official.
3. Structures used as a temporary business office for a period as specified in Section [A] 108.1 of the *International Building Code* when approved by the building official and provided it meets the applicable accessibility requirements of this code.
4. Manufactured homes used as a sales office at a location where such homes are offered for sale, provided it meets the applicable accessibility requirements of this code.

**Section 3.** That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason, held to be unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance

**Section 4.** The adoption of the International Existing Building Code, 2021 edition, will become effective and in full force the latter of January 1, 2025 or 20 days after final passage, adoption and publication. The minimum building standards in the 2021 edition of the International Existing Building Code and amendments thereto shall be applied to any building permit issued after the effective date.

**Section 5.** That the Finance Officer is hereby ordered and directed to cause this ordinance to be published as required by law.



Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2024

\_\_\_\_\_  
Mason Schramm, Mayor

Attest:

\_\_\_\_\_  
Lisa Yardley, Finance Officer

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

**ORDINANCE #1089**  
**ADOPTION OF THE 2021 UNIFORM PLUMBING CODE**

An ordinance repealing the 2015 Uniform Plumbing Code (Ordinance 998) Section 18-2 of the Code of Ordinances for the City of Yankton and enacting the adoption of the 2021 Uniform Plumbing Code. As adopted and amended by the City of Yankton and the State of South Dakota as governed by South Dakota Codified Law 36-25.

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

**Section 1.** Chapter 18, Article I, Section 18-2, Ordinance 998, (and all of its sub-parts thereof) is hereby repealed and replaced by a new Section 18-2 to be added to Chapter 18, Article I of the City of Yankton Code of Ordinances to read as follows:

**Sec. 18-2. - Plumbing code adopted; amendments.**

That certain documents, one (1) copy of which is on file and available for public inspection in the office of the Community and Economic Development, being marked and designated as:

- (a) “Uniform Plumbing Code, 2021 Edition” as published by the International Association of Plumbing & Mechanical Officials and amended by the South Dakota Sate Plumbing Commission as governed by South Dakota Codified Law 36-25; and
- (b) Amendments by the City of Yankton to the 2021 Uniform Plumbing Code;

are hereby adopted as the Plumbing Code of the City of Yankton, South Dakota, for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, replacement and use of plumbing systems and for the issuance of permits and collection of fees.

**[Note: The following portions of this Ordinance are hereby adopted, but shall not be published within the City of Yankton’s Municipal Code or added to Yankton’s Municode online library of municipal ordinances, but rather shall be freely available in print at Yankton City Hall, Office of Community and Economic Development:]**

**Section 2.** The 2021 Uniform Plumbing Code shall be amended as follows:

1. **Chapter 3, General Regulations:** Shall be deleted and replaced with “The water distribution and drainage system of any building in which plumbing fixtures are installed shall be connected to a public water supply and sewer system respectively if available. A public water system and/or public sewer system shall be deemed available to a premise used for human occupancy if the property line of such a

premise is within two hundred fifty (250) feet, and a connection conforming to the standards set forth in this code shall be made thereto.”

2. **Chapter 17, Standards:** Shall be amended to delete (1) plastic pipe and fittings and galvanized pipe and fittings from the approved list of materials for the water service piping, cold water distribution and hot water distribution system with the exception of Cross Link Polyethylene (PEX) Pressure pipe, with prior approval from the Building Official, as listed in section 14 of the approved list of materials. (2) Concrete Drain Pipe shall be deleted from the list of approved materials for sanitary sewers.
3. **Tracer Wire Requirement:** Private sewer and water lines shall be installed with a locatable tracer wire that is installed at the point of connection to the public main and shall terminate within eight inches of the building cleanout for sewer lines and within eight inches of the building foundation for water lines. Where private water lines are installed with copper pipe and are locatable, a tracer wire may be omitted. The installation of the tracer wire and components shall be installed to "City of Yankton's specifications."

**Section 3.** That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason, held to be unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance.

**Section 4.** That the Finance Officer is hereby ordered and directed to cause this ordinance to be published as required by law.

**Section 5.** That this ordinance and the rules, regulations, provisions, requirement, orders, and matters established and adopted hereby shall take effect and be in full force 20 days from the date of its final passage, adoption and publication.

Adopted:

1st Reading:

2nd Reading:

Publication Date:

Effective Date:

---

Mason Schramm, Mayor

Attest:

---

Lisa Yardley, Finance Officer

**ORDINANCE #1090**  
**ADOPTION OF THE 2023 NATIONAL ELECTRICAL CODE**

An ordinance repealing the 2017 National Electrical Code (Ordinance 999) Section 7-24 of the Code of Ordinances for the City of Yankton and enacting the adoption of the 2023 National Electrical Code. As adopted and amended by the City of Yankton and the State of South Dakota as governed by South Dakota Codified Law 36-16.

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

**Section 1.** Chapter 18, Article I, Section 7-12, Ordinance 999, (and all of its sub-parts thereof) is hereby repealed and replaced by a new Section 7-12 to be added to Chapter 7, Article I of the City of Yankton Code of Ordinances to read as follows:

**Sec. 7-12. - Electrical code adopted.**

That a certain document, one (1) copy of which is on file and available for public inspection in the office of the Community and Economic Development, being marked and designated as:

“National Electrical Code, 2023 Edition” as published by the National Fire Protection Agency (NFPA) and amended by the South Dakota State Electrical Commission as governed by South Dakota Codified Law 36-16;

is hereby adopted as the Electrical Code of the City of Yankton, South Dakota, for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, replacement and use of electrical systems.

**[Note: The following portions of this Ordinance are hereby adopted, but shall not be published within the City of Yankton’s Municipal Code or added to Yankton’s Municode online library of municipal ordinances, but rather shall be freely available in print at Yankton City Hall, Office of Community and Economic Development:]**

**Section 2.** That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason, held to be unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance.

**Section 3.** That the Finance Officer is hereby ordered and directed to cause this ordinance to be published as required by law.

**Section 4.** That this ordinance and the rules, regulations, provisions, requirement, orders, and matters established and adopted hereby shall take effect and be in full force 20 days from the date of its final passage, adoption and publication.

\_\_\_\_\_  
Mason Schramm, Mayor

Attest:

\_\_\_\_\_  
Lisa Yardley, Finance Officer

Adopted:

1st Reading:

2nd Reading:

Publication Date:

Effective Date:

**Memorandum #24-252**

**To:** Amy Leon, City Manager  
**From:** Kyle Goodmanson, Environmental Services Director  
**Subject:** Wastewater EDA Project Acceptance and Final Payment  
**Date:** November 18, 2024

---

The Wastewater Economic Development Administration (EDA) Project is complete.  
The project included:

1. Replaced electrical main gear to eliminate single points of failure.
2. Reduced single points of failure in plant electrical systems.
3. Purchased generator for effluent pumping.
4. Pretreatment room influent screening replaced.
5. Replaced process pumps with dry pit submersibles.
6. Installed new equalization basin with pumping.
7. Service bypass gates replaced.
8. Splitter/secondary influent piping replaced.
9. Influent piping replacement from new manhole into the plant.
10. Purchased new portable bypass pump.
11. Repaired manholes at Hastings Lift Station/inflow issue.

The project was partially funded by a \$6,458,400.00 grant from US Economic Development Administration (EDA). The remainder was funded by a low interest state revolving fund loan.

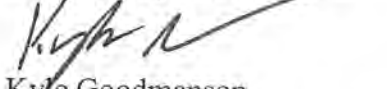
The project did experience delays based on long lead times for equipment. The project team believes that the contractor did make adequate attempts to keep the project on schedule and no liquidated damages were assessed on the project.

The project work has been completed in accordance with the contract documents. Final payment was being held until several punch list items were addressed.

The final contract price was \$87,375.00 greater than the original contract price of \$9,894,000.00 for a final project cost of \$9,981,375.00. Several items were removed from the original contract, including final grading and seeding, and credited in the change order process. These items were removed because they will now be addressed as part of the current wastewater project.

City staff has reviewed the project, and the final pay request. We recommend acceptance of the project and that the City Finance Officer be authorized to issue a manual check in the amount of \$25,000.00 to John T. Jones Construction Company.

Respectfully submitted,

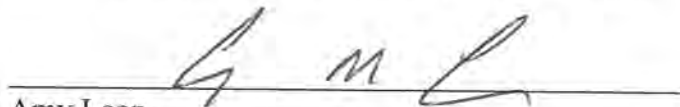


Kyle Goodmanson  
Environmental Services Director

**Recommendation: City staff recommends that the project be accepted and that the City Finance Officer be authorized to issue a manual check in the amount of \$25,000.00 to John T. Jones Construction Company.**

I concur with this recommendation.

I do not concur with this recommendation.



Amy Leon  
City Manager

**Application and Certificate For Payment**

**FINAL PAY APPLICATION #27**

To Owner: YANKTON WWTP 600 Levee Street Yankton, SD 57078		Project: YANKTON WWTP 600 Levee Street Yankton, SD 57078	Application No: 27 Date: 10/07/2024
From: John T. Jones Construction Co. (Contractor): 2213 7th Ave N Fargo, ND 58102		Contractor Job Number: 2201 Via (Engineer): HDR	Period To: 10/07/24 Engineer's Project No: 10277925 Contract Date: 04/25/22
Phone: 701 232-3358		Contract For:	

**Contractor's Application For Payment**

Change Order Summary	Additions	Deductions				
Change orders approved in previous months by owner	87,375.00					
<table border="1"> <thead> <tr> <th>Number</th> <th>Date Approved</th> </tr> </thead> <tbody> <tr> <td>Change orders approved this month</td> <td></td> </tr> </tbody> </table>	Number	Date Approved	Change orders approved this month			
Number	Date Approved					
Change orders approved this month						
<b>Totals</b>						
<b>Net change by change orders</b>	<b>87,375.00</b>					

Original contract sum	9,894,000.00
Net change by change orders	87,375.00
Contract sum to date	9,981,375.00
Total completed and stored to date	9,981,375.00
Retainage	
0.0% of completed work	0.00
0.0% of stored material	0.00
Total retainage	0.00
Total earned less retainage	9,981,375.00
Less previous certificates of payment	9,956,375.00
0.000% of taxable amount	0.00
Current sales tax	0.00
Current payment due	<b>25,000.00</b>
Balance to finish, including retainage	0.00

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information, and belief the work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

Contractor: John T. Jones Construction

By: Mike Jones Date: 10/7/2024

**Engineer's Certificate for Payment**

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the Amount Certified.

Engineer: Todd J. Meyer Date: 11/22/2024

This Certification is not negotiable. The Amount Certified is payable only to the Contractor named herein. Issuance, payment, and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

Amount Certified: \$ \_\_\_\_\_

Funding Agency: \_\_\_\_\_ Date: \_\_\_\_\_

Owner: \_\_\_\_\_ Date: \_\_\_\_\_



**Application and Certificate For Payment -- Page 2 of 6**

To Owner: YANKTON WWTP  
 From (Contractor): John T. Jones Construction Co.  
 Project: YANKTON WWTP

Application No: 27 Date: 10/07/24 Period To: 10/07/24  
 Contractor's Job Number: 2201  
 Engineer's Project No: 10277925

Item Number	Description	Scheduled Value	Work Completed		Materials Presently Stored	Completed and Stored to Date	%	Balance to Finish	Retention	Memo
			Previous Application	This Period						
A	MOBILIZATION	494,700.00	494,700.00	0.00	0.00	494,700.00	100.00	0.00	0.00	
B	BONDS & INSURANCE	92,840.00	92,840.00	0.00	0.00	92,840.00	100.00	0.00	0.00	
C	INLET BUILDING MODIFICATION	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
C.1	Material	229,348.00	229,348.00	0.00	0.00	229,348.00	100.00	0.00	0.00	
C.2	Labor	257,776.00	257,776.00	0.00	0.00	257,776.00	100.00	0.00	0.00	
C.3	Equipment	39,980.00	39,980.00	0.00	0.00	39,980.00	100.00	0.00	0.00	
C.4	Paint - SUBCONTRACTED	89,428.00	89,428.00	0.00	0.00	89,428.00	100.00	0.00	0.00	
C.5	Core Drilling - SUBCONTRACTED	8,432.00	8,432.00	0.00	0.00	8,432.00	100.00	0.00	0.00	
CO-002	JTJ COPY ON 10, 11, 12, 13	4,122.00	4,122.00	0.00	0.00	4,122.00	100.00	0.00	0.00	
D	MECHANICALLY CLEANED SCREEN	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
D.1	Labor	80,674.00	80,674.00	0.00	0.00	80,674.00	100.00	0.00	0.00	
D.2	Equipment	400,286.00	400,286.00	0.00	0.00	400,286.00	100.00	0.00	0.00	
E	SCREENINGS WASHER COMPACTOR	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
E.1	Labor	6,847.00	6,847.00	0.00	0.00	6,847.00	100.00	0.00	0.00	
E.2	Equipment	15,248.00	15,248.00	0.00	0.00	15,248.00	100.00	0.00	0.00	
F	SCREENINGS SLUICE TROUGH	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
F.1	Labor	5,678.00	5,678.00	0.00	0.00	5,678.00	100.00	0.00	0.00	
F.2	Equipment	12,785.00	12,785.00	0.00	0.00	12,785.00	100.00	0.00	0.00	
G	AERATION BUILDING MODIFICATION	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
G.1	Material	494,326.00	494,326.00	0.00	0.00	494,326.00	100.00	0.00	0.00	
G.2	Labor	187,854.00	187,854.00	0.00	0.00	187,854.00	100.00	0.00	0.00	
G.3	Hoist - SUBCONTRACTED	27,543.00	27,543.00	0.00	0.00	27,543.00	100.00	0.00	0.00	
G.4	Paint - SUBCONTRACTED	96,875.00	96,875.00	0.00	0.00	96,875.00	100.00	0.00	0.00	
G.5	Core Drilling - SUBCONTRACTED	16,782.00	16,782.00	0.00	0.00	16,782.00	100.00	0.00	0.00	

**Application and Certificate For Payment -- Page 3 of 6**

To Owner: YANKTON WWTP  
 From (Contractor): John T. Jones Construction Co.  
 Project: YANKTON WWTP

Application No: 27 Date: 10/07/24 Period To: 10/07/24  
 Contractor's Job Number: 2201  
 Engineer's Project No: 10277925

Item Number	Description	Scheduled Value	Work Completed		Materials Presently Stored	Completed and Stored to Date	%	Balance to Finish	Retention	Memo
			Previous Application	This Period						
H	<b>AERATION PUMPS</b>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
H.1	Material	7,521.00	7,521.00	0.00	0.00	7,521.00	100.00	0.00	0.00	
H.2	Labor	68,742.00	68,742.00	0.00	0.00	68,742.00	100.00	0.00	0.00	
H.3	Equipment	99,548.00	99,548.00	0.00	0.00	99,548.00	100.00	0.00	0.00	
I	<b>EQUALIZATION PUMP</b>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
I.1	Material	4,937.00	4,937.00	0.00	0.00	4,937.00	100.00	0.00	0.00	
I.2	Labor	23,458.00	23,458.00	0.00	0.00	23,458.00	100.00	0.00	0.00	
I.3	Equipment	26,925.00	26,925.00	0.00	0.00	26,925.00	100.00	0.00	0.00	
J	<b>PORTABLE EFFLUENT GENERATOR</b>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
K	<b>PORTABLE BYPASS PUMP</b>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
K.1	Labor	6,400.00	6,400.00	0.00	0.00	6,400.00	100.00	0.00	0.00	
K.2	Equipment	72,000.00	72,000.00	0.00	0.00	72,000.00	100.00	0.00	0.00	
L	<b>PLANT INFLUENT SEWER</b>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
L.1	Material	630,457.00	630,457.00	0.00	0.00	630,457.00	100.00	0.00	0.00	
L.2	Labor	280,672.00	280,672.00	0.00	0.00	280,672.00	100.00	0.00	0.00	
M	<b>SECONDARY SPLITTER PIPE</b>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
M.1	Material	108,400.00	108,400.00	0.00	0.00	108,400.00	100.00	0.00	0.00	
M.2	Labor	178,643.00	178,643.00	0.00	0.00	178,643.00	100.00	0.00	0.00	
N	<b>REMOVE &amp; INSTALL OF FLARE</b>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
N.1	Material	14,684.00	14,684.00	0.00	0.00	14,684.00	100.00	0.00	0.00	
N.2	Labor	42,968.00	42,968.00	0.00	0.00	42,968.00	100.00	0.00	0.00	
O	<b>EQUALIZATION BASIN FORCE MAIN</b>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
O.1	Material	427,488.00	427,488.00	0.00	0.00	427,488.00	100.00	0.00	0.00	
O.2	Labor	274,320.00	274,320.00	0.00	0.00	274,320.00	100.00	0.00	0.00	

**Application and Certificate For Payment -- Page 4 of 6**

To Owner: YANKTON WWTP  
 From (Contractor): John T. Jones Construction Co.  
 Project: YANKTON WWTP

Application No: 27 Date: 10/07/24 Period To: 10/07/24  
 Contractor's Job Number: 2201  
 Engineer's Project No: 10277925

Item Number	Description	Scheduled Value	Work Completed		Materials Presently Stored	Completed and Stored to Date	%	Balance to Finish	Retention	Memo
			Previous Application	This Period						
O.3	Directional Drilling - SUBCONTRACTED	132,846.00	132,846.00	0.00	0.00	132,846.00	100.00	0.00	0.00	
P	<b>EQUALIZATION BASIN</b>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
P.1	Material	182,346.00	182,346.00	0.00	0.00	182,346.00	100.00	0.00	0.00	
P.2	Labor	326,748.00	326,748.00	0.00	0.00	326,748.00	100.00	0.00	0.00	
P.3	Lagoon Liner - SUBCONTRACTED	111,234.00	111,234.00	0.00	0.00	111,234.00	100.00	0.00	0.00	
Q	<b>PUMP BUILDING MODIFICATION</b>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Q.1	Material	26,987.00	26,987.00	0.00	0.00	26,987.00	100.00	0.00	0.00	
Q.2	Labor	36,987.00	36,987.00	0.00	0.00	36,987.00	100.00	0.00	0.00	
Q.3	Paint - SUBCONTRACTED	3,245.00	3,245.00	0.00	0.00	3,245.00	100.00	0.00	0.00	
R	<b>BYPASS PUMPING</b>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
R.1	Labor	396,785.00	396,785.00	0.00	0.00	396,785.00	100.00	0.00	0.00	
R.2	Bypass Pumping - SUBCONTRACTED	456,782.00	456,782.00	0.00	0.00	456,782.00	100.00	0.00	0.00	
S	<b>YARD GATES IMPROVEMENT</b>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
S.1	Material	96,065.00	96,065.00	0.00	0.00	96,065.00	100.00	0.00	0.00	
S.2	Labor	69,654.00	69,654.00	0.00	0.00	69,654.00	100.00	0.00	0.00	
T	<b>SITE PIPING IMPROVEMENT</b>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
T.1	Material	167,402.00	167,402.00	0.00	0.00	167,402.00	100.00	0.00	0.00	
T.2	Labor	78,844.00	78,844.00	0.00	0.00	78,844.00	100.00	0.00	0.00	
U	<b>SITE ELECTRICAL IMPROVEMENT</b>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
U.10	Generator	194,450.72	194,450.72	0.00	0.00	194,450.72	100.00	0.00	0.00	
U.11	Automation	132,201.87	132,201.87	0.00	0.00	132,201.87	100.00	0.00	0.00	
U.12	Panel Shop	7,299.59	7,299.59	0.00	0.00	7,299.59	100.00	0.00	0.00	
U.13	Drafting	5,341.16	5,341.16	0.00	0.00	5,341.16	100.00	0.00	0.00	
U.14	Project Management	1,246.27	1,246.27	0.00	0.00	1,246.27	100.00	0.00	0.00	

**Application and Certificate For Payment -- Page 5 of 6**

To Owner: YANKTON WWTP  
 From (Contractor): John T. Jones Construction Co.  
 Project: YANKTON WWTP

Application No: 27 Date: 10/07/24 Period To: 10/07/24  
 Contractor's Job Number: 2201  
 Engineer's Project No: 10277925

Item Number	Description	Scheduled Value	Work Completed		Materials Presently Stored	Completed and Stored to Date	%	Balance to Finish	Retention	Memo
			Previous Application	This Period						
U.15	Design/Engineering	2,937.64	2,937.64	0.00	0.00	2,937.64	100.00	0.00	0.00	
U.16	Programming - Development	24,925.42	24,925.42	0.00	0.00	24,925.42	100.00	0.00	0.00	
U.17	Programming - Startup/Configuration	7,833.70	7,833.70	0.00	0.00	7,833.70	100.00	0.00	0.00	
U.18	Technician - Field Install	4,094.89	4,094.89	0.00	0.00	4,094.89	100.00	0.00	0.00	
U.19	Technician - Startup/Commissioning	8,901.94	8,901.94	0.00	0.00	8,901.94	100.00	0.00	0.00	
U.2	Conduit/Boxes	580,194.97	580,194.97	0.00	0.00	580,194.97	100.00	0.00	0.00	
U.20	Travel	5,190.51	5,190.51	0.00	0.00	5,190.51	100.00	0.00	0.00	
U.21	Miscellaneous	75,052.27	75,052.27	0.00	0.00	75,052.27	100.00	0.00	0.00	
U.3	Wire/Cable	561,508.06	561,508.06	0.00	0.00	561,508.06	100.00	0.00	0.00	
U.4	Panels/Gear	574,196.34	574,196.34	0.00	0.00	574,196.34	100.00	0.00	0.00	
U.5	Fixtures/Lamps	5,457.54	5,457.54	0.00	0.00	5,457.54	100.00	0.00	0.00	
U.6	Demo	116,173.03	116,173.03	0.00	0.00	116,173.03	100.00	0.00	0.00	
U.7	Temp Power	67,005.76	67,005.76	0.00	0.00	67,005.76	100.00	0.00	0.00	
U.8	Testing/Commissioning	87,263.32	87,263.32	0.00	0.00	87,263.32	100.00	0.00	0.00	
U.9	Data/Fiber/Cabling	5,698.00	5,698.00	0.00	0.00	5,698.00	100.00	0.00	0.00	
V	<b>SITE PREP, REMOVAL&amp;IMPROVEMENT</b>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
V.1	Material	81,742.00	81,742.00	0.00	0.00	81,742.00	100.00	0.00	0.00	
V.2	Labor	186,098.00	186,098.00	0.00	0.00	186,098.00	100.00	0.00	0.00	
V.3	Asphalt Paving - SUBCONTRACTED	112,978.00	112,978.00	0.00	0.00	112,978.00	100.00	0.00	0.00	
V.4	Seeding & Landscaping - SUBCONTRACTED	67,502.00	67,502.00	0.00	0.00	67,502.00	100.00	0.00	0.00	
W	<b>HASTINGS DRIVE IMPROVEMENT</b>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
W.1	Material	10,802.00	10,802.00	0.00	0.00	10,802.00	100.00	0.00	0.00	
W.2	Labor	7,945.00	7,945.00	0.00	0.00	7,945.00	100.00	0.00	0.00	
X	<b>DE-MOBILIZATION</b>	49,470.00	49,470.00	0.00	0.00	49,470.00	100.00	0.00	0.00	

**Application and Certificate For Payment -- Page 6 of 6**

To Owner: YANKTON WWTP  
 From (Contractor): John T. Jones Construction Co.  
 Project: YANKTON WWTP

Application No: 27 Date: 10/07/24 Period To: 10/07/24  
 Contractor's Job Number: 2201  
 Engineer's Project No: 10277925

Item Number	Description	Scheduled Value	Work Completed		Materials Presently Stored	Completed and Stored to Date	%	Balance to Finish	Retention	Memo
			Previous Application	This Period						
Y.1	JTJ PCO#1,2,3,4,5,6,7,8,9,10,11,12,13	60,574.00	60,574.00	0.00	0.00	60,574.00	100.00	0.00	0.00	
Y.2	CHANGE ORDER #329	22,679.00	22,679.00	0.00	0.00	22,679.00	100.00	0.00	0.00	
<b>Application Total</b>		9,981,375.00	9,981,375.00	0.00	0.00	9,981,375.00	100.00	0.00	0.00	

**Memorandum #24-253**

**To:** Amy Leon, City Manager  
**From:** Kyle Goodmanson, Environmental Services Director  
**Subject:** SD DOT Joint Powers Agreement, Marne Creek Sewer Crossing  
**Date:** November 18, 2024

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The City of Yankton is continuing to make improvements to its Wastewater Collection System. The City developed a list of collection projects as part of the American Rescue Plan Act (ARPA) funding package. The approved funding package included funding for the Highway 50 Marne Creek sewer main crossing replacement. A major 21-inch gravity sewer line crosses Marne Creek along Highway 50. The current line is an elevated steel line that has been lined with a fiberglass liner. The line was damaged when a car left the road and landed on the line, punching a hole in the top of the pipe. The pipe has a temporary fiberglass patch on the top of the pipe. The pipe is supported by two pillars in Marne creek. Recent flooding and creek bed degrading has caused the pilings and supports to be exposed and are failing. To address this issue, the City of Yankton's project includes replacement of the 21-inch pipe and support system to cross the creek. The project will also include repairs to the wing wall adjacent to the walking bridge and rip rap for bank stabilization. The City has approved a contract with Banner Engineering for design.

The South Dakota Department of Transportation has a project consisting of berm repair and rip rap adjacent to the City project. The Joint Powers Agreement will allow for a combination bid letting of the two projects.

If the total low combination bid for the City project and the state project does not have, as part of that bid, the lowest bid on the state project, the City will pay to the state the difference between that portion of the successful combination bid attributable to the state project and the lowest bid on the state project. The City will pay the state within thirty (30) days of receipt of billing from the state. Staff feels the cost benefits from a joint bid letting will cover any potential cost differences the City may be required to pay the state.

Staff recommends that the City Commission approve the attached agreement for South Dakota Federal Aid Construction Project Number PT 0050(132)384 PCN 07E9 and City Project Number 24044-00 PCN X06N.

Respectfully submitted,



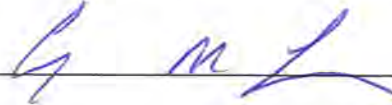
Kyle Goodmanson  
Environmental Services Director

**Recommendation: It is recommended that the City Commission authorize the Mayor to execute the attached "STATE OF SOUTH DAKOTA JOINT POWERS MAINTENANCE AND ENCROACHMENT AGREEMENT BETWEEN DEPARTMENT OF TRANSPORTATION AND CITY OF YANKTON" contract per State Project Number PT 0050(132)384 PCN 07E9.**

I concur with this recommendation.

I do not concur with this recommendation.

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



October 16, 2024

Lisa Yardley, Finance Officer  
City Yankton  
416 Walnut Street  
PO Box 176  
Yankton, SD 57078-0176

Lisa:

Attached are the two original agreements for the Joint Powers Agreement the above project PT 0050(132)384 (PCN 07E9) between the City of Yankton and the South Dakota Department of Transportation. When the Mayor has signed both agreements, please return to me for final signatures and to be assigned a contract number. I will return one signed original to you for your files.

Please note that on **Page 3, Number 14**, that a copy of the minutes giving the Mayor permission to sign needs to be attached to the signed agreements.

If you have any question's, please feel free to contact me anytime.

Thank you, \*



Marilyn Patterson  
Project Development Office  
Department of Transportation  
700 East Broadway Avenue  
Pierre, SD 57501  
(605) 773-6642



**STATE OF SOUTH DAKOTA  
JOINT POWERS  
MAINTENANCE AND ENCROACHMENT AGREEMENT  
BETWEEN  
DEPARTMENT OF TRANSPORTATION  
AND  
CITY OF YANKTON**

This Agreement is made by and between the State of South Dakota, acting by and through its Department of Transportation, referred to in this Agreement as the "STATE," and the city of Yankton, South Dakota, referred to in this Agreement as the "CITY." The parties acknowledge and agree the CITY'S population is deemed to be 15,534 for purposes of this Agreement.

**1. JOINT POWERS**

This Agreement does not establish a separate legal entity as contemplated by § SDCL 1-24-5. The cooperative undertaking described in this Agreement will be financed and conducted under the provisions of this Agreement by the CITY and the STATE. Each party has responsibilities under the terms of this Agreement and no joint board or administrator will be used. No real property will be purchased for use for this Agreement.

**THE STATE AND CITY MUTUALLY AGREE TO THE FOLLOWING:**

**2. TERM**

The term of this Agreement will begin upon the last date of signature and will be perpetual.

**3. STATE PROJECT**

The STATE and the CITY concur in the proposal for the new construction or improvement of streets identified by South Dakota Federal Aid Construction Project Number PT 0050(132)384 PCN 07E9, referred to in this Agreement as the "STATE PROJECT." The STATE PROJECT is located on South Dakota Highway 50 (SD50), 0.8-mile east of United States Highway 81 (US81) over Marne Creek. The STATE PROJECT consists of berm repair and rip rap.

**4. CONTRACT PROCUREMENT**

The STATE will design, advertise, let to contract, award, and be the contracting party for the STATE PROJECT.

**5. COMBINATION LETTING**

- A. The CITY wishes to construct a utility project. The STATE will let the CITY'S utility project, designated as CITY Project Number 24044-00 PCN X06N, and referred to in this Agreement as the "CITY PROJECT." The CITY PROJECT is located adjacent to the limits of the STATE PROJECT. The CITY PROJECT consists of storm sewer. The STATE will let the CITY PROJECT in combination with the STATE PROJECT.
- B. The CITY will provide the STATE with all plans, specifications, contract provisions, and cost estimates for the CITY PROJECT. Each bidder will be required to submit separate bids covering the CITY PROJECT and the STATE PROJECT. Award of the contract will be to the one bidder based on the total combination bid for the two projects. The lowest responsible bid on the STATE PROJECT will be the basis for determining STATE and federal funds participation.
- C. The CITY agrees to be bound by the STATE'S processes and procedures for bidding and awarding contracts and waives any right to negotiate price with the low bidder pursuant to SDCL § 5-18B-5.

- D. If the total low combination bid for the CITY PROJECT and the STATE PROJECT does not have, as part of that bid, the lowest bid on the STATE PROJECT, the CITY will pay to the STATE the difference between that portion of the successful combination bid attributable to the STATE PROJECT and the lowest bid on the STATE PROJECT. The CITY will pay the STATE within thirty (30) days of receipt of billing from the STATE.
- E. The STATE will award the contracts for both the STATE PROJECT and the CITY PROJECT; however, the CITY will be the contracting party for the CITY PROJECT. The CITY will make all payments under the contract for the CITY PROJECT directly to the contractor. The CITY'S estimated cost for the CITY PROJECT is Seven Hundred Thirty-Seven Thousand Eight Hundred Forty-Five Dollars (\$737,845.00). Actual cost will be based upon bids and final quantities.

#### **6. RESPONSIBILITY FOR MAINTENANCE, POLICING ENCROACHMENTS, AND OTHER ACTIVITIES**

Any responsibility the CITY may have for policing encroachments, performing maintenance and repair activities, limiting access, enforcing parking prohibitions, and servicing lighting systems along the STATE PROJECT will be governed by the "Maintenance and Encroachment Agreement," executed on September 22, 2010, and assigned Agreement Number 714154 by the STATE, and any amendments to that agreement entered into by the parties now or in the future.

#### **7. RESPONSIBILITY FOR SIGNAL MAINTENANCE**

If a signal system is installed on any portion of the STATE PROJECT that is also within the CITY'S municipal boundaries, that signal system will be subject to the terms of the agreement entered into between the parties effective October 6, 2010, entitled "Maintenance Agreement Between a Local Government Authority and the State of South Dakota for Traffic Signals on State Highway System" and assigned agreement number 613604 by the STATE and, any amendments to that agreement entered into by the parties now or in the future.

#### **8. INDEMNIFICATION**

The CITY agrees to indemnify the State of South Dakota, its officers, agents, and employees, from and against all claims or proceedings for actions, suits, damages, liabilities, other losses or equitable relief to the extent arising as a result of the CITY'S negligence, tortious acts, or intentional acts in performing services under this Agreement. Notwithstanding the foregoing, the STATE may, in its sole discretion engage attorneys and other professionals to defend the State of South Dakota, its officers, agents, and employees, or to assist CITY in the defense. If the STATE exercises this authority and CITY is determined to be liable, then the STATE is entitled to reimbursement of its reasonable attorney fees and costs in defending the suit in proportion to the degree of liability attributed to CITY in the proceeding. This section does not require CITY to be responsible for or defend against claims or proceedings for damages, liabilities, losses or equitable relief arising solely from errors or omissions of the STATE, its officers, agents or employees.

#### **9. EQUAL EMPLOYMENT OPPORTUNITY**

In connection with the execution of this Agreement, the CITY will not discriminate against any employee, or applicant for employment, because of race, religions, color, sex, disability, or national origin. Such actions will include but not be limited to, the following: employment, upgrading, demotion, or transfer, recruitment, or advertising, layoff or termination, rates of pay, or other forms of compensation, and selection for training, including apprenticeship. The CITY will provide services in compliance with the Americans with Disabilities Act of 1990, and any amendments.

## **10. AMENDMENT**

This Agreement may not be amended, except in writing, which writing will be expressly identified as a part of this Agreement and must be signed by an authorized representative of each of the parties.

## **11. CERTIFICATION REGARDING LOBBYING**

The CITY certifies, to the best of the CITY'S knowledge and belief, that no federal appropriated funds have been paid or will be paid, by or on behalf of the CITY, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of a federal contract, grant, loan, or cooperative agreement. If any funds other than federal appropriated funds have been paid or will be paid to any of the above-mentioned parties, the CITY will complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

The CITY will require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients will certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification will be subject to a civil penalty of not less than \$10,000.00 and not more than \$100,000.00 for each such failure.

## **12. EMPLOYEE STATUS**

Any officer, employee, or agent engaged in joint action under this Agreement will remain an employee with his or her agency during participation in joint action under this Agreement. Each agency will retain exclusive responsibility for its officers, agents, and employees while these officers, agents, and employees are engaged in joint action under this Agreement, including but not limited to responsibility for regular and overtime wages and salaries, unemployment benefits, workers' compensation coverage, health insurance, or other benefits, and liability coverage and indemnity, except as otherwise specifically provided in this Agreement.

## **13. CERTIFICATION OF NO PROHIBITED STATE LEGISLATOR INTEREST**

The CITY (i) understands neither a state legislator nor a business in which a state legislator has an ownership interest may be directly or indirectly interested in any contract with the State that was authorized by any law passed during the term for which that legislator was elected, or within one year thereafter, and (ii) has read South Dakota Constitution Article 3, Section 12 and has had the opportunity to seek independent legal advice on the applicability of that provision to this Agreement. By signing this Agreement, the CITY hereby certifies that this Agreement is not made in violation of the South Dakota Constitution Article 3, Section 12.

## **14. SIGNATURE AUTHORITY**

The CITY has designated its Mayor as the CITY'S authorized representative and has empowered the Mayor with the authority to sign this Agreement on behalf of the CITY. A copy of the CITY'S Commission or Council minutes or resolution authorizing the execution of this Agreement by the Mayor as the CITY'S authorized representative is attached to this Agreement as **Exhibit A**.

By signature of their representatives below, each party certifies that approval of this Agreement by ordinance, resolution, or other appropriate means has been obtained by that party's governing body or officer pursuant to SDCL § 1-24-3 and § 1-24-6.

City of Yankton, South Dakota

State of South Dakota  
Department of Transportation

By: \_\_\_\_\_

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Printed Name: Joel M. Jundt

Its: Mayor

Its: Department Secretary

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Attest:

Approved as to Form:

By: \_\_\_\_\_

By: /s/ Dustin W. DeBoer

Printed Name: \_\_\_\_\_

Printed Name: Dustin W. DeBoer

City Auditor/Clerk

Special Assistant Attorney General

(CITY SEAL)

## *Memorandum #24-241*

**To:** City Commission  
**From:** Finance Officer  
**Date:** 11/20/2024  
**Subject:** Introduction and First Reading of Ordinance #1085 (Second Supplement) Amending Ordinance #1074, the 2024 Annual Appropriation Ordinance and Setting December 9, 2024 as Second Reading and Public Hearing of Said Ordinance

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Attached to this Memorandum is Ordinance #1085, the second supplement to Ordinance #1074, the 2024 annual appropriation ordinance. The individual supplements are described, and the amounts are as such:

1. **Information Services** from \$3,000.00 to \$37,680.00, an increase of \$34,680.00 in account 101.105.202 Professional Services for the Caselle software project; and from \$0.00 to \$37,539.00, and increase of \$37,539.00 in account 101.105.212 Xerox Lease for a new 48-month lease agreement. This increases Information Services total appropriations from \$711,135.00 to \$783,354.00, an increase of \$72,219.00. Financing for this increase will be from an increase in un-appropriated fund balance carried forward from 2023 for \$37,680.00 and lease issuance proceeds revenue of \$37,539.00 in account 101.3613.
2. **Human Resources** from \$15,000.00 to \$20,000.00, an increase of \$5,000.00 in account 101.107.141 Employee Engagement for the City Employee Wellness Program approved per memorandum #23-183. This increases Human Resources total appropriations from \$274,067.00 to \$279,067.00, an increase of \$5,000.00. Financing for this increase will be from an increase in un-appropriated fund balance carried forward from 2023.
3. **Total General Government** from \$3,483,351.00 to \$3,560,570.00, an increase of \$77,219.00 as outlined in **numbers (1-2)** above.
4. **Police Department** from \$268,540.00 to \$432,828.00, an increase of \$164,288.00 in account 101.111.350 Equipment for two spectrometers approved per memorandum #24-186, LPR cameras and software approved per memorandum #24-202, and a breakroom renovation approved per memorandum #24-225. This increases Police Department total appropriations from \$4,236,855.00 to \$4,401,143.00, an increase of \$164,288.00. Financing for this increase will be from an increase in un-appropriated fund balance carried forward from 2023 of \$17,012.00 as outlined in **number (12)** below, increased grant revenues of \$81,501.00 in account 101.3350 as outlined in **number (14)** below, and increased opioid settlement funds of \$65,775.00 in account 101.3640 as outlined in **number (15)** below.
5. **Fire Department** from \$60,000.00 to \$78,884.00, an increase of \$18,884.00 in account 101.114.204 Yankton Volunteer Premium. This increases Fire Department total appropriations from \$1,306,322.00 to \$1,325,206.00, an increase of \$18,884.00. Financing for this increase will be from fire premium tax revenue received from Yankton County in account 101.3429 as outlined in **number (13)** below.

6. **Total Public Safety** from \$5,548,462.00 to \$5,731,634.00, an increase of \$183,172.00 as outlined in **numbers (4-5)** above.
7. **Engineering Department** from \$15,120.00 to \$52,120.00, an increase of \$40,00.00 in account 101.122.102 Temporary Wages for Yankton Housing employees. This increases Engineering Department total appropriations from \$770,749.00 to \$810,749.00, an increase of \$40,000.00. Financing for this increase will be from revenue received from the Yankton Housing and Redevelopment Commission in account 101.3366 as outlined in **number (14)** below.
8. **Total Public Works** from \$6,349,260.00 to \$6,389,260.00, an increase of \$40,000.00 as outlined in **number (7)** above.
9. **Special Appropriations** from \$0.00 to \$5,572.00 an increase of \$5,572.00 in account 101.131.599 Special Projects for the Event Central 1% sales tax reimbursement agreement previously approved by the City Commission. This increases Special Appropriations and Total Special Appropriations from \$128,600.00 to \$134,172.00, an increase of \$5,572.00. Financing for this increase will be from an increase in un-appropriated fund balance carried forward from 2023.
10. **Operating Transfers Out** from \$2,180,533.00 to \$2,200,533.00, an increase of \$20,000.00 in Account 101.182.620 Transfer to Parks & Recreation as outlined in **number (19)** below; from \$884,749.00 to \$907,749.00, an increase of \$23,000.00 in account 101.182.622 Transfer to Huether Family Aquatic Center as outlined in **number (20)** below; from \$538,581.00 to \$578,581.00, an increase of \$40,000.00 in account 101.182.625 Transfer to Summit Activity Center as outlined in **number (21)** below; from \$4,800.00 to \$22,991.00, an increase of \$18,191.00 in account 101.182.652 Transfer to Airport Capital as outlined in **number (32)** below; from \$687,965.00 to \$721,690.00, an increase of \$33,725.00 in account 101.182.653 Transfer to Park Capital as outlined in **number (33)** below; and from \$140,184 to \$148,251, an increase \$8,067.00 in account 101.182.661 Transfer to Cemetery as outlined in **number (22)** below. This increases total Transfer Out and Total Other Financing Uses from \$5,870,931.00 to \$6,013,914.00, an increase of \$142,983.00. Financing for this increase will be from an increase in un-appropriated fund balance carried forward from 2023.
11. **Total General Fund Appropriations** from \$22,395,714.00 to \$22,844,660.00, an increase of \$448,946.00 as outlined in **numbers (1-10)** above.
12. **Un-appropriated Fund Balance** from \$6,559,164.00 to \$6,796,300.00, an increase of \$237,136.00 in un-appropriated fund balance (2023 carry-over) as outlined in **numbers (1-4, 9-10)** above.
13. **Sales & Other Taxes Revenue** from \$8,867,742.00 to \$8,886,626.00, an increase of \$18,884.00 as explained in **number (5)** above.

14. **Intergovernmental Revenue** from \$704,874.00 to \$826,375.00, an increase of \$121,501.00 as explained in **numbers (4 and 7)** above.
15. **Miscellaneous Revenue** from \$59,000.00 to \$124,775.00, an increase of \$65,775.00 as explained in **number (4)** above.
16. **General Fund Total Revenue** from \$15,554,016.00 to \$15,760,176.00, an increase of \$206,160.00 as explained in **numbers (12-15)** above.
17. **General Fund Transfers In** from \$282,534.00 to \$288,184.00, an increase of \$5,650.00 as explained in **number (24)** below.
18. **Total Means of Finance** from \$22,395,714.00 to \$22,844,660.00, an increase of \$448,946.00 as outlined in **numbers (12-17)** above.
19. **Parks and Recreation** from \$15,000.00 to \$65,000.00, an increase of \$50,000.00 in account 202.202.202 Professional Services for a tree inventory grant; and from \$30,000.00 to \$50,000.00, an increase of \$20,000.00 in account 202.202.250 Emerald Ash Bore Stumps for approved memorandums #24-23 and #24-102. This increases Parks and Recreation total appropriations from \$2,202,668.00 to \$2,272,668.00, an increase of \$70,000.00. Financing for this increase will be from a \$50,000.00 State of South Dakota grant in account 201.3348 as shown in **number (26)** below, and an increase from the General Fund as explained in **number (10)** above.
20. **Huether Family Aquatics Center** from \$12,000.00 to \$26,000.00, an increase of \$14,000.00 in account 202.202.223 Repair & Maintenance – Buildings for the HVAC system winterization project; and from \$4,000.00 to \$13,000.00 an increase of \$9,000.00 in account 202.202.350 Equipment for the purchase of an unbudgeted wibit item. This increases Huether Family Aquatics Center total appropriations from \$1,702,262.00 to \$1,725,262.00, an increase of \$23,000.00. Financing for this increase will be from an increased transfer from the General Fund as explained in **number (10)** above.
21. **Summit Activity Center** from \$35,500.00 to \$75,500.00, an increase of \$40,000.00 in account 203.203.202 Professional Services for Civic Plus software per approved memorandum #23-127. This increases Summit Activity Center total appropriations from \$897,901.00 to \$937,901.00, an increase of \$40,000.00. Financing for this increase will be from an increased transfer from the General Fund as explained in **number (10)** above.
22. **Cemetery** from \$7,000.00 to \$15,067.00, an increase of \$8,067.00 in account 206.206.102 Temporary Wages for extra labor. This increases Cemetery total appropriations from \$167,384.00 to \$175,451.00, an increase of \$8,067.00. Financing for this increase will be from an increased transfer from the General Fund as explained in **number (10)** above.
23. **Business Improvement District** from \$110,800.00 to \$140,800.00, an increase of \$30,000.00 in account 209.209.204 Contractual Services to Thrive / MMC for increased expenses approved by the BID Board and City Commission; from \$0.00 to \$10,000.00, an

increase of \$10,000.00 in account 209.209.207 Thrive for increased expenses approved by the BID Board and City Commission per Resolution #24-35; and from \$0.00 to \$50,000.00, an increase of \$50,000.00 in account 209.209.208 Mead Museum for increased expenses approved by the BID Board and City Commission per Resolution #24-36. This increases Business Improvement District total appropriations from \$137,492.00 to \$222,492.00, an increase of \$90,000.00. Financing for this increase will be from the Business Improvement District \$30,000.00 increased revenue as shown in **number (26)** below and \$60,000.00 of unappropriated fund balance carried forward from 2023 as shown in **number (27)** below.

24. **Lodging Sales Tax (BBB)** from \$0.00 to \$30,000.00, an increase of \$30,000.00 in account 211.231.569 Mead Museum per approved memorandum #24-42; from \$145,000.00 to \$195,000.00, an increase of \$50,000.00 in account 211.231.575 Special Events Activities increased expenses for the Bridge Centennial Celebrations; from \$5,000.00 to \$22,888.00, an increase of \$17,888.00 in account 211.231.599 Special Projects Mead Museum for increased expenses per approved memorandum #24-30 (\$15,000.00 for Christmas lights), approved memorandum #24-104 (\$2,888.00 for electrical work), and approved memorandum #24-103 (\$5,000.00 for Chopper Johnson Foundation brick pavers); and from \$30,000.00 to \$35,650.00, an increase of \$5,650.00 in account 211.231.610 Transfer to General for special event wages. This increases Lodging Sales Tax (BBB) total appropriations from \$938,765.00 to \$1,042,303.00, an increase of \$103,538.00. Financing for this increase will be from \$34,404.00 for Bridge Centennial donations and \$5,000 donation for Christmas lights from the Optimist Club as shown in **number (29)** below, and \$5,650.00 transferred back to the General Fund in account 101.3923 as shown in **number (32)** below, and \$58,484.00 from the unappropriated fund balance in the Lodging Sales Tax (BBB) Fund carried forward from 2023 as shown in **number (26)** below.
25. **Special Revenue Total Appropriations** from \$8,559,914.00 to \$8,894,519.00, an increase of \$334,605.00 as explained in **numbers (19-24)** above.
26. **Special Revenue Unappropriated Fund Balance** from \$2,116,758.00 to \$2,235,242.00, an increase of \$118,484.00 as explained in **numbers (19-24)** above.
27. **Parks & Recreation Revenue** from \$22,135.00 to \$72,135.00, an increase of \$50,000.00 as explained in **number (19)** above.
28. **Business Improvement District Revenue** from \$142,080.00 to \$172,080.00, an increase of \$30,000.00 as explained in **number (23)** above.
29. **Lodging Sales Tax (BBB) Revenue** from \$864,337.00 to \$903,741.00, an increase of \$39,404.00 as explained in **number (24)** above.
30. **Special Revenue Total Revenue** from \$2,608,182.00 to \$2,727,586.00, an increase of \$119,404.00 as explained in **numbers (26-30)** above.
31. **Transfer From General Fund** from \$4,981,516.00 to \$5,072,583.00, an increase of \$91,067.00 as explained in **numbers (19-22)** above.

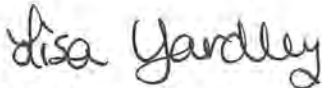


32. **Transfer From BBB Fund** from \$30,000.00 to \$35,650.00, an increase of \$5,650.00 as explained in **number (24)** above.
33. **Special Revenue Total Means of Finance** from \$10,598,181.00 to \$10,932,786.00, an increase of \$334,605.00 as explained in **numbers (26-32)** above.
34. **Public Improvement** from \$0.00 to \$522.00, an increase of \$522.00 in account 501.501.202 Contracted Services for title fees; from \$0.00 to \$190,300.00, an increase of \$190,300.00 in account 501.501.385 Brownfield's Cleanup Project for the Sacred Heart Church Asbestos pass through grant; and from \$0.00 to \$55,416.00, an increase of \$55,416.00 in account 501.501.391 Public Building Improvement for approved land purchases per memorandum #24-27 and memorandum #24-48. This increases Public Improvement total appropriations from \$0.00 to \$246,238.00, an increase of \$246,238.00. Funding for this increase will be from the Public Improvement unappropriated fund balance carried forward from 2023 of \$55,938.00 as explained in **number (43)** below and increased grant revenues of \$190,300.00 in account 501.3348 as explained in **number (44)** below.
35. **Airport Capital** from \$0.00 to \$45,622.00, an increase of \$45,622.00 in account 502.511.390 Design / Construction North Taxiway; and from \$80,000.00 to \$145,622.00, an increase of \$20,000.00 in account 502.511.394 Apron Work. This increases Airport Capital total appropriations from \$80,000.00 to \$145,622.00, an increase of \$65,622.00. Financing for this increase will be from an increase in the transfer from General Fund for \$18,191.00 as explained in **number (10)** above and increase FAA grant revenues of \$47,431.00 as explained in **number (45)** below.
36. **Park Capital** from \$50,000.00 to \$83,725.00, an increase of \$33,725.00 in account 503.544.320 Riverside Park Development for amphitheater railings per approved memorandum #24-223; and from \$359,965.00 to \$393,965.00, an increase of \$34,000.00 in account 503.545.320 Westside Park Development for a Pickleball grant. This increases Park Capital total appropriations from \$697,965.00 to \$765,690.00, an increase of \$67,725.00. Financing for this increase will be from an increase in the transfer from General Fund for \$33,725.00 as explained in **number (10)** above and \$34,000.00 grant revenue in account 503.3342 as explained in **number (46)** below.
37. **Tax Increment District #6** from \$349,221.00 to \$389,221.00, an increase of \$40,000.00 in account 511.588.566 for Tax Increment reimbursement to Thrive (the developer for Westbrook Estates Phase 1). This increases Tax Increment #6 total appropriations from \$349,221.00 to \$389,221.00, an increase of \$40,000.00. Financing for this increase will be from increased tax increment #6 revenues.
38. **Tax Increment District #7** from \$51,655.00 to \$61,655.00, an increase of \$10,000.00 in account 512.588.204 Payment to Stacy & Jim Schramm and Deb& Dan Specht for TID tax reimbursements. This increases Tax Increment District #7 total appropriations from \$51,655.00 to \$61,655.00, an increase of \$10,000.00. Financing for this increase will be from increased tax increment #7 revenues.

39. **Tax Increment District #8** from \$77,990.00 to \$157,990.00, an increase of \$80,000.00 in account 513.588.204 Payment to Yankton Development for TID tax reimbursements. This increases Tax Increment District #8 total appropriations from \$77,990.00 to \$157,990.00, an increase of \$80,000.00. Financing for this increase will be from increased tax increment #8 revenues.
40. **Tax Increment District #9** from \$0.00 to \$48,000.00, an increase of \$48,000.00 in account 514.588.204 Payment to Yankton Development for TID tax reimbursements. This increases Tax Increment District #9 total appropriations from \$0.00 to \$48,000.00, an increase of \$48,000.00. Financing for this increase will be from increased tax increment #9 revenues.
41. **Tax Increment District #11** from \$0.00 to \$5,517,678.00, an increase of \$5,517,678.00 in account 515.588.320 Road & Utility Development for the Gehl project (Yankton Thrive as the developer) approved via memorandum #23-191. This increases Tax Increment District #11 total appropriations from \$0.00 to \$5,517,678.00, an increase of \$5,517,678.00. Financing for this increase will be from a \$500,000.00 Industrial Road Grant in account 515.3351 as shown in **number (51)** below, a \$1,260,000.00 Yankton Thrive ARPA Housing Grant in account 515.3314 as shown in **number (51)** below, an internal wastewater loan up to \$1,631,172 (funded by CWSRF-07) and an internal water loan up to \$2,126,506 as shown in **number (54)** below. This item was originally budgeted in fiscal year 2023 and has not yet been supplemented in 2024.
42. **Total Capital Appropriations** from \$10,612,491.00 to \$16,687,754.00, an increase of \$6,075,263.00 as explained in **numbers (34-41)** above.
43. **Unappropriated Fund Balance** from \$12,405,652.00 to \$12,461,590.00, an increase of \$55,938.00 as explained in **number (34)** above.
44. **Public Improvement Revenue** from \$0.00 to \$190,300.00, an increase of \$190,300.00 in CDBG grant revenues as explained in **number (34)** above.
45. **Airport Revenue** from \$72,000.00 to \$119,431.00, an increase of \$47,431.00 in AIP grant revenues as explained in **number (35)** above.
46. **Park Capital Revenue** from \$0.00 to \$34,000.00, an increase of \$34,000.00 in LWCP grant revenue as explained in **number (36)** above.
47. **Tax Increment District #6 Westbrook Estates Phase 1 Revenue** from \$349,221.00 to \$389,221.00, an increase of \$40,000.00 in TID #6 revenues as explained in **number (37)** above.
48. **Tax Increment District #7 West 10th Street Revenue** from \$51,655.00 to \$61,655.00, an increase of \$10,000.00 in TID #7 revenues as explained in **number (38)** above.
49. **Tax Increment District #8 Westbrook Phase 2 Revenue** from \$77,990.00 to \$157,990.00, an increase of \$80,000.00 in TID #8 revenues as explained in **number (39)** above.

- 50. **Tax Increment District #9 Yankton Mall Revenue** from \$1,179.00 to \$49,179.00, an increase of \$48,000.00 in TID #9 revenues as explained in **number (40)** above.
- 51. **Tax Increment District #11 East Yankton/Gehl Drive Revenue** from \$1,000.00 to \$1,761,000.00, an increase of \$1,760,000.00 in TID #11 grant revenues as explained in **number (41)** above.
- 52. **Total Capital Projects Revenue** from \$6,739,857.00 to \$8,949,588.00, an increase of \$2,209,731.00 as explained in **numbers (43-51)** above.
- 53. **Transfer from General Fund** from \$692,765.00 to \$744,681.00, an increase of \$51,916.00 as explained in **numbers (10 and 35-36)** above.
- 54. **Loan from Utilities** from \$779,367.00 to \$4,537,045.00, an increase of \$3,757,678.00 as explained in **number (41)** above.
- 55. **Total Other Financing Sources** from \$2,173,683.00 to \$5,983,277.00, an increase of \$3,809,594.00 as explained in **numbers (53-54)** above.
- 56. **Total Capital Projects Means of Finance** from \$21,319,192.00 to \$27,394,455.00, an increase of \$6,075,263.00 as explained in **numbers (43-55)** above.

Thank you,

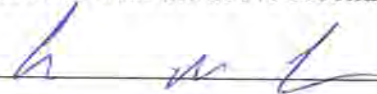


Lisa Yardley  
Finance Officer

**Recommendation: It is recommended that the City Commission conduct the Introduction and First Reading and set December 9, 2024 as the Second Reading and Public Hearing of Ordinance #1085, the second supplement to Ordinance #1074, the 2024 City of Yankton annual budget ordinance.**

  X   I concur with the above recommendation.

       I do not concur with the above recommendation.

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

**ORDINANCE NO. 1085**

AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE #1074,  
THE 2024 ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF YANKTON, SOUTH DAKOTA

Be it ordained by the City of Yankton, South Dakota, that Ordinance #1074 is amended to wit:

SECTION I - GENERAL FUND

A. Appropriations	Ord 1074	Ord 1078	1st Supplement	Ord 1085	Total
General Government:					
Board of City Commissioners	\$ 195,258				-
City Manager	290,933				-
City Attorney	124,157				-
Finance Office	804,140				-
Information Services	559,376	1.	151,759	711,135	1. 783,354
Community Development	713,661	2.	70,000	783,661	-
Human Resources	274,067			5,000	279,067
Contingency	300,000				-
TOTAL GENERAL GOVERNMENT	<u>3,261,592</u>	3.	221,759	<u>3,483,351</u>	3. 3,560,570
Public Safety:					
Police Department	4,230,315	4.	6,540	4,236,855	4. 4,401,143
Fire Department	1,231,322	5.	75,000	1,306,322	5. 1,325,206
Civil Defense	5,285				-
TOTAL PUBLIC SAFETY	<u>5,466,922</u>	6.	81,540	<u>5,548,462</u>	6. 5,731,634
Public Works:					
Engineering & Inspection	769,749	7.	1,000	770,749	7. 810,749
Street & Highways	2,607,442	8	1,185,424	3,792,866	-
City Hall	460,062	9.	80,797	540,859	-
Traffic Control	523,459				-
Chan Gurney Airport	702,527	10.	18,800	721,327	-
TOTAL PUBLIC WORKS	<u>5,063,239</u>	11.	1,286,021	<u>6,349,260</u>	8. 6,389,260
Special Appropriations	128,600			5,572	134,172
TOTAL SPECIAL APPROPRIATIONS	<u>128,600</u>			9. 5,572	9. 134,172
Culture - Recreation:					
Senior Citizens Center	70,255				-
Community Library	944,855				-
TOTAL CULTURE - RECREATION	<u>1,015,110</u>				
Other Financing Uses / Transfers Out	5,106,702	12.	764,229	5,870,931	10. 6,013,914
TOTAL OTHER FINANCING USES	<u>5,106,702</u>	12.	764,229	<u>5,870,931</u>	10. 6,013,914
TOTAL APPROPRIATIONS	<u>\$ 20,042,165</u>	13.	2,353,549	<u>\$ 22,395,714</u>	11. 448,946 <u>\$ 22,844,660</u>

B. Means of finance							
Unappropriated Fund Balances	\$ 4,205,615	14.	2,353,549	6,559,164	12.	237,136	6,796,300
Current Property Taxes	3,184,774						-
Sales & Other Taxes	8,867,742				13.	18,884	8,886,626
Licenses & Permits	334,772						-
Intergovernmental Revenue	704,874				14.	121,501	826,375
Charges for Goods & Services	2,398,354						-
Fines & Forfeits	4,500						-
Miscellaneous Revenues	59,000				15.	65,775	124,775
<b>TOTAL REVENUE</b>	<u>15,554,016</u>				16.	206,160	<u>15,760,176</u>
Other Financing Sources / Transfers In	282,534				17.	5,650	288,184
<b>TOTAL MEANS OF FINANCE</b>	<u>\$ 20,042,165</u>	15.	2,353,549	<u>\$ 22,395,714</u>	18.	448,946	<u>\$ 22,844,660</u>

SECTION II - SPECIAL REVENUE

A. Appropriations							
Parks & Recreation	\$ 2,162,425	16.	40,243	2,202,668	19.	70,000	\$ 2,272,668
Memorial Park Pool	1,702,262				20.	23,000	1,725,262
Summit Activies Center	897,901				21.	40,000	937,901
Marne Creek	203,484	17.	25,000	228,484			-
Casualty Reserve Fund	5,000						-
Cemetery	167,384				22.	8,067	175,451
Bridge & Street Fund	680,000	18.	323,035	1,003,035			-
911/Dispatch	1,039,182	19.	198,021	1,237,203			-
Business Improvement District	132,492				23.	90,000	222,492
Lodging Sales Tax	862,700	20.	76,065	938,765	24.	103,538	1,042,303
Infrastructure Improvement Revolving - Transfer to Infr. Imp. Constr.	44,720						-
<b>TOTAL APPROPRIATIONS</b>	<u>\$ 7,897,550</u>	21.	662,364	<u>\$ 8,559,914</u>	25.	334,605	<u>\$ 8,894,519</u>
B. Means Of Finance							
Unappropriated Fund Balance	\$ 2,040,693	22.	76,065	<u>\$ 2,116,758</u>	26.	118,484	\$ 2,235,242
Parks & Recreation Revenue	22,135				27.	50,000	72,135
Memorial Park Pool Revenue	767,425						-
Summit Activies Center Revenue	\$359,320						-
Casualty Reserve - Interest	250						-
Cemetery Revenue	27,200						-
Bridge & Street Revenue	221,497						-
911/Dispatch Revenue	159,218						-
Business Improvement District Revenue	142,080				28.	30,000	172,080
Lodging Tax	864,337				29.	39,404	903,741
Infrastructure Improvement Revolving	44,720						-
<b>TOTAL REVENUE</b>	<u>2,608,182</u>				30.	119,404	<u>2,727,586</u>
Transfer From General Fund	4,718,252	23.	263,264	4,981,516	31.	91,067	5,072,583
Transfer From HFAC Capital Fund	50,088						-
Transfer From Special Capital Fund	518,602	24.	323,035	841,637			-
Transfer From BBB Fund	-				32.	5,650	5,650
<b>TOTAL MEANS OF FINANCE</b>	<u>\$ 9,935,817</u>	25.	\$ 662,364	<u>\$ 10,598,181</u>	33.	\$ 334,605	<u>\$ 10,932,786</u>

SECTION III - CAPITAL PROJECT FUNDS

A. Appropriations									
Public Improvement	\$ -				34.	246,238		246,238	
Airport Capital Projects	80,000				35.	65,622		145,622	
Park Capital Projects	197,000	26.	500,965	697,965	36.	67,725		765,690	
Infrastructure Improvement Construction	100,000							-	
Huether Aquatics Center Construction	50,088							-	
Special Capital Improvement	6,643,840	27.	975,395	7,619,235				-	
Tax Incr. District #5 Menards	194,610							-	
Tax Incr. District #6 Westbrook Estates	349,221				37.	40,000		389,221	
Tax Incr. District #7 West 10th Street	51,655				38.	10,000		61,655	
Tax Incr. District #8 Westbrook Phase 2	77,990				39.	80,000		157,990	
Tax Incr. District #9 Yankton Mall	-				40.	48,000		48,000	
Tax Incr. District #11 Gehl	-				41.	5,517,678		5,517,678	
Tax Incr. District #12 Mead	-	28.	1,391,727	1,391,727				-	
<b>TOTAL APPROPRIATIONS</b>	<u>\$ 7,744,404</u>	29.	2,868,087	<u>10,612,491</u>	42.	6,075,263		<u>\$ 16,687,754</u>	
B. Means of Finance									
Unappropriated Fund Balance	\$ 11,430,257	30.	975,395	12,405,652	43.	55,938		\$ 12,461,590	
Public Improvement Revenue	\$ -				44.	190,300		190,300	
Airport Capital Projects	72,000				45.	47,431		119,431	
Park Capital Revenue	-				46.	34,000		34,000	
Infrastructure Improvement Construction	-							-	
Huether Aquatics Center Construction	-							-	
Special Capital Improvement	6,012,379							-	
TID #5 Menards	173,433							-	
TID #6 Westbrook Estates	349,221				47.	40,000		389,221	
TID #7 West 10th Street	51,655				48.	10,000		61,655	
TID #8 Westbrook Phase 2	77,990				49.	80,000		157,990	
TID #9 Yankton Mall	1,179				50.	48,000		49,179	
TID #11 Gehl	1,000				51.	1,760,000		1,761,000	
TID #12 Mead	1,000							-	
<b>TOTAL REVENUE</b>	<u>\$ 6,739,857</u>				52.	2,209,731		<u>\$ 8,949,588</u>	
Transfer from General Fund	191,800	31.	500,965	692,765	53.	51,916		744,681	
Transfer from BBB Fund	44,471							-	
Transfer from Infrastructure Impr. Fund	44,720							-	
Loan from Special Capital Fund	-	32.	612,360	612,360				-	
Loan from Utilities	-	33.	779,367	779,367	54.	3,757,678		4,537,045	
<b>TOTAL OTHER FINANCING SOURCES</b>	<u>280,991</u>	34.	1,892,692	<u>2,173,683</u>	55.	3,809,594		<u>5,983,277</u>	
<b>TOTAL MEANS OF FINANCE</b>	<u>\$ 18,451,105</u>	35.	\$ 2,868,087	<u>\$ 21,319,192</u>	56.	\$ 6,075,263		<u>\$ 27,394,455</u>	

SECTION VII - EFFECTIVE DATE

This Ordinance being necessary for the support of the government of the City of Yankton and its existing institutions shall take effect upon its passage and publication.

Adopted: December 9, 2024

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Mason Schramm, Mayor  
Mayor

ATTEST:

\_\_\_\_\_  
Lisa Yardley  
Finance Officer

Introduction and first reading: November 25, 2024

Second reading : December 9, 2024

Published in the Yankton Daily Press and Dakotan, Official Newspaper: December , 2024

I so certify

\_\_\_\_\_  
Lisa Yardley  
Finance Officer