



CITY OF YANKTON

2016_09_26

COMMISSION MEETING

YANKTON BOARD OF CITY COMMISSIONERS

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

Monday, September 26, 2016

City of Yankton Community Meeting Room

Located at the Technical Education Center • 1200 W. 21st Street • Room 114

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

I. ROUTINE BUSINESS

1. Roll Call

2. Approve Minutes of regular meeting of September 12, 2016

Attachment I-2

3. City Manager's Report

Attachment I-3

4. Public Appearances

II. CONSENT ITEMS

1. Approving Current Volunteer Firefighter List

Consideration of Memorandum #16-221 regarding approving the current list of Volunteer Firefighters per Workers' Compensation and SDCL requirements

Attachment II-1

2. Fireworks Request

Consideration of Memorandum #16-222 regarding request to shoot small fireworks show

Attachment II-2

3. Establish public hearing for sale of alcoholic beverages

Establish October 10, 2016, as the date for the public hearing on the request for a Special Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for 1 day, October 13, 2016, from TST, Inc. d/b/a Phinney's Pub & Casino, (John Tuttle, President) Yankton Mall, Yankton, S.D.

Attachment II-3

III. OLD BUSINESS

1. Public hearing for sale of alcoholic beverages

Consideration of Memorandum #16-214 regarding the public hearing on the request for a Special Events Malt Beverage (on-sale) Retailers License for 1 day, December 3, 2016, from TST, Inc. d/b/a Phinney's Pub & Casino, (John Tuttle, President) Yankton, Yankton, S.D.

Attachment III-1

2. Public hearing for sale of alcoholic beverages

Consideration of Memorandum #16-215 regarding the public hearing on the request for a Special Events Malt Beverage (on-sale) Retailers License for 1 day, December 10, 2016, from TST, Inc. d/b/a Phinney's Pub & Casino, (John Tuttle, President) Yankton, Yankton, S.D.

Attachment III-2

3. **Public hearing for sale of alcoholic beverages**
Consideration of Memorandum #16-216 regarding the public hearing on the request for a Special Events Malt Beverage (on-sale) Retailers License for 1 day, December 17, 2016, from TST, Inc. d/b/a Phinney's Pub & Casino, (John Tuttle, President) Yankton, Yankton, S.D.

Attachment III-3

4. **Public hearing for sale of alcoholic beverages**
Consideration of Memorandum #16-217 regarding the public hearing on the request for a Special Events RETAIL (on-sale) Liquor License for one day, October 8, 2016, from Leo's Sports Bar & Grill, LLC, (Rusty Jensen, Owner) d/b/a Leo's Lounge, Ducks Unlimited held at NFAA, 800 Archery Lane, Yankton, S.D.

Attachment III-4

IV. NEW BUSINESS

1. **Contract Award, Sludge Removal Water & Wastewater Plant**
Consideration of Memorandum #16-225 regarding Sludge Removal for Water and Wastewater Plant

Attachment IV-1

2. **Bid Award, Salt**
Consideration of Memorandum #16-220 regarding Salt Bid

Attachment IV-2

3. **Surplus Property**
Consideration of Memorandum #16-218 regarding Resolution #16-61 for City Surplus Property

Attachment IV-3

4. **Change Order – Lift Station Project**
Consideration of Memorandum #16-226 regarding Lift Station Project

Attachment IV-4

5. **Contract Award – Force Main Project**
Consideration of Memorandum #16-227 regarding Contract Award for Force Main Project

Attachment IV-5

6. **Planning Commission Recommendation - CUP**
Consideration of Memorandum #16-223 recommending approval of Resolution #16-62, a Conditional Use Permit for a self-storage facility in a B-2 Highway Business District the S. 227.4' of Outlot D, Moderegger's Outlots in the City of Yankton, South Dakota. Address, 807 – 811 Ferdig Avenue. Hacecky Rentals, LLC., owner

Attachment IV-6

7. Planning Commission Recommendation - Rezoning

Consideration of Memorandum #16-224, introduction and first reading of Ordinance #991 and establish October 10, 2016 as the date for a public hearing to consider a rezoning from R-1 Single Family Residential to R-4 Multiple Family Residential on Lots 2, 3, 4 and 5, Block 18, West Yankton Addition to the City of Yankton, South Dakota. Address, 1114 W. 9th Street. First Dakota National Bank, owner.

Attachment IV-7

8. Encroachment Easement Agreement

Consideration of Memorandum #16-228, consideration of an Encroachment Easement Agreement with Lewis and Clark Specialty Properties

Attachment IV-8

V. ADJOURN THE MEETING OF SEPTEMBER 26, 2016

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
SEPTEMBER 12, 2016**

Regular meeting of the Board of City Commissioners of the City of Yankton was called to order by Mayor Gross.

Roll Call: Present: Commissioners Carda, Ferdig, Hoffner, Johnson, Knoff, Maibaum, Miner, and Sommer. City Attorney Den Herder and City Manager Nelson were also present. Absent: None. Quorum present.

Action 16-259

Moved by Commissioner Carda, seconded by Commissioner Johnson, to approve the Minutes of the Work Session of August 22, 2016, and regular meeting of August 22, 2016.

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

Motion adopted.

Action 16-260

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

A T & T-Cell Phone Bill-\$388.21; ACS Government Inf Service-Maint Program Support-\$1,937.87; Allegiant Emergency Svs Inc-Hoses-\$533.68; Allen Blasting & Coating Inc-Clarifier Trough Coating-\$39,211.00; Anderson Storage-Storage Shed-\$9,066.28; Bailey/Colleen-Together We Are One-\$89.90; Banner Associates Inc-Fill Station-\$1,461.84; Bartlett & West Inc-Outfall Pipe-\$11,409.00; Bierschbach Equip & Supply-Oil-\$475.00; Boller Printing Inc-Professional Services-\$500.00; Borchers Supply Inc-Chemicals-\$2,535.00; Boys & Girls Club-CDBG Grant 9-\$23,056.32; Brosz Engineering Inc-Pine St Bridge\$2015-040-\$1,640.00; Brown & Saenger-Paper-\$652.64; Buhl's Laundry Cleaners Inc-Building Supplies-\$348.00; Bushnell Holdings Inc-Merchandise-\$580.62; Butler Machinery Co-Seal Kit-\$218.90; C & R Supply-Supplies-\$208.06; Cedar Knox Public Power Dist-Elect-Aug-\$1,662.31; Centurylink-Phone-Aug-\$1,660.59; Chesterman Company-Pop-\$1,320.21; City of Vermillion-Jt Power Cash Transfer-\$47,125.79; City of Yankton-Central Garage Rubbish-\$64.00; City of Yankton-Parks Landfill Charges-\$327.84; City of Yankton-Solid Waste-Compacted Garbage-\$23,670.64; City Utilities-Water/WW Charges-\$49,510.79; Cleveland Golf-Golf Equipment-\$581.67; Cole Papers Inc-Miscellaneous Concession-\$599.90; Concrete Material-Hot Mix-\$181,935.00; Conkling Dist-Beer-\$2,722.60; Credit Collection Service Inc-Utility Collection-\$236.32; Dakota Beverage Co Inc-Beer-\$2,491.35; Danko Emergency Equipment-Bracker Kit-\$31.70; Dept of Corrections-DOC Work Program-\$2,261.85; Dept of Revenue-Testing-\$1,746.00; DEX Media East-Phone Book-\$31.30; Ehresmann Engineering Inc-Parts-\$135.00; Enviromental Energy-Oil-\$65.00; Ethanol Products LLC-CO2-\$1,377.00; Falkenberg Construction-Vegetation-\$150.00; Feimer Construction-Tree Removal-\$7,599.00; Feld Equipment Co Inc-Service Compressor-\$600.00; First National Bank-Clear Water No. 3-\$106,494.59; First National Bank-Drinking Water SRF-\$61,349.87; First National Bank-Drinking Water No. 2-\$15,301.27; First National Bank-Drinking Water No. 3-\$74,282.98; Flannery/Kirt-Officer Stipend-\$25.00; Footjoy-Merchandise-\$81.96; Frick/Adam-Officer Stipend-\$25.00; Frick/Brian-Officer Stipend-\$50.00; Geotek Eng & Testing Serv Inc-Collector Well Testing-\$5,426.00; Gerstner Oil Co-Jet Fuel-\$14,888.05; Graymont Capital Inc-Lime-\$13,452.25; Gridor Construction, Inc-WW Lift Station-\$32,010.30; Hawkins Inc-Memorial Pool Chemicals-\$11,183.86; HD Supply Waterworks Ltd-Water Parts-\$1,008.20; Hedahl's Parts Plus-Filters-\$879.57; Hillcrest Golf & Country Club-Ad-\$100.00; J & H Care & Cleaning Company-Janitorial Services-

\$2,840.00; Jebro Inc-Liquid Asphalt-\$68,340.34; Johnson Bros-South Dakota Wine-\$35.50; Johnson Electric-Replace Pole-\$1,217.61; Johnson Eng Co Inc-15th St Inspection-\$9,744.53; Kadrmas Lee & Jackson Inc-Apron Expansion-\$3,444.75; Kaiser Heating & Cooling Inc-Service AC Unit-\$78.81; Kaiser Refrigeration Inc-Repair Ice Machine-\$384.90; Klein's Tree Service-Tree Stump Removal-\$900.00; L & S Electric-Install Ceiling Fan-\$286.00; Larry's Home Center-Repair AC-\$240.00; Long's Propane Inc-Propane-\$44.40; Masonry Components Inc-Douglas Ave-Anna to 31st-\$596,043.55; Mayer Signs-Decals-\$107.14; MidAmerican Energy Fuel-August-\$1,469.24; MidAmerican Energy-Wastewater Fuel-\$587.66; Midstate Reclamation of SD-Cold Milling Asphalt-\$6,848.88; Midwest Alarm Company Inc-Alarm Monitoring-\$126.00; Midwest Radiator Recond-V-Plow-\$5,250.00; Midwest Tape-Audio Books-\$548.84; Midwest Turf & Irrigation-Wheel Motor/Filter-\$2,407.16; Mobile Electronic Service Inc-Light Bar-\$2,387.80; Morrow/Joseph-Meeting Reimbursement-\$238.21; Moser/Brad-Officer Stipend-\$25.00; Motor Vehicle Dept SD-Title & License-\$21.20; MW Automotive Services-Police Tow-\$80.00; Northwestern Energy-Elect-Aug-\$82,611.84; Observer-Advertisement-\$233.00; Parker/Brad-Boot Allowance-\$125.00; Pictometry International Corp-Pictometry-\$2,000.00; Ping-Golf Club-\$395.08; Press Dakota MStar Solutions-Classified Ad-\$2,380.11; Pro Auto Inc-Police Tow-\$80.00; Quill Corporation-Office Supplies-\$111.21; Racom Corporation-EDACS Access-\$1,404.90; Reinhart Foods Inc-Entree-\$3,859.10; Sanitation Products Inc-Rear Loading Refuse Body-\$64,995.00; SDPRA-SDPRA Annual Conference-\$100.00; Sheehan Mack Sales & Eq Inc-Valves-\$824.61; Sioux Equipment Company Inc-Fuel Inspection & Filter-\$2,595.79; Siouxland Scale Service-Scale Test-\$2,091.31; Slowey Construction Inc-15th St-WCLR To Dakota-\$138,889.85; South Dakota One Call-Message Fee-\$211.05; South Dakota Planner's Assn-SDPA Conference Register-\$100.00; Stern Oil Co Inc-Aviation Gas-\$51,991.51; Syn-Tech Systems-Phone Support-\$33.75; Szymonski/Michael-Utility Refund-\$61.86; Therkelsen/GJ & Associates Inc-Consulting Services-\$2,888.72; Titleist-Golf Balls-\$4,247.47; Todd Inc-Sweeper Brooms-\$2,473.09; Tom's Electric-Power At Bridge-\$4,776.30; Top Notch Window Cleaning-Window Cleaning-\$50.00; Traffic Control Corp-Signal Switch & Balls-\$1,190.00; Transource Services Corp-HP Gen9 Server-\$7,436.21; TRE Environmental Strategies-3rd Qtr Testing-\$950.00; Trophy Place-Trophies-\$588.00; Truck Trailer Sales Inc-Truck Repairs-\$560.00; Trugreen-Lawn Treatment-\$90.00; Turfwerks-Roller Assembly-\$755.31; US Post Office-Utility Postage Aug-\$1,500.00; United Parcel Service Inc-Delivery Service-\$531.17; United States Postal Service-Postage Meter-August-\$896.00; Vast Broadband-Phone Bill-\$2,480.70; Vogel Paint Inc-Traffic Paint-\$4,607.25; Wage Works-Flex Service Fee - July-\$155.00; Walt's Homestyle Foods Inc-Entrees-\$374.30; Water & Env Eng Research Ctr-Testing-\$366.00; Welfl Construction Corp-Collector Well-\$265,743.71; Westy's Electric LLC-Fan Repair-\$447.96; Wholesale Supply Inc-Candy-\$1,948.55; Williams & Company PC-Audit-\$8,550.00; Winn Incorporated-Golf Grips-\$73.01; Woehl/Toby-Officer Stipend August-\$25.00; Woods Fuller Shultz & Smith PC-Professional Services-\$7,420.49; Xerox Corporation-Copier Lease-\$176.89; Yaggie's Inc-Grass Seed-\$955.75; Yankton County Auditor YC-Capital Improvement-\$24,616.17; Yankton County Extension-Babysitting Clinic-\$350.00; Yankton Homeless Shelter-Homeless Shelter Donation-\$500.00; Yankton Medical Clinic-Pre-Employment Physical-\$858.00; Yankton School District 63-3-2nd Qtr Shared Costs-\$46,364.15; Yankton Transit-Summer Programs-\$2,200.00; Yankton Vol Fire Department-Fire Calls & Drills-\$4,980.00; Ziegler/William-Officer Stipend August-\$50.00; Zuercher Technologies LLC-Annual Maintenance-\$18,409.00; A & B Business Inc-Printer Maintenance-\$416.27; Amazon Digital-Digital Services-\$49.99; Amazon Mktplace Pmts-UPS Batteries-\$1,070.59; Amazon.Com-Network Supplies-\$744.06; Amazon.Com-Amzn.Com/Bi Dvds-\$115.16; American IACP-Conference-\$317.70; Animal Health Clinic-Rabies Testing-\$30.00; Appera-Towels-\$337.14; Applied Ind Tech-UV Process Controller-\$2,807.01; ARSL-Conference Registration-\$303.85; AT&T Bill Payment-Patrol Car Wireless-\$314.56; AWWA.Org-Study Guide-\$76.50; Baker Taylor-Books-

\$2,713.48; Barnes&Noble.Com-Books-\$54.57; Bomgaars-Yankton Riverboat Days Supplies-\$1,084.61; Bow Creek Metal Inc-Standby Sweeper-\$1,100.00; Buffalo Wild Wings-GRI Training-\$23.31; Burger King-DOC Work Program-\$15.46; Butler Machinery-Nozzles-\$62.48; Callaway Golf-Preowned Club Repairs-\$61.94; Caseys Gen Store-Water SRT/Patrol/Robbery-\$13.81; Cedar County Vet-K-9 Care-\$169.22; Center Point-Books-\$130.62; Clarks Rentals-Custom Equipment Rental-\$189.50; Concrete Materials-Plant Supplies-\$3,437.80; Cox Auto Supply-Rear Turn Lamps-\$341.15; Crescent Electric-Aeration Process Control-\$6,091.52; Dairy Queen-Staff Appreciation-\$29.91; Dayhuff Enterprises-Janitorial Supplies-\$1,021.62; DEX One-Publishing-\$39.00; Domino's-Teen Night Supplies-\$97.86; DX Service-Salt-\$3,885.13; Echo Electric Supply-Conduit-\$165.01; Embroidery & Screen Works-Uniform Alterations-\$15.00; Emerson Manufacturing-Rebuilt Pump-\$240.37; Facebk Lajqu9e8w2-Promotions-\$19.11; Fastenal Company- Connectors-\$174.47; Fejfar Plumbing-Supplies-\$75.51; Firehouse Subs-K-9 Training-\$6.98; Fred Haar Company-Sprayer Repair-\$165.35; Fuddruckers-Travel Expense-\$10.63; Gary Holden-Training-\$390.00; Godfathers Pizza-DOC Work Program-\$23.99; Grey House Publishing-Professional Book-\$265.50; Hach Company-Lab Supplies-\$142.02; Hartington Tree LLC-Trees-\$664.00; Hedahls-Shop Tools-\$475.65; Hillyard Inc-Scrubber Parts-\$283.94; Hy-Vee-Entree-\$574.05; IACP-IACP Membership-\$350.00; Independence Waste-Rentals-\$698.80; Interstate All Battery-Batteries-\$8.99; Midwest Alarm-Alarm System-\$63.00; JJ Benji-Awards-\$1,891.30; JP Cooke-Office Supplies-\$59.15; Jack's Uniforms-Uniforms-\$421.43; JCL Solutions-Cleaning Supplies-\$1,870.57; Johns Service-Tire Repair-\$20.00; Johnson Controls-Service Agreement-\$6,739.14; Kaiser Heating-A/C Repair-\$267.18; Kaiser Refrigeration-Equipment Repair-\$1,499.10; Karttrax Family Fun-Summer Reading-\$126.00; Kopetskys Ace Hdwe-City Hall Supplies-\$495.66; Language Line-Interpretation Services-\$277.50; Ledtronics Inc-Website Electrical Panel Parts-\$154.99; Lewis and Clark Ford-Truck Repair-\$64.47; Library Journals-Magazine Subscription-\$82.99; Louisville Golf LLC-Supplies-\$307.00; Magazines.Com-Subscriptions-\$307.32; Mark's Machinery Inc-Blades-\$399.74; McDonald's-K-9 Health Care Travel-\$6.20; McDonald's-DOC Work Program-\$18.65; Mead Lumber-Park Supplies-\$94.02; Menards-Story Walk-Summer Read-\$1,929.65; Mexico Viejo Restaurant-Staff Appreciation-\$168.44; Microsoft Store-Equipment/Tablet-\$1,691.73; Midwest Laboratories-Monthly Nutrient Testing-\$204.40; Midwest Turf-Park Supplies-\$192.63; MyRadioMall Com-Radios and Antennas-\$2,220.75; NADA Used Car Guide-Book-\$105.00; NFPA Natl Fire Protect-Membership Dues-\$175.00; NGPC Reservations-Summer Programs-\$836.00; Northtown Automotive-Car Repairs-\$321.68; NW Area Education Agency-Professional Services-\$23.95; Office Elements Group-Office Supplies-\$17.53; Olsons Pest Technician-Pest Control-\$96.00; O'Reilly Auto-Brake Pads-\$102.59; Overdrive Dist-Downloadable Books-\$54.38; SD Ready Mix-Concrete Testing-\$730.00; Photography By Jerry-Professional Services-\$93.00; Playscapes Com-Office Supplies-\$536.80; Postage Refill-Mailstation Postage-\$100.00; Random House-Audio Books-\$357.75; Push Pedal Pull Corp-Equipment Repair-\$784.00; Quill Corporation-Office Supplies-\$534.31; Ray Allen Manufacturing-K-9 Equipment-\$202.57; Rick's Computers Inc-Office Supplies-\$354.00; Riverside Hydraulics-Couplers-\$427.29; the Golfworks-Club Repairs-\$556.15; Ron's Auto Glass-Window Repair-\$180.00; SD Lib Assoc-Conference Registration-\$805.00; Sears Hometown-Tool Set-\$49.99; Sheehan Mack Sales-Valves/Cylinder-\$789.97; Shell Oil-Promotions-\$83.33; Shell Oil-K-9 Health Care Travel-\$22.00; Sherwin Williams-Senior Center Paint-\$168.72; Showcases-Office Supplies-\$64.50; Shur-Co Outlet Service-Tarp-\$210.58; Southeast Publication-Advertisement-\$700.00; Hanson Briggs-Office Supplies-\$468.43; Twist of Pine-Conference-\$63.90; Sturdevants-Sway Bar Link Kit-\$35.90; Tessman Company-Chemicals-\$3,014.72; the Progressive-Magazine Subscription-\$32.00; The UPS Store-Postage-\$10.64; This Old House-Magazine Subscription-\$35.00; Thomas & Means Law Firm-Law Enforcement Training-\$505.00; TMA-Tires-\$3,564.19; Tractor Supply Co-Pound Supplies-\$171.46; Truck Trailer Sales-Hose-

\$338.59; USA Blue Book-Supplies-\$2,507.83; Vanderhule Moving-Argon Fill-\$190.00; Yankton Rod Ctr-Filing Fees-\$62.50; Viddler Inc-Video Hosting-\$36.75; Vzwrlls Prepaid Pymnt-Prepaid Cell Phone-\$37.98; Wal-Mart-Summer Programs-\$668.94; Western Office Product-Office Supplies-\$525.78; Wholesale Supply Co-Golf Course Supplies-\$125.80; WM Supercenter-DVDS-\$468.32; WW Grainger-Hour Meters-\$529.10; Www.Newegg.Com-Wireless Network Equip-\$449.96; Yankton Medical Clinic-Firefighter Exams-\$1,153.50; Yankton Pizza Ranch-Meeting-\$100.99; Yankton Winnelson Co-Park Supplies-\$147.47; Zimco Supply Co-Chemicals-\$3,640.60; AFSCME Council 65-Employee Deduction-\$1,215.44; Ahlvers/Colin-2016 Fox Run Pro-Am-\$821.43; Allen/Kamrin's-2016 Fox Run Pro-Am-\$821.43; American Family Life Corp-Cancer & ICU Premiums-\$7,083.82; Assurant Employee Benefits-Vision Ins September-\$718.35; BMI-Annual Music Contract-\$336.00; Connections Inc-EAP Insurance August-\$373.32; Davison/Jackson-2016 Fox Run Pro-Am-\$1,750.00; Delta Dental-Dental Ins September-\$7,381.40; Dept of Social Services-Employee Deductions-\$1,909.00; Edens/Parker-2016 Fox Run Pro-Am-\$3,300.00; Evans/Christopher-2016 Fox Run Pro-Am-\$821.43; Feist/Shane-2016 Fox Run Pro-Am-\$400.00; First Natl Bank South Dakota-Employee Deduction-\$3,177.78; Geary/Cody-Payroll Advance-\$310.00; Hearden III/Richard-2016 Fox Run Pro-Am-\$1,462.50; Hess/Frederick-2016 Fox Run Pro-Am-\$120.00; Irlbeck/Ben-2016 Fox Run Pro-Am-\$120.00; Jurecic/Jay-2016 Fox Run Pro-Am-\$2,000.00; Kunick/Timothy-2016 Fox Run Pro-Am-\$2,200.00; Lawrence County 9-1-1-Registration-\$198.00; Matthew/Sam-2016 Fox Run Pro-Am-\$120.00; McGinn/Michael Jr-2016 Fox Run Pro-Am-\$821.43; McMillen/John-2016 Fox Run Pro-Am-\$1,462.50; Metzger/Andre-2016 Fox Run Pro-Am-\$3,300.00; Minnesota Life Insurance Co-Life Ins September-\$709.86; Murtland/Taylor-2016 Fox Run Pro-Am-\$120.00; Paquet/Brett-2016 Fox Run Pro-Am-\$1,462.50; Postmaster-2016 Survey Postage-\$882.00; Preston/Drew-2016 Fox Run Pro-Am-\$10,000.00; Quinones/Douglas-2016 Fox Run Pro-Am-\$2,400.00; Reese/Mikkel-2016 Fox Run Pro-Am-\$821.43; Retirement SD-SD Retirement August-\$68,236.19; Schutte/Jesse-2016 Fox Run Pro-Am-\$821.43; SDSRP-Employee Deduction-\$5,315.00; SDWWA-Registration-\$780.00; Storgaard/Kim-Conference-\$300.00; Sturgill/Matthew-2016 Fox Run Pro-Am-\$821.43; Summit Activity Center-Employee Deductions-\$829.60; Telles/Damian-2016 Fox Run Pro-Am-\$1,750.00; Truslow/Austen-2016 Fox Run Pro-Am-\$6,000.00; United Way-Employee Deductions-\$76.00; Vast Broadband-Internet Services-\$3,408.24; Vermeer/Luke-2016 Fox Run Pro-Am-\$120.00; Vijarro/Andrew-2016 Fox Run Pro-Am-\$1,300.00; Vornhagen/Trentin Replace Check-\$290.29; Wellmark Blue Cross-Health Ins September-\$91,907.16; White/Cameron-2016 Fox Run Pro-Am-\$1,462.50; Yankton Area Prog Growth-Sales Tax Reimbursement-\$90,274.04.

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

SALARIES AUGUST, 2016:

Administration-\$36,924.99; Finance-\$31,118.65; Community Development-\$20,175.28; Police-\$143,584.05; Fire-\$11,223.24; Engineering-\$40,101.28; Street-\$43,014.94; Traffic Control-\$1,745.30; Library-\$29,334.33; Parks/SAC-\$75,705.72; Memorial Pool-\$22,684.83; Marne Creek-\$5,237.69; Water-\$35,322.06; Wastewater-\$32,132.48; Cemetery-\$4,461.38; Solid Waste-\$22,466.81; Landfill-\$17,515.85; Golf Course-\$40,399.09; Central Garage-\$6,862.74.

PERSONNEL CHANGES & NEW HIRES:

New Hires: Michael Hofer-\$1646.74 Bi-Wk.-Community Development; Therese Lammers-\$9.00 Hr.-Golf Division; Melinda Reichert-\$11.50 Hr.-Rec. Division; Logan Wagner-\$9.00 Hr.-Golf Division.

City Manager Nelson submitted a written report giving an update on community projects and items of interest and announced that Yankton will be “Capital for a Day” on September 21, 2016.

Action 16-261

Moved by Commissioner Knoff, seconded by Commissioner Ferdig, to approve the consent agenda with the exclusion of item No. 8.

1. Possible Quorum Event
September 21, 2016, Capital for a Day Event, no official commission action
2. Establish public hearing for sale of alcoholic beverages
Establish September 26, 2016, as the date for the public hearing on the request for a Special Events Malt Beverage (on-sale) Retailers License for one day, December 3, 2016, from TST, Inc. d/b/a Phinney’s Pub & Casino, (John Tuttle, President) Yankton, Yankton, South Dakota.
3. Establish public hearing for sale of alcoholic beverages
Establish September 26, 2016, as the date for the public hearing on the request for a Special Events Malt Beverage (on-sale) Retailers License for one day, December 10, 2016, from TST, Inc. d/b/a Phinney’s Pub & Casino, (John Tuttle, President) Yankton, Yankton, South Dakota.
4. Establish public hearing for sale of alcoholic beverages
Establish September 26, 2016, as the date for the public hearing on the request for a Special Events Malt Beverage (on-sale) Retailers License for one day, December 17, 2016, from TST, Inc. d/b/a Phinney’s Pub & Casino, (John Tuttle, President) Yankton, Yankton, South Dakota.
5. Establish public hearing for sale of alcoholic beverages
Establish September 26, 2016, as the date for the public hearing on the request for a Special Events RETAIL (on-sale) Liquor License for one day, October 8, 2016, from Leo’s Sports Bar & Grill, LLC, (Rusty Jensen, Owner) d/b/a Leo’s Lounge, Ducks Unlimited held at NFAA, 800 Archery Lane, Yankton, South Dakota.
6. Transient Merchant License
Consideration of Memorandum 16-212 recommending approval of the application from the Harvest Halloween for a Transient Merchant License for October 28-29, 2016.
7. Possible Quorum Event
September 15, 2016, Riverside Park Playground Groundbreaking, no official commission action
8. Work Session
Setting date of September 26, 2016, at 6:00 pm in Room 114 of the Regional Technical Education Center for the next work session of the Yankton City Commission

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

Motion adopted.

Action 16-262

This was the time and place for the second reading and public hearing of Ordinance No. 989, AN ORDINANCE TO APPROPRIATE MONIES FOR DEFRAYING THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF YANKTON, SOUTH DAKOTA, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2017, AND ENDING DECEMBER 31, 2017, AND PROVIDING FOR THE LEVY OF ANNUAL TAXES FOR ALL FUNDS CREATED BY ORDINANCE WITHIN SAID CITY. No one was present to speak for or against adoption of the ordinance. Moved by Commissioner Johnson, seconded by Commissioner Hoffner, to adopt Ordinance No. 989.

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

Motion adopted.

Action 16-263

Moved by Commissioner Knoff, seconded by Commissioner Carda, to adopt Resolution 16-49.

RESOLUTION 16-49

WHEREAS, a proposed annual budget for the fiscal year commencing January 1, 2017, 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, 2017.
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.

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

Action 16-264

This was the time and place for the public hearing on the application for a New Retail (on-off sale) Malt Beverage & SD Farm Wine License for July 1, 2016, to June 30, 2017, Yankton Missouri River KOA (Donald E. Starzl, Manager), to Yankton Missouri River KOA, 807 Bill Baggs Road, Yankton, South Dakota. (Memorandum 16-202) No one was present to speak for or against the approval of the license application. Moved by Commissioner Knoff, seconded by Commissioner Sommer, to approve the license.

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

Action 16-265

This was the time and place for the public hearing on the application for a Special (on-sale) Liquor License for one day, October 21, 2016, from Avera Sacred Heart Health Services (Taylor Tramp, Foundation Assistant), such event to be held at Pavilion Center, 1st, 2nd & 3rd Floors and 1st and 2nd Floor of Surgical Center on Avera Campus, Yankton, South Dakota. (Memorandum 16-203) No one was present to speak for or against the approval of the license application. Moved by Commissioner Knoff, seconded by Commissioner Carda, to approve the license.

Roll Call: Members present voting “Aye:” Commissioners Carda, Ferdig, Hoffner, Knoff, Maibaum, Miner, Sommer, and Mayor Gross; voting “Nay:” None; Abstaining: Commissioner Johnson.
Motion adopted.

Action 16-266

Moved by Commissioner Knoff, seconded by Commissioner Ferdig, to approve the request from the Parks, Recreation, and City Events Department to issue an Irrevocable Letter of Credit, for a 1% fee (\$500.00), to the National Park Service-Missouri National Recreational River in order to receive \$50,000.00 in Centennial Grant Funds to pay for the construction of an access ramp from the existing road bed (Old Highway 81) to the trail on City-owned property on the Nebraska side of the river to the west of the Meridian Bridge; and to designate City Manager Nelson as the signer. (Memorandum 16-208)

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

Action 16-267

Moved by Commissioner Knoff, seconded by Commissioner Sommer, to adopt Resolution 16-58 and approve the associated Sales Tax Agreement and Development Agreement for IHAH, LLC, dba Big River Burrito Company by and among IHAH, LLC dba Big River Burrito Company, Yankton Area Progressive Growth, and the City of Yankton, South Dakota. (Memorandum 16-209)

RESOLUTION 16-58
Sales Tax Reimbursement

WHEREAS, SDCL permits a municipality to enter into agreements pertaining to sales tax reimbursements, and

WHEREAS, the Yankton Board of City Commissioners has determined a need help facilitate the development of a specific portion of a retail site at 100 Douglas Avenue known as the Big River Burrito Company owned by IHAH, LLC located on property legally described as Lots Seven (7), Eight (8) and Nine (9), Lower Yankton Addition to the City of Yankton, South Dakota.

NOW, THEREFORE, BE IT RESOLVED that the City will reimburse IHAH, LLC dba Big River Burrito Company via Yankton Area Progressive Growth per the parameters set forth in the attached Sales Tax Agreement and Development Agreement.

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

Action 16-268

Moved by Commissioner Ferdig, seconded by Commissioner Sommer, to approve the Easement Agreement between the City and the Clark Family Trust, Larry and Joan Clark, trustees, on property located at the intersection of Burleigh and 3rd Street described as Lot Three (3), East Cornerstone Subdivision, in conjunction with the new lift station and East Highway 50 projects. (Memorandum 16-207)

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

Action 16-269

The request from the Harvest Halloween Festival Committee for financial assistance was considered. Cathy Clatworthy, from the Committee was present to answer questions and thanked the City for past support of the event and to encourage continued support. Moved by Commissioner Carda, seconded by Commissioner Knoff, to approve the request for funding from Harvest Halloween Festival Committee in the amount of \$4,125.00 with monies to be taken from the General Fund-Outside Agencies.

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

Action 16-270

Moved by Commissioner Knoff, seconded by Commissioner Johnson, to adopt Resolution 16-59. (Memorandum 16-211)

RESOLUTION 16-59
Special Events Parking Request

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

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

WHEREAS, Harvest Halloween Festival has made a request to enact this no parking zone for their Harvest Halloween Festival to be held on October 28, 2016 – October 30, 2016.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Yankton, South Dakota hereby approves the Special Event Parking Request at the described location in the manner shown on the attachments to this resolution for October 28, 2016 – starting at 5:30 pm – October 30, 2016 at noon, along Walnut Street between 2nd and 3rd Streets.

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

Action 16-271

Moved by Commissioner Knoff, seconded by Commissioner Sommer, to adopt Resolution 16-60. (Memorandum 16-214)

RESOLUTION 16-60
Radio Project Detailed Design Proposal

WHEREAS, the City of Yankton has identified the need to construct a new P-25 radio site and associated improvements, and

WHEREAS, the City of Yankton proposes contract with G. J. Therkelsen and Associates to provide consultant services to assist with said the project, then

NOW, THEREFORE BE IT RESOLVED, that the Yankton City Commission duly authorizes the execution of the Consultant Contract for Detailed Design, Engineering & Procurement Services, and

BE IT FURTHER RESOLVED, that the City Manager be authorized to execute the contract said documents for Detailed Design, Engineering & Procurement Services.

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

Action 16-272

Moved by Commissioner Knoff, seconded by Commissioner Johnson, to adopt Resolution 16-55. (Memorandum 16-205)

RESOLUTION 16-55

WHEREAS, the City of Yankton has determined that it is necessary to adjust the existing solid waste collection rates to a level which will fund the proposed debt service necessary to implement single stream recycling and some automation of the municipal solid waste collection system;

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

That the following solid waste collection rates shall be adopted effective with billings after November 1, 2016;

Class I Residential - \$20.18 per month plus tax.

Class II Commercial / Industrial - \$20.18 per month per unit plus tax.

Roll Call: Members present voting “Aye:” Commissioners Carda, Ferdig, Hoffner, Johnson, Knoff, Maibaum, Miner, and Sommer; voting “Nay:” Mayor Gross.
Motion adopted.

Action 16-273

Moved by Commissioner Carda, seconded by Commissioner Knoff, to adopt Resolution 16-56. (Memorandum 16-206)

RESOLUTION 16-56

WHEREAS, the City of Yankton has determined that it is necessary to adjust the existing municipal water rates to a level which will maintain the operation of the municipal water system on a self-sustaining user basis, and fund debt service and depreciation costs, and;

WHEREAS, the City of Yankton has conducted a water rate review based on forecasted cost and consumption, and;

WHEREAS, the City of Yankton determined during the recent budget workshop that an annual increase should be applied to the surcharge to fund the debt service for the proposed SRF DW

#06;

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners:
That the following municipal water monthly surcharge rates and regulations shall be

adopted;

1. Surcharge Rates

The monthly surcharge water charge for all water meters shall be in accordance to the size of the water meter. The following increase in monthly surcharge rates shall be effective with the billings issued after November 1, 2016, November 1, 2017, November 1, 2018, and November 1, 2019:

Nov. 1, 2016: 5/8 & 3/4"-\$18.81, 1"-\$33.54, 1.5"-\$75.49, 2"-\$134.11, 2.5"-\$238.20, 3"-\$301.68, 4"-\$533.84, 6"-\$1,203.17, 8"-\$2,467.64, 10"-\$4,260.78, 12"-\$5,543.64.

Nov. 1, 2017: 5/8 & 3/4"-\$21.71, 1"-\$38.71, 1.5"-\$87.13, 2"-\$154.79, 2.5"-\$274.93, 3"-\$348.19, 4"-\$616.16, 6"-\$1,388.70, 8"-\$2,848.15, 10"-\$4,917.80, 12"-\$6,398.47.

Nov. 1, 2018: 5/8 & 3/4"-\$24.61, 1"-\$43.89, 1.5"-\$98.77, 2"-\$175.47, 2.5"-\$311.66, 3"-\$394.71, 4"-\$698.48, 6"-\$1,574.23, 8"-\$3,228.66, 10"-\$5,574.82, 12"-\$7,253.30.

Nov. 1, 2019: 5/8 & 3/4"-\$27.51, 1"-\$49.06, 1.5"-\$110.41, 2"-\$196.14, 2.5"-\$348.37, 3"-\$441.21, 4"-\$780.76, 6"-\$1,759.67, 8"-\$3,609.00, 10"-\$6,231.53, 12"-\$8,107.74.

The surcharge shall be billed monthly to all water users based on the above effective water rate surcharge table.

2. Percentage of surcharge applied to DW-05 and DW 01-04

A percentage of the monthly surcharge will be classified as the surcharge for Drinking Water Loan-05, Series 2014 (DW-05). The remaining percentage of the surcharge will continue to be used for the existing debt service of Drinking Water Loans 01 through 04 until such time as Drinking Water Loan 06 is established and fully borrowed. The percentage will then be reassessed and adjusted to reflect the combined required debt service for Drinking Water Loans 05 and 06.

3. Non-City Residential, Commercial, and Industrial Surcharge Rates

The monthly surcharge water charge for any meter location located outside the city limits of Yankton shall be at a rate twice that charged for City water users as established by this resolution unless otherwise established by the City Commission.

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

Action 16-274

Moved by Commissioner Johnson, seconded by Commissioner Sommer, to adopt Resolution 16-57. (Memorandum 16-2016)

RESOLUTION 16-57

WHEREAS, the City of Yankton has determined that it is necessary to adjust the existing municipal water rates to a level which will maintain the operation of the municipal water system on a

self-sustaining user basis, and fund debt service and depreciation costs, and;

WHEREAS, the city of Yankton has conducted a water rate review based on forecasted cost and consumption;

WHEREAS, the City of Yankton determined during the recent budget workshop that a three percent (3%) increase should be applied to the water consumption rate;

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

That the following municipal water rates and regulations shall be adopted;

1. Residential, Commercial, Municipal, and Industrial Consumption Rates
Effective with the billing issued after November 1, 2016, water used or consumption will be charged at a rate of \$5.39 per each thousand gallons consumed.
2. Non-City Residential, Commercial, and Industrial Rates
All water sold by the City for residential, commercial, or industrial use to any meter location outside the city limits of Yankton shall be at a rate twice that charged for City water users as established by this resolution unless otherwise established by the City Commission.

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

Motion adopted.

Action 16-275

Moved by Commissioner Knoff, seconded by Commissioner Johnson, to adopt Resolution 16-54. (Memorandum 16-204)

RESOLUTION 16-54

WHEREAS, Chapter 26, Article IV, of the Code of Ordinances as adopted by Ordinance No. 449 and amended by Ordinance 795 for the City of Yankton, establishes the procedure for determining equitable service charges to be levied on all users which discharge wastewater to the Wastewater System operated by the City; and

WHEREAS, SDCL 9-40-15.1 requires equitable service charges for all wastewater users; and

WHEREAS, it is appropriate to adopt equitable wastewater user rates in order to properly fund the operation of the Municipal Wastewater Treatment System,

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

- I. The following municipal wastewater rates are hereby adopted, effective for bills rendered after November 1, 2016.
 1. Class I - Residential
 - a. Shall pay a monthly fixed user charge of \$9.23 per month.
 - b. Shall pay an incremental cost of \$5.59 per 1,000 gallons based on a monthly

average derived from water consumption during the winter period of December, January, and February as billed in January, February, and March; or to a maximum of 5000 gallons where there is no winter base period.

2. Class II - Commercial and Industrial
 - a. Shall pay a monthly fixed user charge of \$9.23 per month.
 - b. Shall pay an incremental cost of \$5.59 per 1,000 gallons as billed for water consumption.

3. Class III - Industrial
 - a. Shall pay a monthly fixed user charge of \$9.23 per month.
 - b. Shall pay an incremental cost of \$5.59 per 1,000 gallons as billed for water consumption.
 - c. Shall pay an incremental cost of \$0.834/lb. BOD₅ surcharge (over 220 mg/1 strength) and \$0.295/lb. TSS surcharge (over 250 mg/1 strength). Said surcharge rates shall be determined based on test monitoring results for the month billed.

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

Action 16-276

Moved by Commissioner Sommer, seconded by Commissioner Carda, to accept the permanent sewer easement from the Yankton Chamber of Commerce on property described as Tract Two (2) of Outlot Ninety-Seven (OL 97) of County Auditor’s Plat of Outlots, City and County of Yankton, South Dakota.

Roll Call: Members present voting “Aye;” Commissioners Carda, Hoffner, Johnson, Knoff, Maibaum, Miner, Sommer, and Mayor Gross; voting “Nay;” None; Abstaining: Commissioner Ferdig.
Motion adopted.

Action 16-277

Moved by Commissioner Johnson, seconded by Commissioner Ferdig, to adjourn into Executive Session at 7:49 p.m. to discuss personnel and contractual matters under SDCL 1-25-2.

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

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

Roll Call: Present: Commissioners Carda, Ferdig, Hoffner, Johnson, Knoff, Maibaum, Miner, and Sommer. City Attorney Den Herder and City Manager Nelson were also present. Absent: None.
Quorum present.

Action 16-278

Moved by Commissioner Carda, seconded by Commissioner Johnson, to adjourn at 8:54 p.m.

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

Motion adopted.

C.N. Gross
Mayor

ATTEST:

Al Viereck
Finance Officer

September 12, 2016

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Commission Information Memorandum

The Yankton City Commission meeting on Monday, September 26, 2016, will begin at 7:00 pm.

Non-Agenda Items of Interest

1) Human Resources Update

Interviews for the Communications Dispatcher hiring list were conducted on September 13. We have a hiring list in place and background checks are in process.

Joshua Monson began employment on September 12 as Wastewater Plant Operations Specialist. This position was vacant because of the resignation of Terry Rye.

Daniel Bentley began employment on September 19 as Water Plant Operations Specialist. This position was vacant because of the series of promotions we had starting with the retirement of Ray Tweedy, Water Plant Superintendent. Jeff Hines was promoted to this position which opened up the Water Plant Supervisor position. Sage Chytka was promoted to the Supervisor position and then that opened up the Water Plant Operations Specialist position.

Joyce Brunken, Senior Library Assistant, has announced her retirement, effective October 14. Joyce has been with us since August 13, 1984; 32 years of employment.

We had informational meetings for employees on September 19 regarding the health insurance quotes we received from Wellmark and Avera Health Plans. Our insurance representative, Dawn Knutson, Employee Benefit Specialist from Midwest Employees Benefits, reviewed the different plans that are being considered and answered employee questions. The Health Insurance Committee has requested feedback from City staff to help them with their recommendation to the City Manager for the group health insurance coverage.

2) Information Services Department Update

Police & Dispatch will undergo a FBI Criminal Justice Information System (CJIS) security audit on September 20. The audit is part of a statewide triennial occurrence to ensure local jurisdictions are up-to-date in meeting the requirements associated with accessing the CJIS system. Audit components include policy review, security training certification, physical and electronic security and review of practices and procedures.

3) Community Development Department Update

We will be starting our annual review of street tree branch clearance throughout the community this month. It appears the amount of tree branches not meeting the clearance requirements over streets and sidewalks this year will be in line with historic averages. Postcards will be sent to property owners on September 30 reminding them that low hanging branches need to be trimmed to allow 10-feet of

clearance over sidewalks and 12-feet of clearance over streets and alleys. Along with this mailing, we will be utilizing local print and radio media, along with social media to notify City residents that tree trimmings can be dropped off at the Yankton Transfer Station free of charge from October 10 through October 22. Staff will begin the annual street tree inspections on October 24. Inspections will start on the principal arterials and continue throughout the City.

4) Parks and Recreation Department Update

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

5) Fire Department Update

The Yankton Fire Department participated in the county-wide full scale exercise held on September 17 here in Yankton. The scenario was an active shooter with mass casualties. These exercises are held to sharpen our skills when responding to emergency situations. A critique of the exercise was held and improvements that need to be made to plans noted.

Fire Prevention Week is being held on October 9-15, 2016. This year's Fire Prevention Week campaign theme is: "Don't Wait – Check the Date! Replace Smoke Alarms Every 10 Years". School educational visits and tours for classes will be held all week long. The Fire Department will hold their annual open house on Wednesday, October 12, 2016 from 5:30 pm to 7:00 pm at Fire Station #2 located at 201 West 23rd Street. Hot dogs will be available first come, first served. Fire safety information will be handed out and a limited number of smoke detectors will be available for distribution. Door prizes will also be awarded. Attendees can also get a "sneak peek" at the new Fire Museum.

6) Finance Department Update

Due to the low volume of vehicles and equipment items to be surplus, the City will not hold a surplus property auction this fall. Enclosed in your packet, Memorandum #16-218 and Resolution #16-61 request the listed items be declared surplus and be sold by sealed bid, traded in, donated or destroyed.

The City's procurement card program online website is transitioning from the current Details Online site to BMO Spend Dynamics in the coming weeks. We will go live with the new site at the beginning of October to allow a full month's billing cycle for cardholders and users to get familiar with it.

Please see the enclosed Monthly Finance Report and the Revenue & Expenditure Report for August.

7) Library Update

Enclosed in your packet is an update on the various activities in the Library.

8) Public Works Department Update

Street patching to prepare for winter conditions is complete and street crack filling maintenance is set to begin. Street Department crews will also be grading alleys throughout the City.

Street Department crews have completed the paving of the alley between Broadway Avenue and Cedar Street, from Riverside Drive to Second Street.

Inclement weather has slowed the construction progress on the Maple Street project. The contractor has completed the water main and service line installation, for the project. There is a minimal amount of storm sewer that must be installed prior to the contractor grading the roadway for base course installation.

With the exception of the east 100', the westbound lanes on Highway 50 have been paved. The primary contractor, D&G Construction, will concentrate on getting the intersections paved and open to traffic, prior to completing the center turn lane on the highway. Masonry Components, a subcontractor on the project, has mobilized to the project and will be installing sidewalk, ADA ramps and approach pavement behind the northern curb line.

Quotes for concrete repairs, at miscellaneous locations in town, were received. The Engineering Department solicited quotes from four different contractors, but only had two returned quotes. C&C Hauling and Construction, Inc. had the lowest quote at \$21,721.50.

9) Environmental Services Update

The distribution staff completed the biannual hydrant flushing. Every hydrant was flushed and inspected. Staff will be going back and repairing hydrants as needed. Staff did experience a water main break and a hydrant break that required immediate repairs.

Progress continues on the collector well. The pumps, HVAC, exterior brick, and windows are complete. The contractors are finishing up the electrical and interior plumbing. A final completion date is scheduled for November 1 with a startup and training to begin in October.

Progress on the water fill station located west of the transit building is moving forward. The foundation and floor are complete along with a majority of the storm water and water main installation.

Progress is slow on the lift station project. The contractor is struggling with the dewatering process but has gained ground in the last week.

10) Police Department Update

Yankton Police monitored both Dakota Access Pipeline protests on September 17 and 18. We did not take any action as the protest were small and uneventful. Also on September 17, Yankton Police Department personnel participated in a full scale exercise. This exercise fulfills the mandate requirement for grant funding.

Detective Bass participated in the Ted Nugent Kamp for Kids at the NFAA complex.

Chief Paulsen met with Lt. Governor Michels and Yankton School District regarding the Juvenile Justice Reform. It was a good discussion on some of the shortcomings in the initiative.

Department of Justice is sponsoring a national event: Coffee with a Cop, scheduled for October 7. That day is heavily scheduled with the South Dakota Salutes event (recognizing first responders) and the annual Law Enforcement Coordinating Conference which will be held in Sioux Falls.

We've been notified of Highway Safety funding in 2017. We use this money to help with enforcement and campaigns against Drunk Driving and Seatbelt usage.

On Wednesday, September 21, Yankton Police Department participated in the prioritizing of Homeland Security funding. This is an annual award where Yankton County Sheriff's Office and Yankton Police Department alternate each year on the funds. The remaining projects each year are county wide projects.

11) Minutes

Joint Powers Solid Waste and Fox Run Golf Course monthly reports are included for your review. Minutes from the Golf Advisory Board and Airport Board are also included.

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 Nelson
City Manager

Commission Information Memorandum

PARKS AND RECREATION DEPARTMENT

SUMMIT ACTIVITIES CENTER and RECREATION PROGRAMS

1st - half of September information:

Fitness Classes-

Early Bird Boot Camp class	29 participants
Power Abs	39 participants
Prime Time Senior class	26 participants
Tabata class	39 participants
Water aerobics	97 participants
Work-Out Express class	85 participants
Yoga classes	50 participants
Zumba class	41 participants

Rentals-

o Birthday rentals-	4 parties
o SAC courts-	0 hours
o Theater-	0 hours
o Meeting rooms-	0 hours
o City Hall courts-	0 hours
o Capital Building-	4 dates
o Riverside shelters-	7 rentals
o Memorial shelters-	3 rentals
o Westside shelter-	1 rentals
o Rotary outdoor classroom-	0 rentals
o Sertoma shelter-	0 rentals
o Tripp shelter-	0 rentals
o Meridian Bridge	0 rental

SAC members-	1,938 people
SAC memberships-	821
SAC attendance-	1,983 visits
New members-	21 people

Tuesday, September 6- Winter hours are in effect at the SAC.

Sunday, September 11 – Friday, September 16. SAC Pool closed for cleaning and maintenance.

The SAC staff is working with Johnson Control on repairs to the SAC HVAC system. The system has not been working properly for three weeks or so and the humidity and air quality inside the pool area has not been normal.

The City of Yankton will be “Capital for the Day” on September 21. The City is working with the Governor’s Office to plan the agenda.

Todd is working with the United Way staff on a “parent/child activity walk” project for Fantle Memorial Park.

Todd and Brittany LaCroix will be working with Harvest Halloween for their event on October 28 – 30.

PARKS

The Parks staff installed a landscaping wall inside the NW walk-in gate at Riverside Baseball Field. They also moved one in-ground plaque and added a second in-ground plaque to the area. This note was received about the project:

Just noticed the landscaping being done at the entrance to the ballpark. Kudos on this great beautification project and addition to a wonderful baseball field and a source of pride for the community. Visitors to our community will be even more impressed as they visit the park and watch the hundreds of games played there every summer.

Not sure how the project was funded/organized, but it looks to me like another positive step and coordination between our City and the YBA. Thanks again.

Joe Vig

The Parks staff have started to remove the play equipment at Riverside Park. Once equipment has been removed, the turf and dirt removal will begin to construct the new footprint for the universal play structure.

The Parks staff started to haul in black dirt and shape the slopes behind the seating areas on the two north fields at Sertoma Park. The areas have also been seeded with grass.

The Parks staff installed steel poles behind the seating areas at the two north fields at Sertoma Park as the Sertoma Club is working to have shade tarps installed over the one set of bleachers on each field.

The Westside Park artesian well has stopped flowing water into the pond. With no water flow into the pond, the water level in the pond has dropped significantly. We removed the fountain as the water becomes too shallow. This is the second summer in a row that the flow of the well has lessened late in the summer. It never stopped flowing in 2015 and we also had a well company work on it in 2015 to help with the flow if there were underground maintenance issues with the well.

The ball fields at Memorial Park, Sertoma Park, Summit Activities Center, and Riverside Park are being dragged and prepared each weekday according to game schedules submitted to the Parks Department.

FINANCE MONTHLY REPORT

Activity	AUGUST 2016	AUGUST 2015	AUG 2016 YTD	AUG 2015 YTD
UTILITY BILLING:				
Water				
Water Sold (in gallons per 1,000)	109,031	88,313	477,375	462,134
Water Billed	\$719,101.14	\$590,064.05	\$3,602,544.01	\$3,419,755.84
Basic Water Fee/Rate per 1000 gal.	\$15.91/\$5.23	\$15.45/\$5.08		
Number of Accounts Billed	5,453	5,412	42,093	41,929
Number of Bills Mailed	5,453	5,412	42,093	41,929
Total Meters Read	5,590	5,538	44,550	44,612
Meter Changes/pulled	3	6	30	32
Total Days Meter Reading	1	1	8	8
Misreads found prior to billing	0	0	1	0
Customers requesting Rereads	0	0	1	0
Sewer				
Sewer Billed	\$325,434.24	\$286,825.92	\$2,253,395.05	\$2,159,016.86
Basic Sewer Fee/Rate per 1000 gal.	\$8.79/\$5.32	\$8.37/\$5.06		
Solid Waste				
Solid Waste Billed	\$81,036.74	\$77,913.78	\$643,027.32	\$618,856.05
Basic Solid Waste Fee	\$17.13	\$16.63		
Total Utility Billing:	\$1,125,572.12	\$954,803.75	\$6,498,966.38	\$6,197,628.75
Adjustment Total:	(\$221.76)	(\$200.01)	(\$9,664.87)	(\$2,977.86)
Misread Adjustments	\$0.00	\$0.00	\$0.00	\$0.00
Other Adjustments	\$18.24	(\$0.01)	(\$7,894.87)	(\$1,567.86)
Penalty Adjustments OFF	(\$240.00)	(\$210.00)	(\$1,830.00)	(\$1,570.00)
Penalty Adjustments ON	\$0.00	\$10.00	\$60.00	\$160.00
New Accounts/Connects	60	64	691	759
Accounts Finaled/Disconnects	62	62	470	411
New Accounts Set up	5	3	32	31
Delinquent Notices	424	408	3112	3132
Doorknockers	149	127	1069	1103
Delinquent Call List	97	58	751	723
Notice of Termination Letters	6	16	86	128
Shut-off for Non-payment	4	8	45	44
Delinquent Notice Penalties	\$4,240.00	\$4,080.00	\$31,120.00	\$31,320.00
Doorknocker Penalties	\$1,490.00	\$1,270.00	\$10,690.00	\$11,030.00
Other Office Functions:				
Interest Income	\$15,836.34	\$6,645.04	\$109,603.07	\$53,587.77
Interest Rate-Checking Account	0.75%	0.43%		
Interest Rate-CDs	N/A	N/A		
# of Monthly Vendor Checks	188	193		
Payments Issued to Vendors	\$ 2,133,812.13	\$ 2,430,534.68	\$15,730,473.65	\$15,515,680.22
# of Employees on Payroll	269	272		
Monthly Payroll	\$ 443,075.46	\$ 424,236.42	\$3,574,635.93	\$3,628,079.70

Yankton Community Library

Banned Book Week:

We, along with libraries across the nation, are celebrating Banned Book Week September 25 through October 1. We'll have a display of banned books for patrons to check out as well as reasons why those books were banned. Most of all, we'll celebrate our freedom to read whatever we choose.

One Book South Dakota:

Humanities scholar Jamie Sullivan will lead our discussion of this year's book *Some Luck* by Jane Smiley on Thursday, October 6, at 6:30 p.m.

Teen Tech Tutors:

We are once again partnering with the National Honor Society from the Yankton School District to be our one-on-one technology teachers/helpers with anyone who needs computer help. There are two sessions next month, October 8 and 22, from 1-3 p.m. both days.

Facebook 101:

We are holding an introductory class on Facebook on Thursday, October 13, 6 p.m. This class is for beginners or those who are currently using Facebook but need more instruction.

Story Walks on the Meridian Bridge:

We have two new books on the Meridian Bridge. They are *Children Make Terrible Pets* by Peter Brown and *Over in a River: Flowing Out to the Sea* by Marianne Berkes.

South Dakota Library Conference:

Four of us are attending this conference in Watertown September 28-30. I will be done with my duties as President of SDLA by the end of the conference and will remain on the Executive Board through next year as the past president.

Traffic Statistics:

2015	Total	2016	Total
January	13,741	January	9,464
February	12,428	February	9,778
March	11,455	March	12,743
April	13,633	April	10,561
May	12,309	May	11,700
June	15,982	June	12,494
July	14,625	July	11,749
August	10,416	August	11,400
September	11,882	September	
October	18,144	October	
November	10,144	November	
December	9,715	December	

Downloadable Books Circulation:

2015	OverDrive**	TumbleBooks*	2016	OverDrive	TumbleBooks
January	787	37	January	939	527
February	768	97	February	920	516
March	774	236	March	1,007	528
April	658	318	April	1,007	729
May	903	134	May	994	506
June	865	114	June	1,020	92
July	891	57	July	1,035	61
August	891	66	August	1,035	94
September	991	630	September		
October	874	856	October		
November	980	549	November		
December	768	236	December		

**OverDrive materials are young adult through adult.

*TumbleBooks are preschool through young adult materials.

Circulation Statistics:

2015	Adult	Juvenile	Total	2016	Adult	Juvenile	Total
Jan.	9,138	3,658	12,796	Jan.	8,743	4,638	13,386
Feb.	7,967	3,646	11,613	Feb.	7,728	4,663	12,381
Mar.	8,774	4,125	12,899	Mar.	8,294	5,137	13,431
April	7,987	3,917	11,904	Apr.	7,525	4,562	12,087
May	8,004	4,330	12,334	May	7,831	4,430	12,261
June	8,557	6,826	15,383	June	8,287	6,187	14,474
July	8,011	5,423	13,434	July	7,699	4,776	12,475
Aug.	8,115	3,536	11,445	Aug.	8,137	3,732	11,869
Sept.	8,213	4,483	12,696	Sept.			
Oct.	8,263	5,423	13,689	Oct.			
Nov.	8,493	4,321	12,242	Nov.			
Dec.	8,852	4,078	12,930	Dec.			

Joint Powers Solid Waste Authority
Financial Report Thru August 31, 2016

Description	Yankton Transfer	Vermillion Landfill	Total Joint	8 Month Budget	Legal 2016 Budget
Joint Power Transfer/Landfill					
<i>Total Revenue</i>	\$725,621.94	\$516,191.66	\$1,241,813.60	\$1,048,106.67	\$1,572,160.00
<i>Expenses:</i>					
Personal Services	177,590.52	216,819.48	394,410.00	405,658.00	608,487.00
Operating Expenses	134,576.77	253,423.44	388,000.21	492,914.67	739,372.00
Depreciation (est)	76,603.96	187,027.84	263,631.80	272,736.00	409,104.00
Trench Depletion	0.00	98,503.11	98,503.11	51,183.33	76,775.00
Closure/Postclosure Resrv	0.00	5,667.95	5,667.95	5,340.00	8,010.00
Amortization of Permit	0.00	742.50	742.50	706.67	1,060.00
<i>Total Operating Expenses</i>	<u>388,771.25</u>	<u>762,184.32</u>	<u>1,150,955.57</u>	<u>1,228,538.67</u>	<u>1,842,808.00</u>
<i>Non Operating Expense-Interest</i>	0.00	37,705.77	37,705.77	46,163.33	69,245.00
<i>Landfill Operating Income</i>	<u>336,850.69</u>	<u>(283,698.43)</u>	<u>53,152.26</u>	<u>(226,595.33)</u>	<u>(339,893.00)</u>
Joint Recycling Center					
<i>Total Revenue</i>	75,834.81	108,426.21	184,261.02	185,026.67	277,540.00
<i>Expenses:</i>					
Personal Services	14,489.43	122,902.12	137,391.55	159,296.00	238,944.00
Operating Expenses	21,806.67	35,286.23	57,092.90	104,215.33	156,323.00
Depreciation (est)	26,936.40	26,649.20	53,585.60	52,566.67	78,850.00
<i>Total Operating Expenses</i>	<u>63,232.50</u>	<u>184,837.55</u>	<u>248,070.05</u>	<u>316,078.00</u>	<u>474,117.00</u>
<i>Non Operating Expense-Interest</i>	3,010.23	0.00	3,010.23	0.00	0.00
<i>Recycling Operating Income</i>	<u>9,592.08</u>	<u>(76,411.34)</u>	<u>(66,819.26)</u>	<u>(131,051.33)</u>	<u>(196,577.00)</u>
<i>Total Operating Income</i>	<u>\$346,442.77</u>	<u>(\$360,109.77)</u>	<u>(\$13,667.00)</u>	<u>(\$357,646.67)</u>	<u>(\$536,470.00)</u>
Tonage in Trench:	<u>8/31/2015</u>	<u>8/31/2016</u>			
Asbestos	95.66	86.08	86.08	33.33	50.00
Centerville	187.22	181.07	181.07	220.00	330.00
Beresford	903.41	871.27	871.27	766.67	1,150.00
Clay County Garbage	7,901.86	8,743.05	8,743.05	8,066.67	12,100.00
Elk Point	689.43	695.86	695.86	733.33	1,100.00
Yankton County Garbage	14,809.97	15,186.01	15,186.01	14,666.67	22,000.00
<i>Total Tonage in Trench</i>	<u>24,587.55</u>	<u>25,763.34</u>	<u>25,763.34</u>	<u>24,486.67</u>	<u>36,730.00</u>
Operating Cost per ton			<u>\$46.14</u>	<u>\$52.06</u>	<u>\$52.06</u>

This report is based on the following:

Revenue accrual thru August 31, 2016

Expenses cash thru August 31, 2016 with September Bills

Joint Powers Solid Waste Authority
Financial Report Thru August 31, 2016

Description	Yankton Transfer	Vermillion Landfill	Total Joint	8 Month Budget	Legal 2016 Budget
Source of Funds					
<i>Beginning Balance</i>	\$224,362.00	\$587,584.00	\$811,946.00	\$811,946.00	\$811,946.00
<i>Operating Revenue:</i>					
Net Income	346,442.77	(360,109.77)	(13,667.00)	(357,646.67)	(536,470.00)
Depreciation	103,540.36	213,677.04	317,217.40	325,302.67	487,954.00
Trench Depletion	0.00	98,503.11	98,503.11	51,183.33	76,775.00
Amortization of Permit	0.00	742.50	742.50	706.67	1,060.00
<i>Non Operating Revenue:</i>					
Grant	0.00	0.00	0.00	250,000.00	375,000.00
Loan Proceeds	0.00	0.00	0.00	250,000.00	375,000.00
Contributed Capital	0.00	79.72	79.72	16,000.00	24,000.00
Sale Proceeds	0.00	0.00	0.00	3,333.33	5,000.00
Comp. for Loss & Damage	19,500.00	114,123.59	133,623.59	0.00	0.00
Fire Related Expenses	0.00	0.00	0.00	0.00	0.00
Interest	1,557.03	1,036.52	2,593.55	1,666.67	2,500.00
<i>Cash Flow Transfer:</i>					
Joint Power Transfer/Landfill	(331,086.36)	331,086.36	0.00	(21,573.33)	(32,360.00)
Joint Recycling Center	(27,620.86)	27,620.86	0.00	0.00	0.00
Total Funds Available	336,694.94	1,014,343.93	1,351,038.87	1,330,918.67	1,590,405.00
Application of Funds Available					
<i>Joint Power Transfer/Landfill</i>					
Equipment	0.00	186,449.00	186,449.00	141,333.33	212,000.00
Trench	0.00	0.00	0.00	0.00	0.00
Closure/Postclosure Cash Res.	0.00	5,667.95	5,667.95	5,340.00	8,010.00
<i>Joint Recycling Center</i>					
Equipment	569,053.11	0.00	569,053.11	554,333.33	831,500.00
<i>Payment Principal</i>	9,000.16	74,110.68	83,110.84	105,559.33	158,339.00
<i>Appropriation to Reserve</i>	0.00	0.00	0.00	0.00	0.00
Total Applied	578,053.27	266,227.63	844,280.90	806,566.00	1,209,849.00
Ending Balance	(\$241,358.33)	\$748,116.30	\$506,757.97	\$524,352.67	\$380,556.00

Joint Power Transfer/Landfill Description	Yankton Transfer	Vermillion Landfill	Total Joint	8 Month Budget	Legal 2016 Budget
<i>Revenue: (accrual)</i>					
Asbestos	\$0.00	\$5,453.53	\$5,453.53	\$2,666.67	\$4,000.00
Elk Point	0.00	32,357.76	32,357.76	33,000.00	\$49,500.00
Centerville	0.00	8,071.64	8,071.64	9,900.00	14,850.00
Bon Homme	0.00	0.00	0.00	0.00	0.00
Union County	0.00	0.00	0.00	0.00	0.00
Beresford	0.00	40,514.49	40,514.49	34,500.00	51,750.00
Clay County Garbage	0.00	440,799.21	440,799.21	383,000.00	574,500.00
Compost-Yd Waste-Wood	0.00	3,363.77	3,363.77	1,333.33	2,000.00
Contaminated Soil	0.00	3,688.55	3,688.55	333.33	500.00
White Goods	0.00	4,076.99	4,076.99	5,000.00	7,500.00
Tires	0.00	2,662.39	2,662.39	1,666.67	2,500.00
Electronics	0.00	4,084.10	4,084.10	1,000.00	1,500.00
Other Revenue	5,838.81	2,592.98	8,431.79	5,066.67	7,600.00
Less Recycling Tipping Fee	(44,381.55)	(31,473.75)	(75,855.30)	(72,693.33)	(109,040.00)
Cash long	0.23	0.00	0.23	0.00	0.00
Yard Waste	0.00	0.00	0.00	0.00	0.00
Rubble	33,440.27	0.00	33,440.27	33,333.33	50,000.00
Transfer Fees	730,724.18	0.00	730,724.18	610,000.00	915,000.00
Total Revenue	725,621.94	516,191.66	1,241,813.60	1,048,106.67	1,572,160.00
<i>Expenses: (cash)</i>					
Personal Services	177,590.52	216,819.48	394,410.00	405,658.00	608,487.00
Insurance	15,783.31	4,051.80	19,835.11	18,034.67	27,052.00
Professional Service/Fees	7,555.08	32,188.42	39,743.50	38,000.00	57,000.00
Non Professional Fees	0.00	0.00	0.00	0.00	0.00
Processing- Reduction	0.00	16,061.95	16,061.95	10,000.00	15,000.00
State Fees	0.00	25,763.34	25,763.34	24,453.33	36,680.00
Professional - Legal/Audit	1,286.00	0.00	1,286.00	166.67	250.00
Publishing & Advertising	58.58	1,167.66	1,226.24	866.67	1,300.00
Rental	0.00	0.00	0.00	333.33	500.00
Hauling fee	0.00	0.00	0.00	0.00	0.00
Equipment repair	3,732.88	35,080.09	38,812.97	30,666.67	46,000.00
Motor vehicle repair	390.99	1,501.19	1,892.18	15,333.33	23,000.00
Vehicle fuel & maintenance	64,308.60	23,641.61	87,950.21	159,333.33	239,000.00
Equip, Mat'l & Labor	10,620.06	0.00	10,620.06	8,000.00	12,000.00
Building repair	10,624.86	1,841.97	12,466.83	12,666.67	19,000.00
Facility repair & maintenance	0.00	12,765.13	12,765.13	16,666.67	25,000.00
Postage	352.76	17.03	369.79	500.00	750.00
Office supplies	1,328.82	486.49	1,815.31	2,000.00	3,000.00
Copy supplies	69.02	21.87	90.89	200.00	300.00
Uniforms	55.93	2,907.44	2,963.37	3,000.00	4,500.00
Small Tools & Hardware	95.53	0.00	95.53	166.67	250.00
Travel & Training	0.00	2,434.44	2,434.44	3,333.33	5,000.00
Operating supply	1,080.35	75,586.20	76,666.55	101,733.33	152,600.00
Electricity	4,971.01	11,515.25	16,486.26	17,466.67	26,200.00
Heating Fuel - Gas	9,746.77	4,881.71	14,628.48	24,666.67	37,000.00
Water	1,072.17	460.20	1,532.37	2,000.00	3,000.00
WW service	582.20	0.00	582.20	1,133.33	1,700.00
Landfill	137.04	0.00	137.04	133.33	200.00
Telephone	724.81	1,049.65	1,774.46	2,060.00	3,090.00
Depreciation (est)	76,603.96	187,027.84	263,631.80	272,736.00	409,104.00
Trench Depletion		98,503.11	98,503.11	51,183.33	76,775.00
Closure/Postclosure Resrv		5,667.95	5,667.95	5,340.00	8,010.00
Amortization of Permit		742.50	742.50	706.67	1,060.00
Total Op Expenses	388,771.25	762,184.32	1,150,955.57	1,228,538.67	1,842,808.00

Joint Powers Solid Waste Authority
Financial Report Thru August 31, 2016

Joint Power Transfer/Landfill Description	Yankton Transfer	Vermillion Landfill	Total Joint	8 Month Budget	Legal 2016 Budget
<i>Non Operating Expense-Interest</i>	0.00	37,705.77	37,705.77	46,163.33	69,245.00
<i>Operating Income (Loss)</i>	\$336,850.69	(\$283,698.43)	\$53,152.26	(\$226,595.33)	(\$339,893.00)
<i>Capital:</i>					
Capital Outlay	\$0.00	\$186,449.00	\$186,449.00	\$141,333.33	\$212,000.00
Landfill Development	0.00	0.00	0.00	33,333.33	\$50,000.00
Capital Lease	0.00	0.00	0.00	0.00	\$0.00
<i>Total Capital Expenditures</i>	\$0.00	\$186,449.00	\$186,449.00	\$174,666.67	\$262,000.00
<i>Grant Reimbursement</i>	\$0.00	\$0.00	\$0.00	\$250,000.00	\$375,000.00
<i>Equipment Sale Proceeds</i>	\$0.00	\$0.00	\$0.00	\$3,333.33	\$5,000.00
<i>Cash Flow Transfer</i>	(\$331,086.36)	\$331,086.36	\$0.00	\$0.00	\$0.00
<i>Tonage in Trench:</i>					
Asbestos		86.08	86.08	33.33	50.00
Beresford		871.27	871.27	766.67	1,150.00
Centerville Garbage		181.07	181.07	220.00	330.00
Clay County Garbage		8,743.05	8,743.05	8,066.67	12,100.00
Elk Point		695.86	695.86	733.33	1,100.00
Yankton County Garbage		15,186.01	15,186.01	14,666.67	22,000.00
<i>Total Tonage in Trench</i>		25,763.34	25,763.34	24,486.67	36,730.00
Operating Cost per ton			\$46.14	\$52.06	\$52.06

Joint Recycling Center	Yankton	Vermillion	Total	8 Month	Legal
Description	Transfer	Center	Joint	Budget	2016 Budget
<i>Revenue:</i>					
Tipping Fees	\$44,381.55	31,473.75	\$75,855.30	72,693.33	\$109,040.00
Magazines	0.00	0.00	0.00	5,666.67	8,500.00
Metal/Tin	3,832.40	1,227.60	5,060.00	6,666.67	10,000.00
Plastic	0.00	22,972.00	22,972.00	21,333.33	32,000.00
Aluminum	5,317.40	13,637.91	18,955.31	23,333.33	35,000.00
Newsprint	8,597.82	7,532.42	16,130.24	11,333.33	17,000.00
Cardboard	13,705.64	20,293.92	33,999.56	32,666.67	49,000.00
High Grade Paper	0.00	5,459.58	5,459.58	10,000.00	15,000.00
Other Material	0.00	5,829.03	5,829.03	1,333.33	2,000.00
Contributions/Operating Grants	0.00	0.00	0.00	0.00	0.00
Total Revenue	75,834.81	108,426.21	184,261.02	185,026.67	277,540.00
<i>Expenses:</i>					
Personal Services	14,489.43	122,902.12	137,391.55	159,296.00	238,944.00
Insurance	250.96	770.88	1,021.84	1,515.33	2,273.00
Professional Service/Fees	0.00	191.00	191.00	13,333.33	20,000.00
Hazardous Waste Collection	0.00	2,442.13	2,442.13	21,666.67	32,500.00
Professional-Legal	0.00	0.00	0.00	0.00	0.00
Publishing & Advertising	0.00	519.68	519.68	1,666.67	2,500.00
Rental	0.00	0.00	0.00	0.00	0.00
Equipment repair	0.00	1,844.44	1,844.44	8,166.67	12,250.00
Vehicle repair & maintenance	0.00	0.00	0.00	666.67	1,000.00
Vehicle fuel	1,852.68	1,779.29	3,631.97	9,133.33	13,700.00
Building repair & maintenance	138.95	1,634.66	1,773.61	2,333.33	3,500.00
Postage	0.00	0.88	0.88	433.33	650.00
Freight	0.00	1,400.00	1,400.00	1,333.33	2,000.00
Office supplies	46.56	289.70	336.26	666.67	1,000.00
Uniforms	0.00	238.94	238.94	500.00	750.00
Materials Purchases	0.00	3,786.80	3,786.80	5,666.67	8,500.00
Travel & Training	0.00	1,434.12	1,434.12	1,000.00	1,500.00
Operating Supplies	0.00	6,312.36	6,312.36	6,666.67	10,000.00
Copy Supply	0.00	21.87	21.87	233.33	350.00
Electricity	0.00	4,287.18	4,287.18	3,666.67	5,500.00
Heating Fuel-Gas	0.00	1,261.59	1,261.59	3,666.67	5,500.00
Water	0.00	280.14	280.14	366.67	550.00
WW service	0.00	705.03	705.03	666.67	1,000.00
Telephone	0.00	533.95	533.95	533.33	800.00
Revenue Sharing	0.00	5,551.59	5,551.59	7,333.33	11,000.00
Transportation to Vermillion	2,970.00	0.00	2,970.00	3,000.00	4,500.00
Processing Recyclables	16,547.52	0.00	16,547.52	10,000.00	15,000.00
Depreciation (est)	26,936.40	26,649.20	53,585.60	52,566.67	78,850.00
Total Op Expenses	63,232.50	184,837.55	248,070.05	316,078.00	474,117.00
<i>Non Operating Expense-Interest</i>	3,010.23	0.00	3,010.23	0.00	0.00
Operating Income (Loss)	\$9,592.08	(\$76,411.34)	(\$66,819.26)	(\$131,051.33)	(\$196,577.00)
Capital Outlay	\$569,053.11	\$0.00	\$569,053.11	\$554,333.33	\$831,500.00
Grant Reimbursement/Donations	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Cash Flow Transfer	(\$27,620.86)	\$27,620.86	\$0.00	\$0.00	\$0.00

This report is based on the following:

Revenue accrual thru August 31, 2016

Expenses cash thru August 31, 2016 with September Bills

2016 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	27,219.60	(37,872.18)	(10,652.58)	2,453.74	51.32	623.65	(6,724.34)	(6,100.69)	27,843.25	(44,596.52)	(16,753.27)
February	24,442.56	(16,927.43)	7,515.13	2,801.55	46.48	(2,489.50)	(15,845.95)	(18,335.45)	21,953.06	(32,773.38)	(10,820.32)
Subtotal	51,662.16	(54,799.61)	(3,137.45)	5,255.29	51.02	(1,865.85)	(22,570.29)	(24,436.14)	49,796.31	(77,369.90)	(27,573.59)
March	30,670.81	(22,367.55)	8,303.26	3,195.68	44.06	1,710.56	(12,788.54)	(11,077.98)	32,381.37	(35,156.09)	(2,774.72)
Subtotal	82,332.97	(77,167.16)	5,165.81	8,450.97	48.38	(155.29)	(35,358.83)	(35,514.12)	82,177.68	(112,525.99)	(30,348.31)
April	56,283.95	(30,697.08)	25,586.87	3,353.73	41.02	1,889.34	(7,724.70)	(5,835.36)	58,173.29	(38,421.78)	19,751.51
Subtotal	138,616.92	(107,864.24)	30,752.68	11,804.70	46.29	1,734.05	(43,083.53)	(41,349.48)	140,350.97	(150,947.77)	(10,596.80)
May	49,936.35	(39,593.91)	10,342.44	3,554.23	45.99	3,657.94	(11,021.06)	(7,363.12)	53,594.29	(50,614.97)	2,979.32
Subtotal	188,553.27	(147,458.15)	41,095.12	15,358.93	47.14	5,391.99	(54,104.59)	(48,712.60)	193,945.26	(201,562.74)	(7,617.48)
June	48,956.60	(16,084.20)	32,872.40	3,716.80	38.40	2,250.50	4,918.21	7,168.71	51,207.10	(11,165.99)	40,041.11
Subtotal	237,509.87	(163,542.35)	73,967.52	19,075.73	45.43	7,642.49	(49,186.38)	(41,543.89)	245,152.36	(212,728.73)	32,423.63
July	44,221.01	(55,058.33)	(10,837.32)	3,025.62	53.83	5,376.90	(22,624.40)	(17,247.50)	49,597.91	(77,682.73)	(28,084.82)
Subtotal	281,730.88	(218,600.68)	63,130.20	22,101.35	46.58	13,019.39	(71,810.78)	(58,791.39)	294,750.27	(290,411.46)	4,338.81
August	54,609.04	(27,391.98)	27,217.06	3,661.99	40.25	(417.08)	(4,600.56)	(5,017.64)	54,191.96	(31,992.54)	22,199.42
Subtotal	336,339.92	(245,992.66)	90,347.26	25,763.34	46.14	12,602.31	(76,411.34)	(63,809.03)	348,942.23	(322,404.00)	26,538.23

9/1/2016

City of Yankton Transfer Station
Recap of Customer Tonnage

Date	City	Licensed Haulers							Sub-Total	All Other	Total Transfer	Recycling
	Compactors (577)	Bartunek (587)	Janssen (547)	Arts (586)	Fischer (590)	Independence (627)	Loren Fischer (648)	Kortan (673)				Plastic Tonnage
January 2015	228.32	0.00	537.70	380.58	44.72	0.00	50.18	3.33	1,016.51	255.24	1,500.07	4.91
February 2015	188.52	0.00	476.61	351.74	32.51	0.00	47.29	6.86	915.01	215.54	1,319.07	3.91
March 2015	219.10	0.00	577.32	455.17	44.54	0.00	50.43	7.15	1,134.61	294.01	1,647.72	4.66
April 2015	235.49	0.00	609.05	540.52	41.41	0.00	51.08	4.03	1,246.09	654.13	2,135.71	4.88
May 2015	236.92	0.00	654.70	529.94	37.37	0.00	62.42	4.08	1,288.51	286.48	1,811.91	5.81
June 2015	246.19	0.00	664.97	528.54	56.29	6.41	58.67	10.10	1,324.98	326.95	1,898.12	5.30
July 2015	268.28	0.00	812.20	538.36	47.21	1.45	67.02	3.24	1,469.48	380.13	2,117.89	6.08
August 2015	258.02	0.00	733.79	513.07	42.35	0.00	70.36	8.20	1,367.77	324.92	1,950.71	5.06
September 2015	252.89	0.00	666.62	490.70	54.08	0.00	46.02	7.43	1,264.85	340.81	1,858.55	5.05
October 2015	232.03	0.00	706.02	514.42	45.91	0.00	45.48	8.08	1,319.91	399.76	1,951.70	5.95
November 2015	223.63	0.00	583.04	384.68	52.06	0.00	47.80	10.78	1,078.36	287.15	1,589.14	3.38
December 2015	263.45	0.00	568.04	433.13	54.97	0.00	48.53	10.03	1,114.70	252.49	1,630.64	5.98
2015 Total	2,852.84	0.00	7,590.06	5,660.85	553.42	7.86	645.28	83.31	14,540.78	4,017.61	21,411.23	60.97
January 2016	204.72	0.00	506.69	368.30	53.23	0.00	46.55	7.51	982.28	238.64	1,425.64	3.88
February 2016	206.87	0.00	495.25	333.19	49.59	0.00	58.99	6.40	943.42	302.26	1,452.55	4.63
March 2016	238.82	0.00	589.39	463.33	61.55	0.00	19.86	6.91	1,141.04	392.93	1,772.79	4.61
April 2016	228.62	0.00	591.17	496.82	66.85	0.00	66.59	8.67	1,230.10	707.64	2,166.36	4.64
May 2016	252.38	0.00	685.21	562.27	60.04	0.00	69.47	8.46	1,385.45	421.38	2,059.21	5.08
June 2016	238.64	0.00	669.62	503.49	60.40	0.00	67.60	9.91	1,311.02	362.51	1,912.17	6.14
July 2016	233.51	0.00	661.08	457.16	59.00	0.00	72.58	8.98	1,258.80	407.11	1,899.42	5.48
August 2016	275.43	0.00	705.87	563.39	67.83	0.00	54.20	13.14	1,404.43	425.85	2,105.71	4.83
2016 Total	1,878.99	0.00	4,904.28	3,747.95	478.49	0.00	455.84	69.98	9,656.54	3,258.32	14,793.85	39.29
										Total Tons	2,105.71	
										X \$3	3.00	
										Recycling Fee	6,317.13	

CITY OF VERMILLION
LANDFILL TONS

	2016	Independence Waste	Fischer Disposal	Art's Garbage	Verm. Garbage	City of Elk Point	Loren Fischer	Turner County	City of Beresford	Other	2016 Tons	
\$45.00 PER TON	Jan	254.19	90.52	74.58	37.07	72.35	229.36	20.45	90.07	106.39	974.98	
	Feb	286.52	110.84	33.01	39.74	78.20	244.08	20.34	98.28	418.45	1329.46	
	Mar	329.04	119.55	44.85	40.83	92.35	284.77	22.63	112.78	281.11	1327.91	
	April	359.13	101.87	30.15	39.65	78.99	252.37	22.60	110.47	148.03	1143.26	
	May	470.23	143.70	30.02	50.45	97.90	317.70	28.89	117.59	250.68	1507.16	
	June	427.34	131.28	35.25	39.13	92.12	321.69	17.24	116.78	448.17	1629.00	
	July	346.13	116.62	24.88	34.87	84.50	256.11	18.72	94.93	184.12	1160.88	
	Aug	418.26	144.99	22.06	45.26	99.45	375.91	22.71	130.37	245.67	1504.68	
	Sept											0.00
	Oct											0.00
	Nov											0.00
	Dec											0.00
			----- 2890.84 =====	----- 959.37 =====	----- 294.80 =====	----- 327.00 =====	----- 695.86 =====	----- 2281.99 =====	----- 173.58 =====	----- 871.27 =====	----- 2082.62 =====	----- 10577.33 =====
	2015	Independence Waste	Fischer Disposal		Verm. Garbage	City of Elk Point	Loren Fischer	Turner County	City of Beresford	Other	2015 Tons	
\$40.00 PER TON	Jan	268.49	113.11		41.76	82.53	199.71	26.77	106.70	123.70	962.77	
	Feb	230.93	109.12		39.98	68.24	187.06	21.79	79.56	52.29	788.97	
	Mar	308.67	129.33		43.59	88.90	232.92	24.11	107.68	143.52	1078.72	
	April	368.21	140.64		46.81	83.08	257.99	23.21	114.26	220.04	1254.24	
	May	461.23	157.80		52.20	86.49	313.58	26.12	101.75	180.49	1379.66	
	June	429.91	145.53		42.30	95.93	320.00	24.61	128.88	314.60	1501.76	
	July	351.03	158.78		51.73	88.68	337.56	18.62	132.18	210.85	1349.43	
	Aug	419.10	179.45		49.66	95.58	296.77	21.99	132.40	267.08	1462.03	
	Sept	422.71	131.50		43.49	93.64	309.29	27.96	94.83	260.80	1384.22	
	Oct	390.49	131.96		41.76	85.17	313.89	26.16	115.37	226.32	1331.12	
	Nov	322.64	137.95		43.33	94.97	312.82	22.26	116.57	140.95	1191.49	
	Dec	320.63	120.50		43.10	100.68	285.57	20.41	108.45	292.08	1291.42	
			----- 4294.04 =====	----- 1655.67 =====	----- 0.00 =====	----- 539.71 =====	----- 1063.89 =====	----- 3367.16 =====	----- 284.01 =====	----- 1338.63 =====	----- 2432.72 =====	----- 14975.83 =====

09/13/16

Fox Run Golf Course
Statement of Revenues & Expenses

	01Aug2016 31Aug2016	01Aug2015 31Aug2015	01Jan2016 31Aug2016	01Jan2015 31Aug2015	Legal Budget
Direct Revenues:					
Concessions	28,853.17	26,687.72	113,708.29	113,961.89	154,300.00
Pro Shop	13,492.61	24,793.06	54,800.49	95,747.99	164,500.00
Course	40,764.92	33,240.44	416,383.60	423,939.24	483,800.00
	-----	-----	-----	-----	-----
Total Direct Revenues	83,110.70	84,721.22	584,892.38	633,649.12	802,600.00
Direct Expenses:					
Concessions	10,604.20	10,455.57	38,324.94	42,648.08	71,075.00
Pro Shop	5,639.23	1,712.60	69,356.21	82,062.67	114,800.00
Course	1,155.00		35,631.81	26,355.81	37,300.00
	-----	-----	-----	-----	-----
Total Direct Expenses	17,398.43	12,168.17	143,312.96	151,066.56	223,175.00
Add Beginning Inventory					
Less Ending Inventory					
Net Direct Income (Loss)					
Indirect Revenues -		46.89	(26.20)	810.71	600.00
Indirect Expenses:					
Personal Services	47,685.63	37,656.16	284,206.99	250,563.93	370,992.00
Insurance			6,071.57	6,015.68	6,405.00
Professional Services	2,366.79	1,511.73	13,195.01	10,227.68	23,400.00
Advertising	820.00	12.00	10,750.95	6,431.95	7,000.00
Repair & Maintenance	7,042.03	(6,140.82)	32,168.05	26,247.50	57,500.00
Supplies & Materials	9,353.93	8,620.81	45,188.45	30,750.83	60,100.00
Travel, Conference & Dues			2,557.70	1,147.61	3,500.00
Utilities	4,754.25	3,618.30	16,777.17	16,597.70	36,500.00
Billing and Administration			67,340.00	67,340.00	67,340.00
Depreciation	4,218.78	5,128.69	39,209.70	39,772.17	55,745.00
	-----	-----	-----	-----	-----
Total Indirect Expenses	76,241.41	50,406.87	517,465.59	455,095.05	688,482.00
Net Operating Income	(10,529.14)	22,193.07	(75,912.37)	28,298.22	(41,117.00)
	=====	=====	=====	=====	=====
Capital Outlay		12,933.75	46,894.57	43,136.91	139,500.00
	=====	=====	=====	=====	=====

Fox Run Golf Course
Statement of Revenues

	01Aug2016 31Aug2016	01Aug2015 31Aug2015	01Jan2016 31Aug2016	01Jan2015 31Aug2015	Legal Budget
Concessions					
CASH Long	292.98	236.99	850.21	1,413.27	1,000.00
PREPARED FOOD	7,658.04	6,411.83	25,623.20	21,536.50	33,600.00
PRE-PACKAGED FOOD	1,431.49	1,201.58	6,588.64	8,925.35	7,700.00
BEER	15,479.62	14,539.91	63,296.56	62,084.05	89,000.00
BOTTLED POP	3,991.04	4,297.41	17,349.68	20,002.72	23,000.00
MISCELLANEOUS CONCESSIONS					
Total Concessions	28,853.17	26,687.72	113,708.29	113,961.89	154,300.00
Pro Shop					
GOLF BALLS	1,637.12	4,527.88	12,000.32	15,275.08	24,000.00
GLOVES	995.68	1,007.59	4,108.21	5,411.25	7,000.00
GOLF CAPS/VISORS	1,502.64	3,211.31	4,822.56	7,864.05	7,000.00
MERCHANDISE	2,972.30	7,593.02	9,224.20	22,484.16	38,000.00
MERCHANDISE NON-TAX			156.62	354.06	1,000.00
GOLF EQUIPMENT	4,786.56	7,753.91	17,585.94	33,050.28	70,000.00
MISCELLANEOUS MERCHANDISE			94.34		
CLUB REPAIRS	1,448.07	699.35	6,488.69	6,558.54	11,000.00
LESSONS	150.24		319.61	4,750.57	6,500.00
Total Pro Shop	13,492.61	24,793.06	54,800.49	95,747.99	164,500.00
Course					
SIMULATOR			5,048.50	2,874.66	4,000.00
SIMULATOR NON-TAXABLE			500.00	585.00	1,200.00
SEASON PASS	122.43	160.75	167,906.33	167,194.95	175,000.00
SEASON PASS NON-TAX			3,446.69	3,521.69	3,500.00
GREEN FEES-WEEKENDS/HOLIDAYS	10,537.93	7,963.27	42,269.31	40,173.26	59,000.00
GRREN FEES NON-TAX			3,410.20	9,487.80	6,500.00
GREEN FEES - WEEKDAYS	14,591.63	13,962.82	50,960.47	61,796.43	70,000.00
GOLF CAR RENTAL	12,309.21	8,932.49	58,960.12	51,458.80	65,000.00
GOLF CAR STORAGE (NON-TAX)		75.00	23,581.52	25,805.74	25,200.00
TRAIL FEES	93.50	74.82	27,565.01	28,468.54	29,000.00
PULL CART RENTAL	52.36	44.88	332.86	239.36	300.00
GOLF CLUB RENTAL	77.70	46.62	788.12	590.52	1,000.00
DRIVING RANGE	1,914.78	1,932.61	15,089.17	16,935.93	15,000.00
DRIVING RANGE NON-TAX			539.66	568.16	800.00
HANDICAPING	70.77	47.18	7,973.43	7,053.40	9,000.00
LEAGUES					
JUNIOR GOLF PROGRAM			3,794.00	4,485.00	4,000.00
GOLF CART WRAPS	994.61		3,694.61	2,700.00	15,300.00
LEAGUE SOFTWARE ADS					
Total Course	40,764.92	33,240.44	416,383.60	423,939.24	483,800.00
Total Direct Revenues	83,110.70	84,721.22	584,892.38	633,649.12	802,600.00

09/13/16

Fox Run Golf Course
Statement of Expenditures

1

	01Aug2016 31Aug2016	01Aug2015 31Aug2015	01Jan2016 31Aug2016	01Jan2015 31Aug2015	Legal Budget
Concessions					
CASH SHORT	319.78	137.60	1,799.26	1,293.96	1,000.00
PREPARED FOODS	2,879.50	3,265.49	9,711.85	12,891.23	26,000.00
CANDY	674.55	818.55	1,848.30	3,447.97	4,000.00
BEER	5,063.85	5,002.10	18,700.70	18,360.90	30,000.00
POP	1,585.95	1,231.83	5,160.03	6,654.02	10,000.00
	-----	-----	-----	-----	-----
Total Concessions	10,604.20	10,455.57	38,324.94	42,648.08	71,075.00
Pro Shop					
GOLF BALLS	4,256.53		28,902.41	28,310.88	24,000.00
GLOVES			3,056.45	847.67	3,200.00
GOLF CAPS/VISORS	245.39		2,800.01	3,189.35	3,600.00
MERCHANDISE	33.98	845.86	11,886.89	16,686.04	23,000.00
GOLF EQUIPMENT	(927.22)	371.16	17,798.80	28,082.05	55,000.00
TRADE IN GOLF EQUIPMENT					
CLUB REPAIRS	2,030.55	495.58	4,862.16	4,946.68	6,000.00
	-----	-----	-----	-----	-----
Total Pro Shop	5,639.23	1,712.60	69,356.21	82,062.67	114,800.00
Course					
GOLF CAR RENTAL	725.00		25,305.81	24,455.81	26,000.00
REIMBURSEMENT-GOLF SHED RENTAL	430.00		430.00		
PULL CART RENTAL					
DRIVING RANGE			3,276.00	1,750.00	2,500.00
HANDICAPING			6,620.00		7,800.00
JUNIOR GOLF PROGRAM					1,000.00
GOLF CART WRAPS					
LEAGUE SOFTWARE ADS					
	-----	-----	-----	-----	-----
Total Course	1,155.00		35,631.81	26,355.81	37,300.00
Total Direct Expenditures	17,398.43	12,168.17	143,312.96	151,066.56	223,175.00
	=====	=====	=====	=====	=====

MINUTES

FOX RUN GOLF ADVISORY BOARD

Thursday, July 21, 2016
Fox Run Golf Course Clubhouse – 12:00 P.M.

Routine Business

Roll Call:

Present: Annette Kohoutek, Terry Carda, Kim Auch, Carll Kretsinger, Steve Sager, Warren Erickson.

Absent: Jake Hoffner.

Also present were Golf Operations Manager Tom Jeffers, Golf Operations Assistant Manager Amanda Schieffer, Course Superintendent Rockie Wampol, and Parks Secretary Chasity McHenry

Public Appearances: Charles Leiferman.

Minutes:

June 16, 2016 minutes approved. Kretsinger motioned, Erickson second.
Motion carried 6-0.

Old Business

A. No old business.

New Business

- A. Monthly round report and season pass report. Slightly up from last year. Paid green fees are up a lot. Pro-Am fees are down from last year.
- B. Course financials through June 30 (attachment). Year to date, the course is down \$20,000 from last year. Food wise, expenditures are down and revenue is up.
- C. League update. Senior League is halfway through. Software has had updates and is running better.
- D. Course event calendar and updates. August is not a busy month for outings.
- E. Pro-Am update. 38 Pros have signed up for the Pro-Am. There were 39 teams by the beginning of the Golf Advisory Board. The Board was thinking of asking the Events Coordinator to join a Pro-Am committee.
- F. Beer Cart discussion. Was wondering if the beer cart could sell on the greens. Was pointed out that no matter where the beer cart is, play is still going to slow down.
- G. Course Beautification. Discussed the deck that is attached to the club, about dropping down the flowers that are there so that the course is more visible to members that are out sitting on the deck. Maybe add some flower boxes at the tee boxes throughout the course to add some beauty.
- H. Course Etiquette. There have been some complaints about kids cutting in front of other golfers and of some men that have been urinating on the course.
- I. Course conditions and projects. Getting ready for the Pro-Am.

Other Business

- A. Next Meeting Date – Thursday, August 18, 2016. The GAB meetings will be moved to Thursdays through October of 2016.

Meeting Adjourned

- A. Kretsinger motioned, Carda second. Motion carried 6-0.

City of Yankton
Airport Advisory Board Meeting Notes
for
August 17, 2016
(approved)

ROLL CALL:

Present – Roger Huntley, Dawn Steffes, Steve Hamilton, George Munn, Jr., and Jim Cox

Also Present – Jake Hoffner, Mike Roinstead, Dave Mingo, Chris Nielsen, and Skip VanDerhule

Unable to attend – Mark Yonke

MINUTES –July 20, 2016

MOTION – It was moved by Roger Huntley and seconded by Steve Hamilton. to approve the July 20, 2016 meeting minutes.

MOTION – PASSED

Monthly Fuel Report

180 transaction, for 9,377.7 gallons of fuel, 159 Transactions for 7,489.7 gallons last year. Jim Cox asked if there was a mix of first timers and oldies. Saturday there was bad weather in Osh Kosh and the Sioux Falls airport had the airshow going on. Jake Hoffner indicated that he heard all positive comments. Mike Roinstead indicated about 120 planes coming and going during the week. Jim Cox drove out and there was plenty of action.

Staff Report

Environmental Assessment – awaiting word from KLJ who has experienced some turnover. Consultant is getting frustrated with the amount of edits going back and forth. Staff feels we are still on target for construction next year. Jim Cox asked if Dave Mingo knew the new people at the FAA and indicated that they are not new, just new in their position. Jim Cox asked if the budget is finalized. Amy indicated we are having a first reading this Monday, and public hearing on September 12. The county is tentative to contribute what we requested.

Airport Breakfast

The Airport Breakfast will be held on Sunday. September 18 8-1:00 pm at the crop dusters hangar. This is 19th or 20th year. B25 has been requested. Jake Hoffner indicated that a request has been made to the City for fuel or discount on fuel was made to Mike Roinstead, then forwarded to Dave Mingo. Amy not aware of it. Rides on B25 “Miss Mitchell” are \$450.00.

Runway 31 Traffic Issues

Dave Tunge requested a meeting with Amy and Dave Mingo to discuss different patterns. We receive a handful of complaints a year. Steve Hamilton indicated that there are only 6 airports in the state that have right hand turn. We don't really have a reason. Skip VanDerhule provided the letter that he sent to various members of

the board. Jake Hoffner advised that if we change to right, we will have both turns, confusion, and possible mid air collision. Mike Roinstad indicated that the complaints are cross wind, which would be from crop dusters testing, etc. Jake Hoffner indicated that we haven't had enough complaints & we have such a variety of planes that come in and out. Skip VanDerhule indicated that the only serious issue he has ever had was on 1-9. It only occurred once in 42 years, and that was to avoid power lines and he does not use 1-9. Jake Hoffner indicated that the only option is to realign the runway. FAA really is against anything that crosses. Aberdeen was redone. Skip VanDerhule indicated that we are getting close to having those runways redone and we need to have a plan in place now and not in 2 years. Jim Cox indicated to keep the empty field across the street (HSC). Skip VanDerhule indicated that there are funds from the FAA to eliminate this problem with the cross over. Skip VanDerhule wants to talk about it. At this time, the Board chose to take no further action on this.

Hangar Lease

Yonke, Ebnetter and Kline came in to change the names, and fix the hangar number, and estate planning. It was moved by Steve Hamilton, a second was made by Jake Hoffner to approve the Hangar Lease as provided. All members voting aye.

Other Business

Skip VanDerhule advised last legislative (3-23) regarding conflict of interest rules was discussed. He wanted to make everyone aware, that by statute, he has a conflict of interest because he has a hangar, so he cannot participate in discussion regarding home airports. Every member on the state board has the same problem. He cannot discuss or vote on Yankton.

ADJOURNMENT

MOTION – It was moved to adjourn by Roger Huntley and seconded by George Munn, Jr.

VOTE – Voting “Aye” – all members present. Voting “Nay” – none.

Memorandum #16-221

To: City Commission
From: Thomas Kurtenbach, Fire Chief
Date: September 16, 2016
Subject: A Memorandum Approving the Current List of Volunteer Firefighters

The South Dakota Municipal League suggests that at least once per year we should include a list of the volunteer firefighters in the official minutes of the Yankton City Commission. The issue pertains to workers' compensation coverage for volunteers. It is staff's intent to include this annually as a consent agenda item and also add to the list throughout the year for any new additions to the volunteer firefighters.

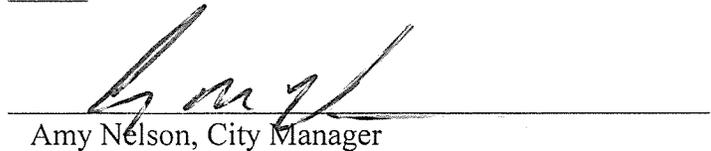
It is recommended that the City Commission approve the current list of volunteer firefighters (*see attachment*) and include this list in the minutes of the September 26, 2016 City Commission meeting.

Thank you,



Thomas Kurtenbach
Fire Chief

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



Amy Nelson, City Manager

____ Voice vote

Yankton Fire Department

Staff List By Name

Status = "AC " a

Name	Staff ID	Rank	Stn	Status	Hire Date
Binde, Brad	41	Firefighter	7-1	Active	12/16/2002
Binder, Tim	BIND01	Training Officer	6-1	Active	05/15/2006
Cowman, Troy	37	Firefighter	7-1	Active	12/15/1996
Cuka, Don	CUKA01	Firefighter	6-1	Active	04/04/2011
Fitzgerald, Mike	FITZ01	Firefighter	6-1	Active	05/15/2006
Flannery, Kirt	4	Captain	7-1	Active	01/16/1989
Frick, Adam	FRIC01	Captain	6-1	Active	05/15/2006
Frick, Brian	5	1st Assistant Chief	7-1	Active	04/21/1984
Frick, Dan	6	Firefighter	7-1	Active	01/16/1989
Frick, Steve	7	Firefighter	7-1	Active	04/21/1984
Frick, Tom	8	Firefighter	7-1	Active	01/16/1989
Gullikson, Mike	10	Firefighter	7-1	Active	01/15/1990
Haas, Andy	HAAS01	Firefighter	6-1	Active	04/05/2010
Haberman, Adam	HABE01	Firefighter	7-1	Active	04/07/2008
Hladky, Richard	27	Firefighter	7-1	Active	08/16/1999
Hofer, Kasey C	HOFE01	Firefighter	7-1	Active	05/27/2014
Holmstrom, Tom	46	Volunteer President	7-1	Active	01/19/2005
Johnson, Jody	15	Safety Officer	7-1	Active	08/05/1998
Kaiser, Ryan	KAIS01	Firefighter	6-1	Active	05/15/2006
Kozak, Gary	13	Firefighter	7-1	Active	02/19/2001
Kraft, John	16	Firefighter	7-1	Active	03/19/2001
Kuehler, Dave	31	Firefighter	7-1	Active	12/20/1999
Kuehler, Mark	KUEH01	Firefighter	6-1	Active	04/05/2010
Kurtenbach, Thomas R.	45	Fire Chief	7-1	Active	04/30/2005
Mauch, Mark	MAUC01	Firefighter	7-1	Active	04/07/2008
Miller, Chad	MILL01	Firefighter	6-1	Active	04/05/2010
Moore, Pete	MOOR01	Firefighter	6-1	Active	05/15/2006
Moser, Brad	20	Captain	7-1	Active	05/20/1996
Nickels, Terry	NICK01	Firefighter	6-1	Active	04/04/2011
Nickles, Larry E.	23	Deputy Chief	7-1	Active	12/21/1996
Nickles, Mark	44	Fire Prev. Officer	7-1	Active	01/19/2005
Nighbert, Matt	43	Firefighter	7-1	Active	01/19/2005
Nolz, Pat	24	Firefighter	7-1	Active	01/16/1989
Prendable, Daniel	PREN01	Firefighter	7-1	Active	05/22/2014
Raab, Larry E	25	Firefighter	7-1	Active	08/21/1989
Taggart, Bill	TAGE01	Firefighter	7-1	Active	04/07/2008
Turman, Jeff	TURM01	Firefighter	7-1	Active	04/07/2008
Veldhuizen, Rodney	VELD01	Chaplin	6-1	Active	07/17/2006
Villanueva, Mike	VILL01	Firefighter	6-1	Active	04/04/2011
Walsh, Dave	32	Firefighter	7-1	Active	08/17/1992
Walsh, Jay	33	Firefighter	7-1	Active	07/15/1991
Woehl, Toby	19	Captain	7-1	Active	08/16/1993
Ziegler, William (Bill)	35	2nd Assistant Chief	7-1	Active	01/18/1993

Memorandum #16-222

To: *City Commission*
From: *Thomas Kurtenbach, Fire Chief*
Date: *September 16, 2016*
Subject: *Fireworks Request*

Attached is a request from the Yankton School District for a fireworks display within the city limits on October 20, 2016. Per municipal code, this request needs to be approved by the City Commission. The location of the display will be at Crane-Youngworth Field.

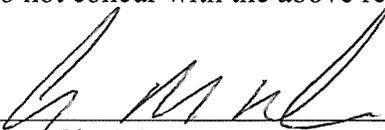
The fire and police departments have reviewed the request and are comfortable with the request being approved.

It is recommended that the City Commission authorize the Yankton School District to host a fireworks display on October 20, 2016.

Thank you,

Thomas Kurtenbach
Fire Chief

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



Amy Nelson, City Manager

____ Voice vote

Colleen Bailey

From: Mors, Ryan <RMors@ysd.k12.sd.us>
Sent: Friday, September 16, 2016 2:31 PM
To: Amy Nelson; Kindle, Dr.Wayne
Cc: Tom Kurtenbach; Colleen Bailey; Carr, Todd; Likness, Arlin; Turner, Chuck; Sangster, Paul; Johnke, Dr. Jennifer
Subject: RE: Fireworks At Football Game

Hi Amy & Colleen,

I spoke to Tom Kurtenbach Thursday morning at YHS about this potential fireworks display at Crane Youngworth Field.

Crane Youngworth is turning 90 years old this year and YHS is acknowledging this "birthday" with a special halftime performance by the band at the final regular season home football game which is Thursday, October 20. Dr. Kindle has been in contact with Cole Blum and he has graciously offered to donate the fireworks and be in charge of them if we are granted permission to do this.

The proposal would be for Cole to shoot off a 2 minute "Class A" fireworks display near the end of the halftime show. We are very flexible with the location of where the fireworks would be shot off. Possibly in the middle of the football field itself or near the west end of the FB Field? Or anywhere else the fire department and Cole believe would be the safest location.

Please let me know if the information contained in this email will suffice for the information to be submitted to Colleen in order for it to be placed on the city commission agenda.

Thank you for your consideration.

Ryan Mors

Activities Director/Assistant Principal

Yankton High School

P.O. Box 738 | 1801 Summit St. | Yankton, SD 57078

Office: 605 665-8369 Fax: 605 665-6269

<mailto:RMors@ysd.k12.sd.us>

<http://www.ysd.k12.sd.us/>

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From: Amy Nelson [mailto:ANelson@cityofyankton.org]

Sent: Tuesday, September 13, 2016 3:11 PM

To: Kindle, Dr.Wayne <WKindle@ysd.k12.sd.us>

Cc: Mors, Ryan <RMors@ysd.k12.sd.us>; Tom Kurtenbach <TKurtenbach@cityofyankton.org>; Colleen Bailey <CBailey@cityofyankton.org>

Subject: Fireworks At Football Game

Hi Dr. Kindle,

Our Fire Department has been in contact with your staff and they are developing a plan for the fireworks show at the football game. Once they have their plans arranged, this will need to be placed on the City Commission agenda for approval. The deadline for our City Commission packet is noon on September 21 for the September 26th meeting and noon on Wednesday October 4th for the October 10th meeting.

Colleen needs a letter describing the plans and indicating that discussed/reviewed by the Yankton Fire Department.

Please be aware, private displays usually come with some public input. This should be early enough that it doesn't bother too many residents, but I thought I should make you aware. You might want to touch base with Deb Stucky (Warden's Secretary) at the FPC too. They won't care, but I think the Warden would like to alert his staff if there will be anything that sounds like an explosive near the camp.

Go Bucks!

Thanks,

Amy

Amy M Nelson
City Manager
City of Yankton
PO Box 176
416 Walnut Street
Yankton, SD 57078
Phone: 605.668.5221
Mobile:605.760.9068



The mission of the City of Yankton is to provide cost-effective, public services as required by its citizens and to provide an environment so that both its citizens and the economy prosper.

NOTICE OF HEARING UPON APPLICATION
FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN that an application has been received by the Board of City Commissioners of the City of Yankton, South Dakota, for a Special Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for 1 day, October 13, 2016, from TST, Inc. d/b/a Phinney's Pub & Casino, (John Tuttle, President) Yankton Mall, Yankton, S.D.

NOTICE IS FURTHER GIVEN that a Public Hearing upon the application will be held on Monday, October 10, 2016 at 7:00 p.m. in the City of Yankton Community Meeting Room at the Technical Education Center, 1200 West 21st Street, Yankton, South Dakota, where any person or persons interested in the approval or rejection of the above application may appear and be heard.

Dated at Yankton, South Dakota,
this 26th day of September, 2016.



Al Viereck
FINANCE OFFICER

____ Voice vote

Memorandum #16-214

To: City Manager
From: Finance Department
Date: September 13, 2016
Subject: Special Events Malt Beverage License-Phinney's

We have received an application for a Special Malt Beverage (on-sale) Retailers License for 1 day, December 3, 2016, from TST, Inc. d/b/a Phinney's Pub & Casino, (John Tuttle, President) Yankton Mall, Yankton, S.D.

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



Al Viereck
Finance Officer

Memorandum #16-215

To: City Manager
From: Finance Department
Date: September 13, 2016
Subject: Special Events Malt Beverage License-Phinney's

We have received an application for a Special Malt Beverage (on-sale) Retailers License for 1 day, December 10, 2016, from TST, Inc. d/b/a Phinney's Pub & Casino, (John Tuttle, President) Yankton Mall, Yankton, S.D.

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



Al Viereck
Finance Officer

Memorandum #16-216

To: City Manager
From: Finance Department
Date: September 13, 2016
Subject: Special Events Malt Beverage License-Phinney's

We have received an application for a Special Malt Beverage (on-sale) Retailers License for 1 day, December 17, 2016, from TST, Inc. d/b/a Phinney's Pub & Casino, (John Tuttle, President) Yankton Mall, Yankton, S.D.

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



Al Viereck
Finance Officer

Memorandum #16-217

To: City Manager
From: Finance Department
Date: September 13, 2016
Subject: Special Events RETAIL (on-sale) Liquor License

We have received an application for a Special Events RETAIL (on-sale) Liquor License for one day, October 8th, 2016, from Leo's Sports Bar & Grill, LLC, Rusty Jensen, Owner) d/b/a Leo's Lounge, Ducks Unlimited held at NFAA, 800 Archery Lane, Yankton, South Dakota.

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



Al Viereck
Finance Officer

Memorandum # 16-225

To: Amy Nelson, City Manager
From: Kyle Goodmanson, Director of Environmental Services
Subject: Bid Award for the Annual Water Treatment Plant and Wastewater Treatment Plant Sludge Removal
Date: September 26, 2016

Two bids were received for wastewater and one bid for the water sludge removal on Sept. 15, 2016. This is an annual contract to dispose of wastewater liquid sludge and water caked lime sludge. The bids received are listed below:

Contractor	Wastewater Treatment Plant Liquid Sludge Per Gallon	Water Treatment Plant Caked Lime Sludge Per Ton
Dakota Rock Farms 30962 Frog Creek Rd. Vermillion, SD 57031	.0225	
Valley Ag Supply 509 Washington St. Gayville, SD 57031		
Willard Schmidt 43970 306th Street Yankton, SD 57078	.0325	10.00

(Gray background denotes low bid.)

The wastewater liquid sludge 2016 bid is \$.006 cents per gallon less than the 2015 bid which was \$.0285 per gallon. The water caked sludge bid for 2016 is the same as the 1015 bid. With the unit prices stated, it is anticipated that the total expenditure for the Wastewater Treatment Plant liquid sludge will be approximately \$60,000 and approximately \$70,000 will be spent for Water Treatment Plant caked lime disposal.

The recommendation of City staff is to award the low bid for wastewater liquid sludge to Dakota Rock Farms for \$0.0225 and the caked lime sludge to Willard Schmidt at \$10.00 per ton as stated in this Memorandum #16-225.

Respectfully submitted,



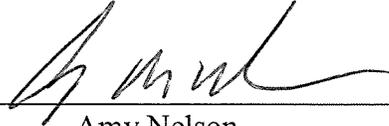
Kyle Goodmanson,
Director of Environmental Services

_____ Roll call

Recommendation: It is recommended to award the low bid for wastewater liquid sludge to Dakota Rock Farms for \$0.0225 and for caked lime sludge to Willard Schmidt at \$10.00 per ton as stated in this Memorandum #16-225.

I concur with this recommendation.

I do not concur with this recommendation.



Amy Nelson
City Manager

cc: Project File

_____ Roll call

Memorandum #16-220

To: Amy Nelson, City Manager
From: Corey Potts, Public Works Manager
Subject: Bid Award 2016-2017 Annual Supply of Bulk De-Icing Salt
Date: September 14, 2016

Nine bid packets were sent out for bids and four bids were received for the 2016-2017 Annual Supply of Bulk De-Icing Salt required during winter snow removal operations. The four bids received and the respective unit prices are listed as follows:

Johnson Feed, Inc. of Canton, South Dakota	\$55.00 per ton
Blackstrap Inc., Neligh, Nebraska	\$54.90 per ton
Nebraska Salt and Grain Co. of Gothenburg, Nebraska	\$56.50 per ton
Meridian Grain, Freeman, South Dakota	\$53.50 per ton

The lowest bid received is from Meridian Grain of Freeman, SD and does meet specifications. Therefore, staff recommends that the contract for the 2016-2017 Annual Supply of Bulk De-Icing Salt be awarded to Meridian Grain in the amount of \$53.50 per ton. The 2015-2016 winter season salt price paid by the City was \$54.00 per ton. Approximately 700 tons are used in an average year for de-icing efforts.

Respectfully submitted,

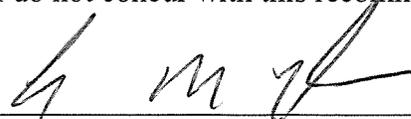


Corey Potts
Public Works Manager

Recommendation: It is recommended that the City Commission approve Memorandum #16-220 and the contract be awarded to Meridian Grain of Freeman, SD, in the amount of \$53.50 per ton for the Annual Supply of Bulk De-Icing Salt in the 2016-2017 winter season.

I concur with this recommendation.

I do not concur with this recommendation.



Amy Nelson
City Manager

cc: Adam Haberman, Director of Public Works

____ Roll call

Memorandum #16-218

To: City Commission
From: Deputy Finance Officer
Date: September 15, 2016
Subject: Surplus Equipment & Vehicles

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

Resolution #16-61 declares the equipment and vehicles surplus. Declared property will be disposed of, traded in, donated, sold by sealed bid, or destroyed pursuant to South Dakota Codified Law.

Ann Clough
Deputy Finance Officer

Recommendation: It is recommended that the City Commission adopt Resolution #16-61 and authorize the destruction, trade, donation or sale of surplus property by sealed bid.

I concur with the above recommendation

I do not concur with the above recommendation



Amy Nelson, City Manager

____ Roll call

RESOLUTION #16-61

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

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

SURPLUS PROPERTY TO BE SOLD, TRADED, DONATED OR DESTROYED

2009 Elgin Street Sweeper – Serial No. PNP1259S
2005 Ford Crown Victoria 4-door sedan – VIN #2FAHP71W85X157154
2004 Chevrolet ½ ton K-10 pickup – VIN #1GCEK19T64Z2C5445
2001 Sterling Truck/Tractor, Model LT9500 – VIN #2FWJAZA8X2AK10316
2000 Chevrolet ½ ton pickup – VIN #1GCEK14T9YE331085
1995 Chevrolet van – VIN #1GN DU06L4ST149074
1975 SKNG 14 ft. boat trailer – S/N 750432
1988 60”x36” drafting table
1980 IBM Selectric typewriter – S/N #6851960
18 – Street sweeping brooms
Homemade box fan- 110 volt
12’x14’ wooden fold out stage
Kent commercial carpet shampooer with attachment (fair condition)
4 – HVAC condensate circulation pumps
Wilkerson air compressor and compressed air dryer
Oak book shelf with 7 adjustable shelves
2 – Metal shelving units (need to be braced)
7- ½ ft. double-sided shelving unit-good condition (donate to Dakota Territorial Museum)
14’ aluminum ladder
3 – KDI Paragon stainless steel life guard stands
14 – 6 ft. heavy wood/metal folding tables
10 – Large wood trash can holders
2 – Small wood trash can holders
2 – Large metal trash can holders
Red Snapper 38” cut riding lawn mower, Model LE 1438H, S/N 45824054 (needs battery)
Snapper snow blower with chains – 10 hp, 30” wide cut
10 pallets – miscellaneous landscape blocks
Miscellaneous weeders and parts
Troybilt Vac-chipper – 6.5 HP, E766-TB060, Serial No. 1J107H70099
Christmas street decorations
Broyhill 5 ft. brush groomer
Top dresser Cushman truckster mount

Toro Series irrigation satellite boxes and miscellaneous parts
Snapper push mower - 6 hp
Jacobsen mower-verda cut 12 hp
Fire extinguisher trainer (trade)
Sanyo television set, Model DS27630, Serial No. V7440328100950 (destroy)
Daewoo VCR, Model DUR4280N, Serial No. 5CG00456 (destroy)
Symphonic television, Model WF203, S/N J29380784 (destroy)
Epson LCD projector, Model EMP-S1H, S/N FWDG4X0567F (destroy)
1999 Monroe snow plow – 12', S/N 98-10-1994 (destroy)
Black leather bar stool (destroy)
Gray office chair (destroy)
7 – 2'x4' drop in light fixtures (destroy)
2006 12" Touchscreen computer monitor, S/N 544CA00225 (destroy)
Wall Unit - Personnel (destroy)
Platform scale (destroy)
Antenna and feedline (destroy)
Senior citizen sign (destroy)
Parks freezer (destroy)
SAC message board (destroy)
2 RCA Televisions (destroy)
Ithaca receipt printer (destroy)
Old carpet (destroy)

Adopted:

C. N. Gross
Mayor

Attest:

Al Viereck
Finance Officer

Memorandum #16-226

To: Amy Nelson, City Manager
From: Kyle Goodmanson, Environmental Services Director
Subject: Change Order #1 Lift Station Project
Date: September 26, 2016

Work continues on the Lift Station Project.

The attached Change Order No. 1 increases the project cost by \$36,293.00 from \$2,396,000.00 to \$2,432,293.00. The increase cost will be for an extension of a 6 inch water line 781 feet from the current lift station to the new lift station. This will be needed to complete a distribution loop in the future. Through discussions with the contractor and South Dakota Department of Environmental and Natural Resources it was concluded that the current layout in the existing plans would lead to issues with future water main installation because of the limited area and access in the corridor. Because of this it was proposed to move the location of the sewer mains, upgrade the sewer pipe to C905 DR25, and install the water line at this time.

City staff has reviewed the project change orders. We recommend that Change Order No. 1 be approved.

Respectfully submitted,

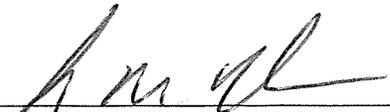


Kyle Goodmanson
Environmental Services Director

Recommendation: It is recommended that the City Commission approve Change Order No. 1 in the amount of \$36,293.00 for the Lift Station Project.

I concur with this recommendation.

I do not concur with this recommendation.



Amy Nelson – City Manager

____ Roll call

Change Order

No. 01

Date of Issuance: 9/19/2016

Effective Date: 9/19/2016

Project: Pump Station Project	Owner: City of Yankton, South Dakota	Owner's Contract No.: 2016-1
Contract: EDA NO. 05-79-05291/SRF NO. C461038-04	Date of Contract: 5/9/2016	
Contractor:	Engineer's Project No.: 17909.006	

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

Extend water line from Dale Pump Station to New Pump Station as shown in Field Order No. 4

Attachments (list documents supporting change):

Field Order No. 4

Gridor Construction, Inc – Request No. 4a

CHANGE IN CONTRACT PRICE:

Original Contract Price:

\$2,396,000.00

[Increase] [Decrease] from previously approved
Change Orders No. 0 to No. 1:

\$0.00

Contract Price prior to this Change Order:

\$2,396,000.00

[Increase] [~~Decrease~~] of this Change Order:

\$36,293.00

Contract Price incorporating this Change Order:

\$2,432,293.00

CHANGE IN CONTRACT TIMES:

Original Contract Times: Working days Calendar days

Substantial completion (days or date): February 27, 2017

Ready for final payment (days or date): March 27, 2017

[Increase] [Decrease] from previously approved Change Orders
No. 0 to No. 1:

Substantial completion (days): 0

Ready for final payment (days): 0

Contract Times prior to this Change Order:

Substantial completion (days or date): February 27, 2017

Ready for final payment (days or date): March 27, 2017

[Increase] [~~Decrease~~] of this Change Order:

Substantial completion (days or date): 5

Ready for final payment (days or date): 0

Contract Times with all approved Change Orders:

Substantial completion (days or date): March 4, 2017

Ready for final payment (days or date): April 1, 2017

RECOMMENDED:

By: 
Engineer (Authorized Signature)

Date: 9/19/2016

Approved by Funding Agency (if applicable):

ACCEPTED:

By: _____
Owner (Authorized Signature)

Date: _____

ACCEPTED:

By: _____
Contractor (Authorized Signature)

Date: _____

Date: _____

Request for Change Order

GRIDOR CONSTR., INC.

3990 27th STREET SE

BUFFALO, MN 55313

(763) 746-9070 FAX (763)559-3736

DIRECT LINE TO JASON THEISEN 763/ 746-9077

Request No. 4a

Date 9/15/2016

Name of Project WASTEWATER LIFT STATION

Location YANKTON, SOUTH DAKOTA

To BARTLETT & WEST

Address 5900 S WESTERN AVE, SUITE 101

SIOUX FALLS, SD 57108

Attention CHELSEA HUNT

Phone No. 605-373-5911

Fax No. _____

Descriptions of Change Connection Watermain from Existing Pump Station to new Station

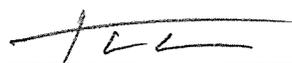
Labor	\$14,112.00
Material	\$6,680.00
Equipment	\$9,730.00
Subcontract	\$0.00
SUB-TOTAL COSTS	\$30,522.00
Markup & Bond	\$5,771.00
TOTAL CHANGE	ADD \$36,293.00

The contract completion date to be increased 5 calendar days.

After given written notice to proceed from owner.

Price subject to change after 30 days.

GRIDOR CONSTR., INC.



JASON THEISEN

EQUAL OPPORTUNITY EMPLOYER



Bid Proposal for Dale PS Gravity - Yankton

GRIDOR CONSTRUCTION (230)

Job Location: Yankton, SD
 Bid Date: 09/09/2016 12:00 p.m.
 HD Supply Bid #: 162142

HD Supply Waterworks
 2101 E 54th St N
 Sioux Falls, SD 57104
 Phone: 605-339-2814
 Fax: 605-339-2632

Seq#	Qty	Description	Units	Price	Ext Price
10		POSSIBLE CHANGE TO 18"			
20		GRAVITY PIPE			
30	600	18 C905 DR25 PVC PIPE (G) MARKINGS PC165	FT	21.38	12,828.00
		<i>m Bid / \$.42</i>			
50		SDR 26/ PS115 PRICE WAS			
60	0	18X14' SDR26 HW SWR PIPE (G) PS115	FT	18.42	0.00
80		POSSIBLE WATERMAIN ADDITION			
100	780	6 C900 DR18 PVC PIPE (G) MARKINGS PC235	FT	3.44	2,683.20
110	1000	10 GAUGE GREEN DB TRACER WIRE	FT	0.17	170.00
		Average price per	FT		3.66
130		CONNECT TO EXISTING			
140	1	6 MJ L/P SLEEVE (I) FB DI C110 USA	EA	224.72	224.72
160	2	6 EBAA MEGALUG C900&IPS 2006PV RED	EA	28.61	57.22
170	2	6 MJ REGULAR GASKET F/DI	EA	2.54	5.08
180	12	3/4X3-1/2 MJ T-HEAD B&N 304SS	EA	3.77	45.24
		Average price per	EA		332.26
200	1	6 MJ 90 BEND C/L(I) FB DI C110 USA	EA	292.13	292.13
220	2	6 EBAA MEGALUG C900&IPS 2006PV RED	EA	28.61	57.22
230	2	6 MJ REGULAR GASKET F/DI	EA	2.54	5.08
240	12	3/4X3-1/2 MJ T-HEAD B&N 304SS	EA	3.77	45.24
		Average price per	EA		399.67
260	2	6 MJ 45 BEND(I) C/L DI FB C110 USA	EA	204.49	408.98
280	4	6 EBAA MEGALUG C900&IPS 2006PV RED	EA	28.61	114.44
290	4	6 MJ REGULAR GASKET F/DI	EA	2.54	10.16
300	24	3/4X3-1/2 MJ T-HEAD B&N 304SS	EA	3.77	90.48
		Average price per	EA		312.03
320	1	372-069009-000 6X1CC SADDLE ALL SS, DOUBLE STUD 6.63-6.90	EA	49.66	49.66
330	1	74701-33 1 CORP STOP CCXPJIPS NO LEAD	EA	60.25	60.25
340	100	1X100' IPS POLY TUBING 250PSI PE4710 NSF SIDR7 D2239 BLUE	FT	0.53	53.00
350	1	8'0" 5622 MP CURB BOX	EA	29.37	29.37
360	1	76104-33 1 BALL CURB PJIPS (PE) NO LEAD	EA	118.39	118.39
370	3	6136 1 SS INSERTS IPS 4130765	EA	2.14	6.42
		Average price per	EA		317.09
390		HD SUPPLY- WATERWORKS IS NOT			



Bid Proposal for Dale PS Gravity - Yankton

Seq#	Qty	Description	Units	Price	Ext. Price
400		LIABLE FOR DELIVERY DELAYS,			
410		CANCELLATIONS OR PRICE			
420		INCREASES RESULTING FROM ANY			
430		CAUSE BEYOND OUR CONTROL.			
440		THESE INCLUDE BUT ARE NOT			
450		LIMITED TO: MANUFACTURERS'			
460		SHORTAGES, AVAILABILITY OR			
470		TIMELINESS OF TRANSPORTATION,			
480		MATERIALS, FUELS, OR SUPPLIES.			
490		THIS QUOTE IS NOT A CONTRACT			
500		TO SUPPLY MATERIAL OR			
510		GUARANTEE OF PRODUCT			
520		AVAILABILITY.			
				Tax	0.00
				Total	17,354.28

TERMS AND CONDITIONS OF SALE ("Terms")

1. All references in this document to "Seller" shall include HD Supply, Inc. and / or any parent, subsidiary or affiliate of HD Supply, Inc. (including any division of the foregoing) whether or not performing any or all of the scope hereunder or specifically identified herein. All references to "Buyer" shall include all parent(s), subsidiaries and affiliates of the entity placing the order. Buyer and Seller may be referred to individually as a "Party" and collectively as "Parties".
2. All sales to Buyer are subject to these Terms, which shall prevail over any inconsistent terms of Buyer's purchase order or other documents. Additional or different terms and conditions in any way altering or modifying these Terms are expressly objected to and shall not be binding upon Seller unless specifically accepted in writing by Seller's authorized representative. No modification or alteration of these Terms shall result by Seller's shipment of goods following receipt of Buyer's purchase order, or other documents containing additional, conflicting or inconsistent terms. There are no terms, conditions, understandings, or agreements other than those stated herein, and all prior proposals and negotiations are merged herein. These Terms are binding on the Parties, their successors, and permitted assigns.
3. Prices on Seller website, catalogs or in Seller quotes are subject to change without notice, and all such prices expire and become invalid if not accepted within 10 calendar days from the date of issue, unless otherwise noted by Seller in writing. Price extensions if made are for Buyer's convenience only, and they, as well as any mathematical, stenographic or clerical errors, are not binding on Seller. Prices shown do not include any sales, excise, or other governmental tax or charge payable by Seller to any federal, state or local authority. Any taxes now or hereafter imposed upon sales or shipments will be added to the purchase price, and Buyer shall reimburse Seller for any such tax or provide Seller with an acceptable tax exemption certificate. All prices and other terms provided to Buyer shall be kept confidential except to the extent a Party is required by law to disclose the same.
4. Seller shall not be liable for delay or default in delivery resulting from any cause beyond Seller's reasonable control, including, but not limited to, governmental action, strikes or other labor troubles, fire, damage or destruction of goods, wars (declared or undeclared), acts of terrorism, manufacturers' shortages, availability or timeliness of transportation, materials, fuels, or supplies, and acts of God (each a "Force Majeure Event"). Upon the occurrence of a Force Majeure Event: (a) the time for Seller's performance shall be extended reasonably and the Parties shall adjust all affected dates accordingly; (b) the purchase price shall be adjusted for any increased costs to Seller resulting from such Force Majeure Event; and (c) Buyer shall not be entitled to any other remedy.
5. Seller is a reseller of goods only, and as such does not provide any warranty for the goods it supplies hereunder. Notwithstanding this As-Is limitation, Seller shall pass through to Buyer any transferable manufacturer's standard warranties with respect to goods purchased hereunder. BUYER AND PERSONS CLAIMING THROUGH BUYER SHALL SEEK RECOURSE EXCLUSIVELY FROM MANUFACTURERS IN CONNECTION WITH ANY DEFECTS IN OR FAILURES OF GOODS, AND THIS SHALL BE THE EXCLUSIVE RECOURSE OF BUYER AND PERSONS CLAIMING THROUGH BUYER FOR DEFECTIVE GOODS, WHETHER THE CLAIM OF BUYER OR THE PERSON CLAIMING THROUGH BUYER SHALL SOUND IN CONTRACT, TORT, STRICT LIABILITY, PURSUANT TO STATUTE, OR FOR NEGLIGENCE. BUYER SHALL PASS THESE TERMS TO SUBSEQUENT BUYERS AND USERS OF GOODS. SELLER EXCLUDES AND DISCLAIMS ALL OTHER EXPRESS AND IMPLIED WARRANTIES, INCLUDING, BUT NOT LIMITED TO, ALL IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. SELLER ASSUMES NO RESPONSIBILITY WHATSOEVER FOR SELLER'S INTERPRETATION OF PLANS OR SPECIFICATIONS PROVIDED BY BUYER, AND BUYER'S ACCEPTANCE AND USE OF GOODS SUPPLIED HEREUNDER SHALL BE PREMISED ON FINAL APPROVAL BY BUYER OR BY BUYER'S RELIANCE ON ARCHITECTS, ENGINEERS, OR OTHER THIRD PARTIES RATHER THAN ON SELLER'S INTERPRETATION. TO THE EXTENT NOT PROHIBITED BY APPLICABLE LAW, IN NO EVENT, WHETHER IN CONTRACT, WARRANTY, INDEMNITY, TORT (INCLUDING, BUT NOT LIMITED TO, NEGLIGENCE), STRICT LIABILITY OR OTHERWISE, ARISING DIRECTLY OR INDIRECTLY OUT OF THE PERFORMANCE OR BREACH OF THESE TERMS, SHALL SELLER BE LIABLE FOR (a) ANY INCIDENTAL, INDIRECT, PUNITIVE, SPECIAL, CONSEQUENTIAL OR SIMILAR DAMAGES SUCH AS LOSS OF USE, LOST PROFITS, ATTORNEYS' FEES OR DELAY DAMAGES, EVEN IF SUCH DAMAGES WERE FORESEEABLE OR CAUSED BY SELLER'S BREACH OF THIS AGREEMENT. (b) ANY CLAIM THAT PROPERLY IS A CLAIM AGAINST THE MANUFACTURER, OR (c) ANY AMOUNT EXCEEDING THE AMOUNT PAID TO SELLER FOR GOODS FURNISHED TO BUYER WHICH ARE THE SUBJECT OF SUCH CLAIM(S). ALL CLAIMS MUST BE BROUGHT WITHIN ONE YEAR OF ACCRUAL OF A CAUSE OF ACTION.
6. Buyer shall indemnify, defend, and hold Seller its officers, directors, employees and agents harmless from any and all costs (including attorneys' and accountants' fees and expenses), liabilities and damages resulting from or related to any third party (including Buyer's employees) claim, complaint and/or judgment arising from Buyer's use of any goods furnished hereunder, as well as any negligent, intentional, or tortious act or omission of Buyer or any material breach by Buyer of these Terms.
7. When goods are delivered to Buyer in Seller's own vehicles, the F.O.B. point shall be Buyer's designated delivery site. In all other cases the F.O.B. point shall be Seller's store or warehouse and all responsibility and costs of shipping and delivery beyond the applicable F.O.B. point shall be borne by Buyer. Title and risk of loss shall pass to Buyer at the applicable F.O.B. point, which for goods not delivered in Seller's own vehicles shall be when Seller delivers the goods to the common carrier. All claims for shortage of goods or for loss or damage to goods as to which Seller has the risk of loss shall be waived unless Buyer, within 10 calendar days after receipt of the short or damaged shipment, gives Seller written notice fully describing the alleged shortage or damage. Partial shipments are permitted at Seller's discretion.
8. Any change in product specifications, quantities, destinations, shipping schedules, or any other aspect of the scope of goods must be agreed to in writing by Seller, and may result in a price and delivery adjustment by Seller. No credit for goods returned by Buyer shall be given without Seller's written authorization. All returns are subject to a restocking charge.
9. Unless otherwise agreed in writing, payment terms are net 30 days from delivery, payable in United States of America ("U.S.") dollars. Notwithstanding the foregoing, all orders are subject to Seller's continuing approval of Buyer's credit. If Buyer's credit is not approved or becomes unsatisfactory to Seller then Seller, in its sole discretion, may suspend or cancel performance, or require different payment terms, including but not limited to cash on delivery or in advance of shipment. In addition, Seller may in its discretion require an advance deposit of up to 100% of Seller's selling price for any specially manufactured goods ordered by Buyer hereunder. Payments due hereunder shall be made in the form of cash, check, or money order, or other tender approved in writing by Seller. Seller may, in its sole discretion, apply Buyer's payment against any open charges. Past due accounts bear interest at the lesser of 1.5% per month or the maximum rate permitted by applicable law, continuing after Seller obtains judgment against Buyer. Seller may exercise setoff or recoupment to apply to or satisfy Buyer's outstanding debt. Buyer shall have no right of setoff hereunder, the same being expressly waived hereby.
10. Buyer shall not export or re-export, directly or indirectly, all or any part of the goods or related technology obtained from Seller under these Terms except in accordance with applicable export laws and regulations of the U.S. Further, a Buyer that is a non-U.S. company or citizen shall similarly limit any export or re-export activity to that which would be deemed compliant with U.S. export laws and regulations if performed by a U.S. company or citizen.
11. Buyer shall pay Seller all costs and expenses of collection, suit, or other legal action brought as a result of the commercial relationship between them, including, but not limited to, all actual attorneys' and paralegals' fees, and collection costs, incurred pre-suit, through trial, on appeal, and in any administrative or bankruptcy proceedings. Any cause of action that Seller has against Buyer may be assigned without Buyer's consent to HD Supply, Inc. or to any affiliate, parent or subsidiary of HD Supply, Inc.
12. This Agreement, Buyer's account, and the business relationship between Buyer and Seller shall be governed by and construed in accordance with the laws of Georgia without regard to conflicts of laws rules, and specifically excluding the UN Convention on Contracts for the International Sale of Goods. The Parties agree that any legal action arising under or related to this Agreement shall be brought in Cobb County, Georgia, and any right to object to such venue or to assert the inconvenience of such forum is hereby waived.
13. If Buyer fails to comply with these Terms, Seller may terminate or restrict any order immediately upon notice to Buyer. Buyer certifies that it is solvent and that it will advise Seller immediately if it becomes insolvent. Buyer agrees to send Seller written notice of any changes in the form of ownership of Buyer's business within 5 days of such changes. Buyer and Seller are the only intended beneficiaries of this document, and there are no third party beneficiaries.
14. The invalidity or unenforceability of all or part of these Terms will not affect the validity or enforceability of the other terms. The parties agree to replace any void or unenforceable term with a new term that achieves substantially the same practical and economic effect and is valid and enforceable.
15. The following provisions shall survive termination, cancellation and completed performance of this Agreement as long as necessary to allow the aggrieved party to fully enforce such clauses: 5, 6, 9, 10, 11 and 12.

Memorandum #16-227

To: Amy Nelson, City Manager
From: Kyle Goodmanson, Environmental Services Director
Subject: Bid Award for Force Main Project
Date: September 26, 2016

Construction contract bids for the Force Main Project were received on September 15, 2016. This project includes the construction of a 5,081 feet of 16 inch force Main and 1,127 feet of 8 inch gravity main. The project was budgeted for \$1,500,000.00 in the Capital Improvement Plan and will be eligible under the current State Revolving fund loan for wastewater improvements. The force main will deliver effluent from the new lift station to a new manhole just north of the street shop. This force main will reduce load on a section of gravity sewer that is near capacity. The 8 inch gravity main will replace a portion of shallow gravity main located along highway 50. Project work sequencing has been outlined in the specification to coordinate with the highway 50 construction project.

Contractor Bid Amount Percentage from Estimate Engineers Estimate \$669,065.20

1. Slowey Construction – Yankton SD	- 8.73%	\$615,377.25
2. H & W Contracting – Sioux Falls, SD	+18.43%	\$820,294.75
3. Menning Backhoe, LLC – Mitchell, SD	+24.51%	\$886,265.25
4. First Rate Excavation – Sioux Falls, SD	+41.07%	\$1,135,382.41
5. Feimer Construction – Yankton, SD	+49.27%	\$1,318,826.00

Slowey Construction is a local construction company in Yankton. Slowey Construction has completed several projects in the past including several water main and street projects. Slowey Construction has a good working relationship with the City and has completed past projects successfully.

The low bid of \$615,377.25 is less than the engineer's estimate of \$669,065.20. City staff recommends the bid be awarded, subject to the concurrence of the South Dakota Department of Environment and Natural Resources, to Slowey Construction for \$615,377.25.

Respectfully submitted,



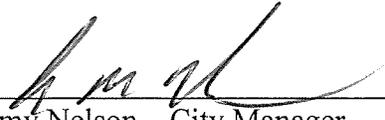
Kyle Goodmanson
 Environmental Services Director

_____ Roll call

Recommendation: It is recommended that the City Commission approve Memorandum #16-227 awarding the bid to Slowey Construction, in the total amount of \$615,377.25.

I concur with this recommendation.

I do not concur with this recommendation.



Amy Nelson – City Manager

____ Roll call

Memorandum #16-223

To: Amy Nelson, City Manager
From: Dave Mingo, AICP Community and Economic Development Director
Subject: Planning Commission Action Number 16-42 / Resolution #16-62
Date: September 20, 2016

CONDITIONAL USE REQUEST

ACTION NUMBER: 16-42

E.T.J. MEMBER ACTION REQUIRED: No

APPLICANT / OWNER: Hacecky Rentals, LLC.

ADDRESS / LOCATION: 807 – 811 Ferdig Ave (ref attached site plan and air photo).

PROPERTY DESCRIPTION: The S. 227.4' of Outlot D, Moderegger's Outlots in the City of Yankton, South Dakota.

ZONING DISTRICT: B-2 Highway Business.

PREVIOUS ACTION: Rezoned in 2016.

COMMENTS: The applicant is requesting a Conditional Use Permit for a self-storage facility. Self-storage facilities as defined by the City of Yankton Zoning Ordinance No 711 are allowed in B-2 Highway Business Districts under certain conditions.

The proposal meets all of the applicable area and setback provisions. Self-storage facilities are required to be configured so that the doors of the buildings do not face, or are screened from adjacent residentially zoned property. There is residentially zoned property to the west southwest sides of the site. Based on these conditions, unscreened access doors cannot face those directions. The design of the facility shows the doors facing internally in compliance with the provisions of the ordinance.

While the site meets all the necessary land use and design criteria, there are still some outstanding questions related to drainage. These should be able to be addressed fairly quickly by the owner and their engineer. Permits for the structures will not be issued until the questions are addressed.

Staff has not been contacted subsequent to the required mailings and publication. It is also recommended that the one year timetable for standard Conditional Use Permits be extended to five years to allow the phased build out of the site.

HEARING SCHEDULE:

August 8, 2016: The Planning Commission established September 19, as the date for public hearing on the proposed request.

September 19, 2016: The Planning Commission conducts a hearing and makes a recommendation to the City Commission.

September 26, 2016: The City Commission considers a resolution and makes the final decision.

Planning Commission results: The Planning Commission recommended approval of the proposed Conditional Use Permit.

RESOLUTION #16-62

Conditional Use

WHEREAS, Hacecky Rentals, LLC. is the owner of the S. 227.4' of Outlot D, Moderegger's Outlots in the City of Yankton, South Dakota, located at 807 – 811 Ferdig Avenue, and

WHEREAS, the above described property is zoned B-2 Highway Business in the City of Yankton's zoning jurisdiction which allows conditional uses under the City of Yankton's Zoning Ordinance No. 711 as amended, and

WHEREAS, this conditional use request is necessary for the owner to construct and operate a self-storage facility in the manner depicted on the attached site plan and has been reviewed and recommended for approval by a vote of the City Planning Commission.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Yankton, South Dakota hereby approves a Conditional Use Permit for the construction and operation of a self-storage facility in accordance with all applicable ordinances and regulations on the above described property.

Adopted:

C. N. Gross, Mayor

ATTEST:

Al Viereck, Finance Officer

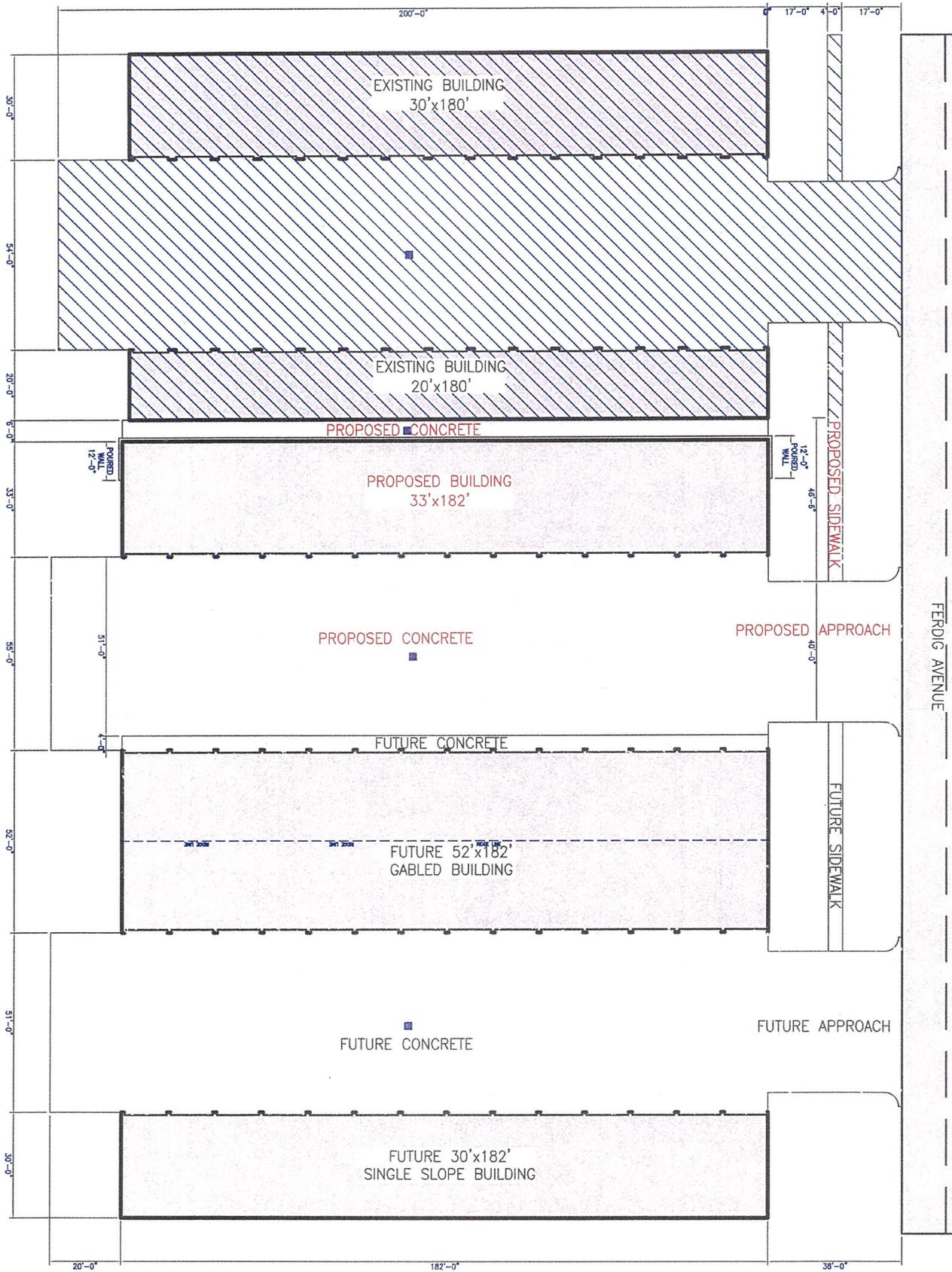


City of Yankton

Conditional Use Permit

A self-storage facility in a B-2 Highway Business District
 on the S. 227.4' of Outlot D, Moderegger's Outlots
 in the City of Yankton, South Dakota.
 Address, 807 – 811 Ferdig Avenue.





First Reading and Establish the Date for a Public Hearing

Memorandum #16-224

To: Amy Nelson, City Manager
From: Dave Mingo, AICP Community and Economic Development Director
Subject: Planning Commission Action Number 16-40 / Ordinance #991
Date: September 20, 2016

PROPOSED REZONING

ACTION NUMBER: 16-40

E.T.J. MEMBER ACTION REQUIRED: No

APPLICANT / OWNER: First Dakota National Bank, owner.

ADDRESS / LOCATION: 1114 W. 9th Street.

REZONING REQUEST & PROPERTY DESCRIPTION:

From R-1 Single Family Residential to R-4 Multiple Family Residential: Lots 2, 3, 4 and 5, Block 18, West Yankton Addition to the City of Yankton, South Dakota.

PREVIOUS ACTION: None.

COMMENTS: The proposed rezoning is owner petition initiated. The owner submitted a rezoning petition representing 25 of the 39 eligible properties (over 60 percent) within 250 feet of the site. This exceeds the minimum 24 properties that were needed to bring the issue before the City for consideration.

The immediate purpose for the request is to provide for the possibility of a multiple family structures on the site. The associated Tax Increment District Plan shows what the plans for the site are at this point. If approved, any improvements would need to conform to the requirements of a new zoning district. The proposed R-4 Multiple Family district is the City's standard high density residential zoning designation. The district allows for all types of residential occupancies.

There is not a specific reference to the site in the Comprehensive Plan. There are general references in the plan that discuss the desire to repurpose old mobile home park sites. It is staff's opinion that the proposal provides a practical opportunity for a private developer to invest in the site. The proposal creates another transitional step between the B-2 Highway Business District to the south and the R-1 Single Family District to the north.

The appropriate public notice was published and individual notifications have been sent out prior to the public hearing. Staff has only received one comment from an adjoining property owner subsequent to providing notice. The comment was not in opposition to the proposal. It was a reminder that there are drainage concerns on the east side of the site that will need to be considered as a part of the project design.

Staff recommends approval of the proposed owner petition initiated rezoning of the described land from R-1 Single Family Residential to R-4 Multiple Family Residential.

HEARING SCHEDULE:

August 8, 2016	The Planning Commission established September 19, 2016, as the date for a public hearing.
September 19, 2016	The Planning Commission holds a public hearing to consider the issue. All appropriate notices will have been published and mailed.
September 26, 2016	The City Commission establishes October 10, 2016 as the date for a public hearing.
October 10, 2016	The City Commission holds a public hearing to consider the issue. All appropriate notices will have been published and mailed. A super majority (6-3) vote of the City Commission cannot be protested out by the neighborhood. A simple majority (5-4) could be protested.
October 21, 2016	Record of City Commission action published in the newspaper (estimated date).
November 10, 2016	The City Commission action is effective (estimated date).

Planning Commission results: The Planning Commission recommended approval of the proposed rezoning.

ORDINANCE NO. 991

AN ORDINANCE TO REZONE PROPERTY DESCRIBED HEREIN

BE IT ORDAINED, BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF YANKTON, SOUTH DAKOTA THAT THE FOLLOWING DESCRIBED PROPERTY HAS BEEN REZONED:

Section 1.

From R-1 Single Family Residential to R-4 Multiple Family Residential: Lots 2, 3, 4 and 5, Block 18, West Yankton Addition to the City of Yankton, South Dakota. Address, 1114 W. 9th Street. First Dakota National Bank, owner.

As depicted on the associated Rezoning Location Map.

Section 2. Saving Clause.

Should any section, clause, or provision of this ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 3. Effective Clause.

This ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

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

C. N. Gross, Mayor

ATTEST:

Al Viereck, Finance Officer



City of Yankton

Rezone from R-1 Single Family Residential to R-4 Multiple Family Residential

Lots 2, 3, 4 and 5 in Block 18,
West Yankton Addition to the City of Yankton, South Dakota



Memorandum #16-228

To: Amy Nelson, City Manager
From: Dave Mingo, AICP Community and Economic Development Director
Subject: Encroachment Easement Agreement Lewis and Clark Specialty Properties
Date: September 22, 2016

As part of some title investigations, the owners of Lewis and Clark Specialty Hospital (Lewis and Clark Specialty Properties) discovered that their maintenance garage encroaches 3 1/2 feet west onto property owned by the City of Yankton. The property is part of the drainage way that is east of the Fox Run Golf Course Driving Range (please reference the attached air photo).

Legal counsel for the owners contacted City Attorney Ross DenHerder to inquire about a solution to the problem. Community and Economic Development Department staff also reviewed the permitting documents associated with construction of the garage. The permits were issued on the basis of site plans and measurements provided to staff at the time and all documentation is appropriate based on the information available. It is not reasonable to require registered land surveys for every building permit. This situation is very rare but possible, especially when dealing with larger tracts like this one.

We are fortunate that there is an easy, good neighbor solution to the problem that maintains the City's position in regards to property rights. The encroachment does not impact the drainage way and there is no development potential on the City property in the location because of the storm water drainage flows.

The attached agreement simply states that the building can stay where it is as long as it is maintained. Should the building ever be removed, any new structure will need to be in the proper location.

Respectfully submitted,



Dave Mingo
Community and Economic Development Director

Recommendation: It is recommended that the City Commission authorize the Mayor to execute the Encroachment Easement Agreement between the City of Yankton and Lewis and Clark Specialty Properties.

I concur with this recommendation.

I do not concur with this recommendation.



Amy Nelson, City Manager

_____ Roll Call

*Prepared by and after
recording return to:*

Brett A. Lovrien
CADWELL SANFORD DEIBERT & GARRY, LLP
200 East 10th Street, Suite 200
Sioux Falls, South Dakota 57104
Phone: (605) 336-0828

ENCROACHMENT EASEMENT AGREEMENT

THIS ENCROACHMENT EASEMENT AGREEMENT (this "Agreement") is made this ____ day of September, 2016, by and between CITY OF YANKTON, a South Dakota municipality, ("City") and LEWIS & CLARK SPECIALTY PROPERTIES, a South Dakota limited liability company, of 2601 Fox Run Parkway, Yankton, South Dakota 57078 ("Lewis & Clark").

RECITALS

A. Lewis & Clark is the fee owner of certain real estate, described as follows:

Lot F of Tract Two (2) of Fox Run Subdivision Number Two (2) in the North Half of the Southeast Quarter (N1/2 SE1/4), of Section One (1), Township Ninety-three (93) North, Range Fifty-Six (56) West of the 5th P.M., in the City and County of Yankton, South Dakota, as per plat recorded in Book S17, Page 59.

(the "Lewis & Clark Property");

B. City is the fee owner of certain real estate which is adjacent to the Lewis & Clark Property and is described as follows:

Tract Four (4) of Fox Run Subdivision Number Two (2) in the North Half of the Southeast Quarter (N1/2 SE1/4), of Section One (1), Township Ninety-three (93) North, Range Fifty-Six (56) West of the 5th P.M., in the City and County of Yankton, South Dakota, as per plat recorded in Book S15, Page 29.

(the "City Property");

C. Lewis & Clark constructed a garage ("Building") along the western border of the Lewis & Clark Property that, along with its overhang, encroaches on the City Property by approximately three and one half feet.

D. Lewis & Clark and City are entering into this Agreement to evidence City's consent to the encroachment of the Building upon the City Property and to make clear that Lewis

& Clark or its successors shall at all times be responsible for the maintenance and repair of said Building and that the City is undertaking no obligations relative thereto.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, and in consideration of the matters set forth above and the terms hereof:

1. Grant of Easement Over City Property. City hereby irrevocably grants to Lewis & Clark, and any successor in interest to Lewis & Clark as well as any lessees occupying the Lewis & Clark Property and their invitees, licensees, employees, and agents, an easement relative to the existing Building to permit the continuing encroachment.

2. Consent to Encroachment; Grant of Easement Over City Property. City consents to the Building being maintained in its present condition provided, however, that it may not be extended any further onto the City Property. Further, City grants to Lewis & Clark and its successor a limited easement strictly for purposes of repair relative to said Building for so long as the Building remains in its current location.

3. Inconsistent Acts. Neither party shall obstruct, impede or block exercise of the rights granted herein.

4. Additional Rights Conferred. The easements granted herein shall also provide the benefitted party the right of access to remove the Building. Upon removal this easement shall be of no further force or effect.

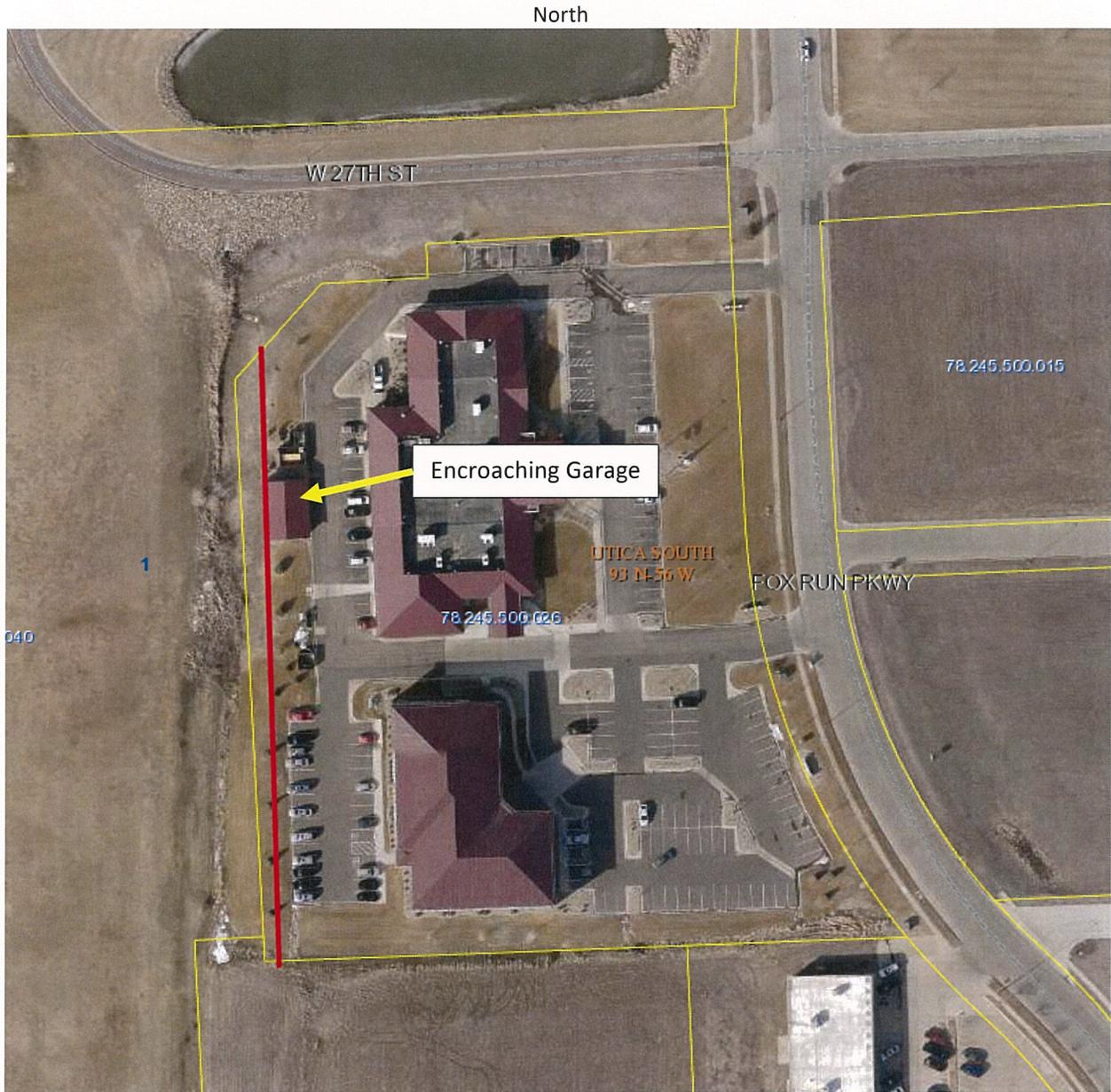
5. Maintenance of Building. Lewis & Clark or its successors, at their sole cost and expense shall keep the Building in a good state of repair. City further grants Lewis & Clark Property and its successors an easement to the extent reasonably necessary to facilitate such repair and maintenance of the Building.

6. Exercise of Rights. After exercise of its rights and obligation to maintain the Building, Lewis & Clark or its successors shall restore any surrounding or disturbed area of the City Property to as near its original condition as is reasonably practical and remove all debris and equipment resulting from or used in connection therewith.

7. Duration; Running with the Land. This easement is perpetual and runs with the land, and is binding upon all future owners, heirs, successors, assigns and occupants of the Lewis & Clark Property and City Property. However, if the Building is removed or if the Building is destroyed for any reason, this Easement shall terminate and Lewis & Clark shall remove any remaining encroachment from the City Property. The Building shall be considered destroyed if it suffers damage to more than seventy percent (70%) of its above-ground structure.

8. No Public Dedication. Nothing contained in this Agreement shall, or is intended to, constitute a gift or dedication of any portion of the City Property and Lewis & Clark Property to the public or for the benefit or use of the general public or for any public purpose whatsoever.

Encroachment Easement Agreement Lewis and Clark Specialty Properties



The red line is an approximate representation of the true property line.