



CITY OF YANKTON

2016_11_28

COMMISSION MEETING

YANKTON BOARD OF CITY COMMISSIONERS

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

Monday, November 28, 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 November 14, 2016

Attachment I-2

3. City Manager's Report

Attachment I-3

4. Public Appearances

II. CONSENT ITEMS

1. Assessment Rolls, Douglas Avenue Construction, set public hearing

Consideration of Memorandum #16-285 and Resolution #16-86, recommending that December 12, 2016, be established as the date for a public hearing on the special assessment roll for 2016 Assessment Rolls – Douglas Avenue Construction from Anna Street to 31st Street

Attachment II-1

III. OLD BUSINESS

1. Public hearing for sale of alcoholic beverages

Consideration of Memorandum #16-265 regarding the request for a Special Events RETAIL (on-sale) Liquor License for one day, January 14, 2017, from Boomer's Inc., (Gary W. Boom, President) d/b/a Boomer's Lounge, NFAA, 800 Archery Lane, Yankton, South Dakota.

Attachment III-1

2. Public hearing for a New Retail Wine License

Consideration of Memorandum #16-266 regarding the New Retail (on-off sale) Wine License for January 1, 2017, to December 31, 2017 from The Fox Stop, Inc. d/b/a The Fox Stop, Inc. (James Grotenhuis, President), 1316 W. 30th Street, Yankton, SD.

Attachment III-2

3. Public hearing for a New Retail Malt Beverage License

Consideration of Memorandum #16-267 regarding the New Retail (on-off sale) Malt Beverage License for July 1, 2016, to June 30, 2017 from The Fox Stop, Inc. d/b/a The Fox Stop, Inc. (James Grotenhuis, President), 1316 W. 30th Street, Yankton, SD.

Attachment III-3

4. Public hearing - Assessment Rolls, 15th Street Construction

Consideration of Memorandum #16-274 and Resolution #16-60, regarding the public hearing on the special assessment roll for 15th Street Construction from West City Limits Road to Dakota Street

Attachment III-4

IV. NEW BUSINESS

1. Cemetery Rate Adjustment

Consideration of Memorandum #16-268 regarding Resolution #16-82 for Cemetery Rate Adjustment

Attachment IV-1

2. SAC Rate Adjustment

Consideration of Memorandum #16-269 regarding for SAC Rate Adjustment

Attachment IV-2

3. Fox Run Golf Course Rate Adjustment

Consideration of Memorandum #16-270 regarding for Fox Run Golf Course Rate Adjustment

Attachment IV-3

4. Shelter House Rate Adjustment

Consideration of Memorandum #16-271 regarding for Shelter House Rate Adjustment

Attachment IV-4

5. Memorial Pool & Summer Pool Pass Rate Adjustment

Consideration of Memorandum #16-272 regarding Memorial Pool & Summer Pool Pass Rate Adjustment

Attachment IV-5

6. Special Events Handbook & Proposed Fees

Consideration of Memorandum #16-273 regarding Special Events Handbook & Proposed Fees

Attachment IV-6

7. Special Events Parking – Downtown Holiday Festival of Lights

Consideration of Memorandum #16-264 and Resolution #16-81 for the request for Special Events Parking Ordinance #933 to be in place during Downtown Holiday Festival of Lights

Attachment IV-7

8. Final Acceptance, Highway 50 Utilities – Phase 1

Consideration of Memorandum #16-275 regarding Final Acceptance of Highway 50 Utilities – Phase 1

Attachment IV-8

9. Personnel Handbook

Consideration of Memorandum #16-276 and Resolution #16-83 regarding Personnel Handbook

Attachment IV-9

10. Douglas Avenue Construction

Consideration of Memorandum #16-282 regarding the Change Order Number 1, Final Project Acceptance and Final Payment for the Douglas Avenue Project from Anna Street to 31st Street

Attachment IV-10

- 11. Lease Agreement with Senior Center**
Consideration of Memorandum #16-280 regarding Lease Agreement with Senior Center for 2017
Attachment IV-11
- 12. Vehicle Purchase for Police Department**
Consideration of Memorandum #16-277 regarding Vehicle Purchase for two patrol vehicles for Police Department
Attachment IV-12
- 13. Vehicle Purchase for Police Department**
Consideration of Memorandum #16-278 regarding Unmarked Vehicle Purchase for Police Department
Attachment IV-13
- 14. Vehicle Purchase for Police Department**
Consideration of Memorandum #16-279 regarding Unmarked Vehicle Purchase for Police Department
Attachment IV-14
- 15. Bid Award - Life Insurance**
Consideration of Memorandum #16-281 regarding recommendation to award contract for Life Insurance for City of Yankton employees for 2017-2019
Attachment IV-15
- 16. Planning Commission Recommendation –Plat**
Consideration of Memorandum #16-283 recommending approval of Resolution #16-84, a plat of Lots 1A, 1B, 2A and 2B, Block 3, Westbrook Estates Addition to the City of Yankton, South Dakota. Addresses, 2521, 2523, 2525 and 2527 Dorian Drive. KN Construction, Inc, owner.
Attachment IV-16
- 17. Planning Commission Recommendation –Plat**
Consideration of Memorandum #16-284 recommending approval of Resolution #16-85, a plat of Lots 3A, 3B, 3C and 3D, Block 5, Westbrook Estates Addition to the City of Yankton, South Dakota. Addresses, 1417, 1419, 1421 and 1423 W. 25th Street. KN Construction, Inc, owner.
Attachment IV-17
- V. ADJOURN INTO EXECUTIVE SESSION TO DISCUSS
PERSONNEL & CONTRACTUAL MATTERS UNDER SDCL 1-25-2**
- VI. RECONVENE AS BOARD OF CITY COMMISSIONERS**
1. Roll Call
- VII. ADJOURN THE MEETING OF NOVEMBER 28, 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
NOVEMBER 14, 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, and Sommer. City Attorney Den Herder and City Manager Nelson were also present. Absent: Commissioner Miner. Quorum present.

Action 16-323

Moved by Commissioner Johnson, seconded by Commissioner Ferdig, to approve the Minutes of the work session and regular meeting of October 24, 2016.

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

Action 16-324

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

A T & T-Cell Phone Bill-\$392.03; ACS Government Inf Service-Maint Program Support-\$1,937.87; AMG Occupational Medicine-DOT/CDL Drug Testing-\$63.00; Avera Sacred Heart Hospital-DOT/CDL Drug Testing-\$93.00; Backdraft Magazine-Advertisement-\$155.00; Banner Associates Inc-Fill Station Design-\$4,581.10; Bartlett & West Inc-Lift Station-\$31,482.40; Best Western Ramkota Hotel-Lodging-\$1,133.91; Big Friend Little Friend-1/2 SP Appropriation-\$2,250.00; Bomgaars Inc-Fasteners-\$12.48; Bound Tree Medical LLC-Supplies-\$282.99; Boys & Girls Club-CDBG Grant-\$35,322.94; Brock White Company LLC-Parts-\$3,141.35; Brosz Engineering Inc-Pine Street Bride - sign-\$2,805.00; Brown & Saenger-Cash Register Rolls-\$145.98; Buhl's Laundry Cleaners Inc-Uniform Alteration-\$30.00; Bushnell Holdings Inc-GPS Watches-\$288.70; Cedar Knox Public Power Dist-Elect-Oct-\$1,491.93; Centurylink-Phone-Oct-\$1,667.05; Chamber of Commerce-Retirement Gift-\$100.00; Chesterman Company-Pop-\$141.90; City of Vermillion-Jt Power Cash Transfer-\$43,046.14; City of Yankton-Central Garage Rubbish-\$63.50; City of Yankton-Parks Landfill Charges-\$469.23; City of Yankton-Solid Waste Compacted Garbage-\$10,623.59; City of Yankton-Water Garbage-\$12.00; City Utilities Water-WW Charges-\$12,716.17; Claritus-Postage Supplies-\$325.84; Cleveland Golf-Golf Wedges-\$3,462.23; Cole Papers Inc-Entree-\$81.41; Concrete Material-Concrete-\$5,106.64; Conkling Dist-Malt Beverages-\$252.90; Cornhusker Intl Truck Inc-Wiper Blades-Filters-\$402.66; Country Pride Cooperative-DEF Treatment-\$152.50; Creative Forms & Concepts-W-2 Forms-\$244.49; Credit Collection Service Inc-Utility Collection-Sept-\$413.41; Dakota Beverage Co Inc-Malt Beverages-\$251.22; Dakota Rock Farms Inc-Sludge Hauling-\$35,846.10; Danko Emergency Equipment-Pump Testing-\$1,199.72; Dept of Corrections-DOC Work Program-\$2,228.70; Dept of Env & Nat Resources-Loan Payment-\$9,705.57; Dept of Environment-Loan Payment-\$2,304.82; Dept of Revenue-Water Samples-\$749.00; Dept of Revenue-License Renewal-\$275.00; DEX Media East-Phone Book-\$31.30; Ehresmann Engineering Inc-Floor Plate-\$146.00; Environmental Energy-Waste Oil Recovery-\$65.00; Ethanol Products LLC-CO2-\$857.95; Feimer Construction-Maple Street Reconstruct-\$101,501.05; Fejfar Plumbing Inc-Repair Irrigation-\$386.85; Finance Dept-Wine License-\$500.00; First Dakota Nat'l Bank Corp-Fire Station Debt Serv-\$145,140.00; First National Bank-Sales Tax Rev Bonds 2011-\$155,282.50; First National Bank-WW Refunding Bonds-\$482,743.75; First Tee of South Dakota-Youth Golf-\$500.00; Flannery/Kirt-Officer Stipend-October-\$25.00; Flexible Pipe

Tool Company-Flusher Truck Parts-\$877.55; Flint Trading Inc-Handicap Redbrick-\$4,836.45; Frick/Adam-Officer Stipend-October-\$25.00; Frick/Brian-Officer Stipend-October-\$50.00; Gary's Repair-Towing-\$699.00; Gehm Group Ltd-Appraisal Copy-\$47.93; Geotek Eng & Testing Serv Inc-Testing-\$3,922.00; Golf Buddy-Merchandise-\$383.38; Govt. Finance Officer Assn-Membership Dues-\$190.00; Graymont Capital Inc-Lime-\$8,954.75; Gridor Construction, Inc-Lift Station Construct-\$307,716.31; Hartington Tree LLC-Trees-\$3,325.00; Hawkins Inc-Chemicals-\$1,531.12; HD Supply Waterworks Ltd-Hydrant Parts-\$2,066.83; HDR Engineering Inc-Collector Well-\$20,608.18; Hedahl's Parts Plus-Battery-\$1,988.20; Hillyard Floor Care-Supply Parts-\$237.08; Houston Equipment-Safety Tripod-\$3,029.21; Hussein/Julia- Reimbursement-\$69.27; J & H Care & Cleaning Company-Janitorial Services-\$2,795.00; Johnson Eng Co Inc-Construction Inspections-\$13,416.71; Johnson Roofing Inc-Roof Repair-\$63.28; Johnson-Beadle/Sierra-Baton Classes-\$793.60; Kaiser Refrigeration Inc-Repairs-\$567.90; Kellen & Streit Inc-Road Materials-\$426.95; Klein's Tree Service-Tree Removal-\$800.00; Klines Jewelry-Retirement Watch-\$108.99; Larry's Canvas & Shoe Repair-Repairs-\$15.00; Lewis & Clark BHS-1/2 SP Appropriation-\$10,000.00; Lewis & Clark Realty Inc-Grant-\$6,083.68; Lewis & Clark Theatre Co-1/2 SP Appropriation-\$1,250.00; Locators & Supplies Inc-Parts-\$208.52; Long's Propane Inc-Propane-\$117.00; Mailfinance-Postage-\$576.00; Marks Machinery-Snowblower-Mower-\$21,550.00; Marquis X Erickson Architect-Grant-\$1,200.00; Marshall-Bond Pumps Inc-Pump-\$6,796.00; Mason/Daniel-Safety Glasses-\$65.00; McLaury Engineering Inc-Hwy 50 Reconstruction-\$20,778.00; Mead Lumber-Concrete Sealant-\$41.94; Midamerican Energy-Fuel-October-\$1,490.12; Midamerican Energy-Fuel-Oct-\$676.05; Midwest Alarm Company Inc-Smoke Detector-\$92.03; Midwest Tape-Audio Books-\$34.99; Midwest Turf & Irrigation-Parts-\$7.67; Miller Painting & Decorating-Caulk Fountain-\$1,150.00; Missouri Valley Shopper-Advertisement-\$159.60; Moser/Brad-Officer Stipend-October-\$25.00; Motorola Solutions Inc-Pager Repairs-\$78.00; Mount Marty College Theatre-Advertisement-\$100.00; MW Automotive Services-Towing-\$80.00; Northwestern Energy-Elect-Oct-\$59,842.19; NRPA-Membership Dues-\$165.00; Olson's Pest Technicians Inc-Pest Control-\$62.00; One Office Solution-Paper-\$6,240.00; Overhead Door Co-Door Repairs-\$191.25; Ping-Golf Driver-\$198.82; Postmaster-Box Rental Fee-\$84.00; Postmaster-Postage Permit-\$215.00; Press Dakota Mstar Solutions-Classified Ads-\$5,108.52; Printing Specialists-Utility Notice-\$188.61; R&R Products Inc-Part-\$80.60; Racom Corporation-Car Equipment-\$4,667.48; Reinhart Foods Inc-Entree-\$480.52; Ricoh USA Inc-Printer-\$380.06; Sanitation Products Inc-Parts-\$369.00; SDML Workers Compensation Fund-Work Comp Renewal-\$165,241.00; Sheehan Mack Sales & Eq Inc-Asphalt Oil Distributer-\$89,712.65; Sioux City Foundry Co-Plow Blades-\$12,528.40; Sioux Sales Co-Rain Gear-\$466.35; Smith Insurance Inc-Firemen Accident Policy-\$1,654.00; South Dakota Golf Assn-Handicaps-\$460.00; South Dakota One Call-Message Fees-\$254.10; Steffen Inc-Repair Generator-\$518.96; Stern Oil Co Inc-Fuel-\$1,206.93; Stibral/Twila-Uniform Reimbursement-\$100.00; Superior Tech Products-Fertilizer-\$2,790.00; Titleist-Golf Equipment-\$747.13; Top Notch Window Cleaning-Professional Services-\$50.00; Truck Trailer Sales Inc-Truck Repairs-\$646.75; Turfwerks-Cable-\$93.92; US Post Office-Utility Postage-Oct-\$2,700.00; UL LLC-Aerial Inspection-\$1,210.00; United Parcel Service Inc-Delivery Service-\$375.77; United States Postal Service-Postage Meter-Oct-\$850.00; US Bank Equipment Finance-Copier Contract-\$305.38; Wage Works-Flex Serv Fee-Sept-\$155.00; Walt's Homestyle Foods Inc-Entree-\$40.50; Welfl Construction Corp-Collector Well-\$491,059.98; Wholesale Supply Inc-Pop-\$130.00; Wilson Sporting Goods-Golf Irons-\$952.81; Woehl/Toby-Officer Stipend-October-\$25.00; Woods Fuller Shultz & Smith PC-Professional Services-\$5,488.61; Xerox Corporation-Copier Lease-\$221.35; Xerox Corporation-Copier Lease-\$1,129.95; Yaggie's Inc-Winterizer/Fertilizer-\$1,273.34; Yankton Area Arts Assn-1/2 SP Appropriation-\$2,500.00; Yankton Area Convention-1/4 SP Appropriation-\$96,332.50; Yankton County Auditor-3rd Qtr 2016-\$9,245.21; Yankton Fire & Safety Co-Recharge Fire Ext-\$32.50;

Yankton Medical Clinic-Pre-Employment Physical-\$681.00; Yankton Office Equipment-Repair Cash Register-\$60.00; Yankton Rotary Club-Rotary Dues-\$325.00; Yankton School District 63-3-3rd Qtr 2016 SAC Billing-\$106,819.12; Yankton Vol Fire Department-Sept/Oct Calls-\$1,050.00; Ziegler/William-Officer Stipend-October-\$125.00; A-Ox Welding Supply-Shop Supplies-\$91.82; Acushnet Company-Golf Equipment-\$400.00; AED Superstore-Defibrillator Supplies-\$151.40; AGT Battery LLC-Batteries-\$130.23; Air Doctor-Equipment Parts-\$64.80; Amazon Digital Svcs-Computer Program-\$49.99; Amazon Mktplace Pmts-Printer Toner-\$1,687.98; Amazon.Com-Recreation Supplies-\$128.70; Amazon.Com/Bi-US Flags-\$380.35; American Conference-Airfare-\$1,820.80; Americinn of Aberdeen-Training Lodging-\$220.00; Appera-Towels-\$426.66; Arbys-K9 Training-\$18.96; Arbys-Investigation Travel-\$9.47; Army Lodging-K9 Training Lodging-\$487.00; AT&T Bill Payment-Cellular Bill-\$314.56; Autozone-Master Cylinder-\$70.36; Baker Taylor-Books-\$3,059.72; Battery Exchange-SCBA Batteries-\$145.90; Best Western Hotels-Conference Lodging-\$773.30; World Herald Newspaper-Subscription-\$311.48; Bodybuilding.Com-Weight Room Barbel Pad-\$42.89; Bomgaars-Shop Towels,Washer Fluid-\$2,489.60; Booklist Magazine-Magazine Subscription-\$159.50; Get N Go-K9 Training Fuel-\$41.18; Broqps-Conference Travel-\$35.03; Get N Go-K9 Training Fuel-\$87.64; Broken Yolk Café-IACP Travel Expense-\$58.98; Brownells Inc-Training Material-\$99.20; Marketplace-Airport Seminar-\$75.00; Burger King-Training-\$10.54; Cafe Brule & Cakes-Retirement Dinner-\$240.07; Café 21-Gaslamp- IACP Travel Expense-\$60.48; Caseys Gen Store-SDML Fuel-\$25.15; Caseys Gen Store-Staff Appreciation-\$7.39; Cedar County Vet-K9 Care-\$469.00; Cenex Chuck Stop-Conference Travel-\$35.98; Cenex Cubby's-K9 Training Fuel-\$46.18; Cenex TCS-Travel Expense-\$28.33; Center Point-Books-\$134.22; Cheesecake Headquarter-IACP Travel Expense-\$15.91; Clarks Rentals-Custom Rental Equipment-\$229.40; Coffee Cup-Fuel-\$33.84; Conoco Wall Auto-Travel Fuel-\$31.34; Corner Pantry-Investigation Fuel-\$48.67; Cox Auto Supply-Battery Tester-\$768.64; Cracker Barrel-K9 Training-\$37.43; Crescent Electric-GE-Lamps Runway-\$1,155.34; Crowne Plaza Hotel-KC Conference Hotel-\$1,416.24; Culver's-K9 Training-\$60.16; Culver's-K9 Training-\$37.84; D-P Tools Inc-Parts/Welder-\$2,933.90; Dale Animal Hospital-K9 Medical Care-\$314.65; Dav Enoteca Little-IACP Travel Expense-\$29.16; Dayhuff Enterprises-Tee Shirts-\$1,583.84; Delta-NTOA Conference-\$550.70; Demco Inc-Office Supplies-\$117.17; Dempseys Pub-Conference Expense-\$18.05; Desktop Supplies.Com-Office Supplies-\$229.53; Dex One-Publishing-\$39.00; Discount Two Way Radio-Radio Batteries-\$195.00; Dublin Square Irish Pub-IACP meal-\$22.63; Dungarees LLC-Uniform -\$5.95; Ehresmann Engineering-Tree Stand-\$366.98; Embroidery & Screen Works-Officer Uniform-\$30.00; Exxonmobil-Fuel-\$94.49; Fastenal Company-Recreation Supplies-\$456.15; Fedex-IACP Materials Postage-\$18.75; Fedex-Fed Ex Handling Fee-\$10.00; Fedex-Evidence Postage-\$12.03; Fedex-Evidence Mailing-\$11.77; Firehouse Brewing Co-Meeting Travel Expenses-\$126.53; Flowershopnetwork.Com-Memorial-\$68.89; Fred Haar Company-Truck Supplies-\$44.03; Gempler's-Ag Supplies-\$138.93; GFP License Office-Magazine Subscription-\$12.00; Girton Adams Co-Boiler Caps-\$235.40; Graham Tire-Tires-\$369.87; Haases Main Stop LLC-Travel Expense-\$30.77; Hach Company-Laboratory Reagents-\$1,144.51; Hampton Inn and Suites-Conference Hotel-\$242.00; Hardee's-K9 Training-\$14.68; HD Supply Waterworks-Digester Stand Pipe Repl-\$342.82; HDS Aviation Week-Magazine Subscription-\$129.00; Hedahls-Tool Set-\$26.97; Hillcrest Golf-Professional Services-\$1,112.39; Historic Freight House-Municipal League Travel Expenses-\$63.12; Holland Bulb Farms LLC-Perennial Bulbs-\$266.34; Hy-Vee-Concessions-\$512.59; Hyatt Andaz San Diego-IACP Hotel-\$1,261.12; IACP-IACP Membership-\$315.00; In-N-Out Burger-Training Expense-\$6.21; Independence Waste-Rentals-\$698.80; Internation Membership-ICMA-\$816.00; Interstate All Battery-Batteries-\$8.99; ISU Vet Clinic-K9 Surgery-\$2,552.40; J.J. Benji-T-Shirts-\$1,454.50; Jack's Uniforms-SRT Flashlights-\$3,092.68; JCL Solutions-Cleaning Supplies-\$670.68; Johns Shoe Repair-K9 Muzzle Repair-\$15.00; Kaiser Refrigeration-CO2 Compressor Repair-

\$250.92; Koletzky Implement Inc-Hydraulic Line-\$135.20; Kopetskys Ace Hdwe-Equipment Maintenance-\$705.07; Kum & Go-K9 Training Fuel-\$73.46; Kum & Go- Travel Expense-\$26.00; Language Line-Translation Service-\$185.10; Larrys Heating-Furnace Check-\$476.00; Learning Opportunities-Books-\$2,337.95; Lee Newspaper-Newspaper Subscription-\$764.12; Locators and Supplies-Locate Flags-\$97.51; Longhorn Steak-Training Expense-\$24.50; Mark's Machinery Inc-Attachment Adaptor-\$2,352.88; Mead Lumber-Concrete Sealer-\$43.12; Med-Vet-Sharps Containers-\$422.00; Menards- Supplies-\$2,497.29; Midwest Laboratories-Monthly Nutrient Testing-\$249.40; Minervas Grill and Bar-Program Speaker-\$25.00; Minervas-Travel Expense-\$47.22; Minervas Rest and Bar-Travel Expense-\$72.39; Nartec Inc-Drug Testing Equipment-\$324.00; NBS Calibrations-Calibration-\$126.00; Nebraska PGA-Blue Go PGA Dues-\$40.00; Netbrands Media Corp-Recreation Supplies-\$18.97; NGPC Reservations-State Park Pass-\$5.00; NHM Natrl History-Magazine Subscription-\$28.00; Hardees-Training Expense-\$28.54; Olsons Pest Technician-Spray Service-\$68.00; One Office Solution-Office Supplies-\$265.24; OReilly Auto-Battery-\$681.05; Orginal Blue Adobe- GRI Training Expense-\$12.96; OTC Brands Inc- Program Supplies-\$78.44; Panera Bread-Conference Travel Expense-\$13.08; Paypal Dealguys USA-Replace Power Supply-\$9.92; Paypal-Radio-\$1.60; Paypal-Minnehahaco Seminar-\$40.00; Paypal-NTOA Conference-\$319.00; Paypal-South Dakota Conference Registration-\$85.00; Paypal-Weselltoner- Printer Toner-\$13.95; Perkins-Meeting-\$31.19; Phillips 66-K9 Travel-\$27.00; Physio Control Inc-Battery For AED-\$151.80; Pied Piper Flowers-Staff Appreciation-\$50.00; Pilot-K9 Training-\$25.99; Pilot-SDML Fuel-\$25.00; Pizza Man-K9 Training-\$32.22; Postage Refill-Mailstation Postage-\$100.00; Prandomhouse-Audio Books-\$762.75; Push Pedal Pull Corp-Equipment Repair-\$367.48; Quill Corporation-Office Supplies-\$83.35; Riverside Hydraulics-Fix Air Lift Jack-\$524.63; Ron's Auto Glass-Patrol Car Repair-\$45.00; Ruby Tuesday-Travel Expense-\$33.97; Travel Expense-\$8.63; Scheels-K9 Collar-\$399.99; SD Firefighters Assoc-Membership Fees-\$100.00; Sears Hometown-Edger Blade-\$25.98; SF Regional Airport-Parking-\$1.00; Shell Oil-Training Fuel-\$49.60; Shell Oil-Travel Fuel-\$52.83; Shell Oil-Fuel-\$53.58; Shur-Co Outletservice-Tarp/Tubing-\$635.10; Sigma Controls Inc-Sludge Pit Transducer-\$566.79; Smithgear-Telephones-\$119.90; Sprint Aquatics-Goggles-\$63.45; Hansen Locksmith-Parts Supplies-\$25.00; Taxi Cab-IACP Taxi-\$22.68; The Gyro Hub-Municipal League Travel-\$14.82; Stufageous LLC-Training Expense-\$11.54; Sturdevants-Mower Parts-\$4.20; Subway-IACP Lunch-\$13.98; Supershuttle Execucarp-Travel Expense-\$37.76; Taco Bell-Travel Expense-\$6.22; The UPS Store-Equipment Mailing-\$134.02; TMA-Tires-\$3,361.74; TME Money Magazine-Subscription-\$39.95; TME Sunset Magazine-Subscription-\$29.00; Tomacellis Pizza-K9 Training-\$17.71; Tractor Supply Co-Pound Supplies-\$26.60; Truck Trailer Sales-Front Bumper Assembly-\$1,387.20; USA Blue Book-Watermain Supplies-\$2,021.68; USPS-Postage-\$19.68; Viddler Inc-Video Hosting-\$36.26; Villa Fresh It-K9 Training-\$21.66; Vitality Medical Inc-Medical Safety Supply-\$121.93; VWR International Inc-Sulfuric Acid-\$167.40; Verizonwireless-Internet Access-\$526.17; Verizonwireless-Prepaid Pymnt Phone Minutes-\$37.98; Wal-Mart-Office Supplies-\$610.13; Water & Power Tech-UV Power Supply-\$376.25; Taco John-Travel Expense-\$11.04; WM Supercenter-Recreation Supplies-\$531.67; WW Grainger-Office Supplies-\$259.57; Yankton Chamber of Commerce-State of the Community-\$36.00; Yankton Medical Clinic-Firefighter Exams-\$1,976.50; Yankton Winnelson Co-Park Supplies-\$264.88; Yellow Radio Service-IACP TAXI-\$18.12; Zimco Supply Co-Chemicals-\$4,304.00; AFSCME Council 65-Employee Deduction-\$1,299.29; American Family Life Corp-Cancer & ICU Premiums-\$7,083.82; Assurant Employee Benefits-Vision Insurance November-\$718.70; Connections Inc-EAP Insurance October-\$373.32; Delta Dental-Dental Insurance Nov-\$7,666.88; Dept of Social Services-Employee Deductions-\$1,847.50; First National Bank-Drinking Water SRF-\$172,617.20; First Natl Bank South Dakota-Employee Deductions-\$3,177.78; Foote/Jason-Training-\$160.00; Gobel/Dylan-Conference-\$125.00; Law Enforcement Training-License Renewal-\$75.00; Lippert/Susan-Replace

Check-\$102.06; McNinch/Jeremy-Training-\$60.00; Minnesota Life Insurance Co-Life Insurance November-\$709.12; Retirement SD-SD Retirement October-\$68,375.47; Retirement SD-System 401 (A) Special Pay-\$3,969.87; SDSRP-Employee Deductions-\$5,315.00; Summit Activity Center-Employee Deduction-\$829.60; Thompson/Daniel-Training-\$100.00; United Way-Employee Deduction-\$76.00; US Dept of Education-Employee Deduction-\$109.96; Vast Broadband-Internet Services-\$2,948.64; Vogel Paint Inc-Traffic Paint-\$1,000.00; Wellmark Blue Cross-Health Ins November-\$91,403.50; Yankton Harvest Halloween-Special Appropriation-\$4,125.00.

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

Motion adopted.

SALARIES-OCTOBER, 2016:

Administration-\$36,970.05; Finance-\$31,118.68; Community Development-\$21,857.01; Police-\$142,763.40; Fire-\$11,223.24; Engineering-\$38,509.95; Street-\$43,234.60; Traffic Control-\$1,827.10; Library-\$33,888.59; Parks/SAC-\$58,174.23; Marne Creek-\$3,584.43; Water-\$37,849.74; Wastewater-\$34,215.82; Cemetery-\$3,791.82; Solid Waste-\$19,634.78; Landfill-\$17,496.45; Golf Course-\$23,399.72; Central Garage-\$6,885.92.

PERSONNEL CHANGES & NEW HIRES:

New Hires: Daniel Bentley-\$1,401.27 bi-wk.-Water; Joshua Driver-\$8.55 hr.-Rec. Division; Courtney Gould-\$8.55 hr.-Rec. Division; Laura Groseth-\$20.00 hr.-Rec. Division; Alexander Mogensen-\$8.55 &/or \$20.00 hr.-Rec. Division; Amber Thompson-\$8.80 hr.-Rec. Division.

Wage Change: Linn Criss-\$8.55 hr.-Library; Corey Potts-\$2,240.97 bi-wk.-Streets.

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

Action 16-325

Moved by Commissioner Johnson, seconded by Commissioner Sommer, that the following items on the consent agenda be approved.

1. Establish public hearing for sale of alcoholic beverages
Establish November 28, 2016, as the date for the public hearing on the request for a Special Events RETAIL (on-sale) Liquor License for one day, January 14, 2017, from Boomer's Inc., (Gary W. Boom, President) dba Boomer's Lounge, NFAA, 800 Archery Lane, Yankton, South Dakota.
2. Establish public hearing for a New Retail Wine License
Establish November 28, 2016, as the date for the public hearing on the New Retail (on-off sale) Wine License for January 1, 2017, to December 31, 2017 from The Fox Stop, Inc. dba The Fox Stop, Inc. (James Grotenhuis, President), 1316 W. 30th Street, Yankton, South Dakota.
3. Establish public hearing for a New Retail Malt Beverage License
Establish November 28, 2016, as the date for the public hearing on the New Retail (on-off sale) Malt Beverage License for July 1, 2016, to June 30, 2017 from The Fox Stop, Inc. dba The Fox Stop, Inc. (James Grotenhuis, President), 1316 W. 30th Street, Yankton, South Dakota.
4. Assessment Rolls, 15th Street Construction, set public hearing
Consideration of Memorandum 16-262 and Resolution 16-60, recommending that November 28, 2016, be established as the date for a public hearing on the special assessment roll for 15th Street Construction from West City Limits Road to Dakota Street.

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

Motion adopted.

Action 16-326

This was the time and place for the public hearing on adoption of Resolution 16-63. No one was present to speak for or against adoption of the resolution. Moved by Commissioner Knoff, seconded by Commissioner Ferdig, to adopt Resolution 16-63. (Memorandum 16-250)

RESOLUTION 16-63

A RESOLUTION APPROVING THE 2016 SPECIAL ASSESSMENT ROLL FOR
NUISANCE VEGETATION AND NUISANCE ABATEMENT.

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

SECTION 1. That the special assessment roll for the assessment of the property assessable for the nuisance vegetation and nuisance abatement in the City of Yankton, South Dakota, is hereby approved and the assessments as set out in said special assessment roll approved this date are hereby levied against such property upon filing of said special assessment roll in the office of the City Finance Officer.

SECTION 2. The assessments set forth in the assessment role will become due and payable in one (1) annual installment together with interest at a rate prescribed by the Board of City Commissioners, by resolution, per annum, in accordance with SDCL 9-43.

The above assessments may be paid without interest to the City Finance Officer on or before December 16, 2016, thereafter, the entire assessment may be paid with interest from the date of filing with the City Finance Officer at the rate established by resolution of the Board of City Commissioners.

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

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

Action 16-327

This was the time and place for the public hearing on adoption of Resolution 16-66. No one was present to speak for or against adoption of the resolution. Moved by Commissioner Knoff, seconded by Commissioner Carda, to adopt Resolution 16-66. (Memorandum 16-242)

RESOLUTION 16-66

A RESOLUTION APPROVING THE 2016 SPECIAL ASSESSMENT ROLL FOR ALLEY
CONSTRUCTION FROM RIVERSIDE DRIVE TO 2ND STREET BETWEEN BROADWAY
AVENUE AND CEDAR STREET

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

SECTION 1. That the special assessment roll for the assessment of the property assessable for the alley construction from Riverside Drive to 2nd Street between Broadway Avenue and Cedar Street in the city of Yankton, South Dakota, is hereby approved and the assessments as set out in said special

assessment roll approved this date are hereby levied against such property upon filing of said special assessment roll in the office of the City Finance Officer.

SECTION 2. Said assessment may be paid in ten (10) annual installments and shall be collected under Plan Two "Collection by City Finance Officer", as provided in SDCL 9-43.

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

Action 16-328

This was the time and place for the public hearing on approval of the applications for renewal of Alcoholic Beverage Licenses for the 2017 (January 1, 2017, to December 31, 2017) licensing period. (Memorandum 16-254) No one was present to speak for or against approval of the licenses.

Moved by Commissioner Johnson, seconded by Commissioner Sommer, to approve the following Alcoholic Beverage Licenses for 2017:

RETAIL (ON-SALE) LIQUOR-FULL SERVICE RESTAURANT: Czeckers, Inc., dba Czeckers, Inc., 407 Walnut St.; Bernard Properties, LLC, dba Riverfront Events Center & Emporium, 121-113 W. 3rd St.

RETAIL (ON-SALE) LIQUOR: Hanten, Inc., dba Ben's Brewing Company, 222 W. 3rd St.; Black Steer, Inc., dba The Black Steer, 300 E. 3rd St.; Boomer's, Inc., dba Boomer's Lounge, 100 E. 3rd St.; B.P.O. Elks Lodge 994, 504 W. 27th St.; Hillcrest Golf-Country Club, 2206 Mulberry St.; JoDeans Corp., dba JoDeans, 2809 Broadway Ave.; WR Capital I, LLC, dba Minerva's Grill & Bar, 1607 E. Hwy 50, Suite A; Dayhuff Enterprises, Inc., dba MoJo's Pizza & Spirits, 102-104 E. 3rd St.; Dayhuff Enterprises, Inc., dba O'Malley's Bar, 204 W. 3rd St.; Drotzmann & Portillo, LLC dba Rounding 3rd Bar & Casino, 304 W. 3rd St.; Bernard Properties, LLC, dba The Brewery, 200-204 Walnut St.; Flusswerks, LLC, dba The Landing, 104 Capital St.; Upper Deck, Inc., dba Upper Deck, 311-315 Broadway Ave.; VFW Post 791, 209 Cedar St.; Walnut Tavern, Inc., 100 W. 3rd St.; Yankton Bowl, Inc., 3010 Broadway Ave., & Suite 1; Dayhuff Enterprises, Inc., dba Zebra Club & Cockatoo Bar, 106-112 E. 3rd St.

PACKAGE (OFF-SALE) LIQUOR: Cork 'N Bottle, Inc., dba Cork 'N Bottle, 1500 Broadway Ave.; Hy-Vee Food Stores, Inc., dba Hy-Vee Wine & Spirits, 2100 N. Broadway Ave.; SHREE LLC, dba JR's Oasis, 2404 E. SD Hwy 50; Annis Properties, Inc., dba Patriot Express 02, 100 E. 4th St.; Annis Properties, Inc., dba Liquor Hot Spot, 909 Broadway Ave. ; Pure Ice Partners, LLC dba Pure Ice Company, 101 Capital St.; ZACCON, Inc., dba Roadrunner Convenience Mart, 300 W. 23rd St.; Theresa Wick dba Sportsman's, 901 Broadway Ave.; Wal-Mart Stores, Inc., dba Wal-Mart Store #1483, 3001 Broadway Ave.; Yankton Drug, Inc., dba Yankton Drug Co., 109 W. 3rd St.; Dayhuff Enterprises, Inc., dba Zebra Club & Cockatoo Bar, 106-112 E. 3rd St.

RETAIL (ON-OFF SALE) WINE: Charlies Pizza House, Inc., dba Charlie's Pizza House, 804 Summit St.; Cheers Bar & Grill, LLC, dba Cheers Bar & Grill, LLC, 310 Walnut St.; Czeckers, Inc., dba Czeckers Inc., 407 Walnut St.; El Tapatio Family Mexican Restaurant, 2502 Fox Run Parkway; City of Yankton, dba Fox Run Golf Course, 600 W. 27th St.; SYMS, LLC, dba Holiday Inn Express, PO Box 113; ADDAR INC. dba Luigi's Italian Restaurant, 1208 Broadway Ave.; San Jose, Inc., dba Mexico Viejo, 1809 Broadway Ave.; A'viands, LLC, dba Mount Marty College, 1105 W. 21st St.; TST, Inc., dba Phinney's Pub & Casino, Yankton Mall; RB Beer & Burgers, LLC dba RB Beer & Burgers, 2901 Broadway Ave. Suite C; Morgen, LLC, dba South Point Gaming Lounge, 1101 Broadway Ave., Suite 109; Flusswerks, LLC, dba The Landing, 104 Capital St.; Tokyo Japanese Cuisine of Ykt, Inc. dba Tokyo Japanese Cuisine, 2007 Broadway Ave. Suite J; Wal-Mart Stores, Inc., dba Wal-Mart Store

#1483, 3100 Broadway Ave.; Walgreen Co. dba Walgreen #9806, 2020 Broadway Ave.

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

Motion adopted.

City Manager Nelson presented trends and feedback from the 2016 City Survey.

Action 16-329

Moved by Commissioner Knoff, seconded by Commissioner Sommer, to approve the Agreement for Engineering Services for the Force Main portion of the Lift Station Project with McLaury Engineering, Elk Point, South Dakota, for a cost not to exceed \$113,000.00. (Memorandum 16-258)

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

Motion adopted.

Action 16-330

Moved by Commissioner Knoff, seconded by Commissioner Johnson, to spend \$60,000.00 to include the historic railing design concept in the Pine Street Bridge reconstruction project as outlined in Memorandum 16-261 contingent upon approval of the South Dakota Department of Transportation.

Roll Call: Members present voting "Aye:" Commissioners Hoffner, Johnson, Knoff, Sommer, and Mayor Gross; voting "Nay:" Commissioners Carda, Ferdig, Maibaum.

Motion adopted.

Action 16-331

Moved by Commissioner Carda, seconded by Commissioner Ferdig, to approve the Bridge Improvement Grant Agreement between the City and the South Dakota Department of Transportation for funding in the amount of \$854,904.60 plus 80 percent of the actual costs of reasonable and necessary construction engineering, for Rehabilitation/Replacement of the Pine Street Bridge, Structure Number 68-124-204, Project Number BRO 8068(00)16-1 PCN 05R9; and to authorize the City Manager to sign all associated documents. (Memorandum 16-260)

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

Motion adopted.

Action 16-332

This was the time and place to award the bids for Surplus Property. The following bids were received and opened on November 3, 2016: (Memorandum 16-252)

2009 Elgin Pelican Street Sweeper: Sanitation Products, Sioux Falls, South Dakota-\$20,000.00; Feimer Construction, Yankton, South Dakota-\$5,285.00.

2005 Ford Crown Victoria: Feimer Construction, Yankton, South Dakota-\$610.00; Skorpik Inc., Tyndall, South Dakota-\$560.00.

2004 Chevrolet ½ ton K-10 Pickup: Brian Carda, Yankton, South Dakota-\$5,011.00; Jim Arens, Yankton, South Dakota-\$1,505.00; Feimer Construction, Yankton, South Dakota-\$804.00; Kim Lee, Irene, South Dakota-\$610.00.

2002 Sterling Truck/Tractor, Model LT9500: Feimer Construction, Yankton, South Dakota-\$2,775.00; Kim Lee, Irene, South Dakota-\$400.00.

2000 Chevrolet ½ Ton Pickup: Feimer Construction, Yankton, South Dakota-\$602.00; Kim Lee, Irene, South Dakota- \$275.00.

1975 SKNG 14 Foot Boat Trailer: Kim Lee, Irene, South Dakota-\$5.00.

17 Street Sweeping Brooms: Terry Frick, Yankton, South Dakota-(\$21.33 x 17) \$362.61; Joe Fillaus-

(\$21.00 x 17) \$357.00; Bruce Ulmer-(\$7.50 x 17) \$127.50.

Wilkerson Air Compressor & Compressed Air Dryer: Jim Arens, Yankton, South Dakota- \$55.00;
Ray Donat, Volin, South Dakota-\$50.00.

Three (3) KDI Paragon Stainless Steel Life Guard Stands: Kim Lee, Irene, South Dakota-(\$5.00 x 3)
\$15.00.

Red Snapper 38” cut Riding Lawn Mower: Connie Miles, Yankton, South Dakota-\$60.00; Ray Donat,
Volin, South Dakota-\$50.00; Kim Lee, Irene, South Dakota-\$5.00.

Snapper Snow Blower with Chains–10 HP: Jim Arens, Yankton, South Dakota-\$105.00.

Ten (10) Pallets Miscellaneous Landscape Blocks: Connie Miles, Yankton, South Dakota-\$40.00 for 2
pallets; Ray Donat, Volin, South Dakota-\$50.00 for 10 pallets.

Troybilt Vac-Chipper 6.5 HP: Brad Binde, Yankton, South Dakota-\$55.00.

Broyhill 5 Ft. Brush Groomer: Kim Lee, Irene, South Dakota-\$10.00.

Top Dresser Cushman Truckster Mount: Kim Lee, Irene, South Dakota-\$10.00.

Jacobsen Mower–Verda Cut–12 HP: Kim Lee, Irene, South Dakota-\$20.00.

Moved by Commissioner Knoff, seconded by Commissioner Johnson, to award the following bids to
the highest bidders and authorize staff to arrange for payment and disposition of property:

2009 Elgin Pelican Street Sweeper: Sanitation Products, Sioux Falls, South Dakota-\$20,000.00.

2005 Ford Crown Victoria: Feimer Construction, Yankton, South Dakota-\$610.00.

2004 Chevrolet ½ ton K-10 Pickup: Brian Carda, Yankton, South Dakota-\$5,011.00.

2002 Sterling Truck/Tractor, Model LT9500: Feimer Construction, Yankton, South Dakota-
\$2,775.00.

2000 Chevrolet ½ Ton Pickup: Feimer Construction, Yankton, South Dakota-\$602.00.

1975 SKNG 14 Foot Boat Trailer: Kim Lee, Irene, South Dakota-\$5.00.

17 Street Sweeping Brooms: Terry Frick, Yankton, South Dakota-(\$21.33 x 17) \$362.61.

Wilkerson Air Compressor & Compressed Air Dryer: Jim Arens, Yankton, South Dakota- \$55.00.

Three (3) KDI Paragon Stainless Steel Life Guard Stands: Kim Lee, Irene, South Dakota-(\$5.00 x 3)
\$15.00.

Red Snapper 38” cut Riding Lawn Mower: Connie Miles, Yankton, South Dakota-\$60.00.

Snapper Snow Blower with Chains–10 HP: Jim Arens, Yankton, South Dakota-\$105.00.

Ten (10) Pallets Miscellaneous Landscape Blocks: Connie Miles, Yankton, South Dakota-\$40.00 for 2
pallets; Ray Donat, Volin, South Dakota-\$40.00 for 8 pallets.

Troybilt Vac-Chipper 6.5 HP: Brad Binde, Yankton, South Dakota-\$55.00.

Broyhill 5 Ft. Brush Groomer: Kim Lee, Irene, South Dakota-\$10.00.

Top Dresser Cushman Truckster Mount: Kim Lee, Irene, South Dakota-\$10.00.

Jacobsen Mower–Verda Cut–12 HP: Kim Lee, Irene, South Dakota-\$20.00.

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

Motion adopted.

Action 16-333

Resolution 16-76 approving the Yankton County Pre-Disaster Mitigation Plan was considered. Harry
Redman, from Planning & Development District III, was present to answer questions. Moved by
Commissioner Johnson, seconded by Commissioner Ferdig, to adopt Resolution 16-76.

(Memorandum 16-251)

RESOLUTION 16-76

A resolution of the City Commission of Yankton declaring its support for, and adoption of, the Yankton County Multi-Jurisdiction Pre-Disaster Mitigation Plan.

WHEREAS a Pre-Disaster Mitigation Plan for Yankton County (the Plan) has been developed; and

WHEREAS the City of Yankton participated in the development of the Plan; and

WHEREAS the Plan will be used as a disaster mitigation planning tool as deemed appropriate by the Yankton City Commission.

NOW THEREFORE BE IT RESOLVED that the Yankton City Commission hereby adopts and supports the Plan, and will take action to ensure that the Plan is implemented.

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

Motion adopted.

Action 16-334

Commissioner Carda introduced and Mayor Gross read the title of Ordinance No. 990, AN ORDINANCE ADOPTING A COMPREHENSIVE PLAN AMENDMENT KNOWN AS “THE MEAD NEIGHBORHOOD CONCEPT” INCLUDING ASSOCIATED MAPS AND OFFICIAL DOCUMENTS and set December 12, 2016, as the date for the second reading and public hearing. (Memorandum 16-253)

Action 16-335

Moved by Commissioner Ferdig, seconded by Commissioner Knoff, to adopt Resolution 16-77. (Memorandum 16-255)

RESOLUTION 16-77

**REQUEST FOR SEWER EASEMENT VACATION
AND SEWER EASEMENT DEDICATION**

WHEREAS, Kirby Hofer, Kirby Hofer Construction Inc., has requested that the sewer easement be vacated that is located on the west 5 feet of the east 10 feet of Lot 7, Block 5, Ridgeway North Subdivision and an additional sewer easement be dedicated that is located on the east 10 feet of the west 20 feet of Lot 8, Block 5, Ridgeway North Subdivision, Yankton, South Dakota. The attached “Exhibit A” details the vacation and dedication.

WHEREAS, The City of Yankton Utility Departments have been contacted and have not objected to the vacation and dedication of this easement.

NOW THEREFORE BE IT RESOLVED, that the described property has received City of Yankton Board of Commission approval for the sewer easement vacation that is located on the west 5 feet of the east 10 feet of Lot 7, Block 5, Ridgeway North Subdivision and the dedication of an additional sewer easement that is located on the east 10 feet of the west 20 feet of Lot 8, Block 5, Ridgeway North Subdivision, Yankton, South Dakota. The attached “Exhibit A” details the location of

the vacation and dedication.

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

Action 16-336

Moved by Commissioner Knoff, seconded by Commissioner Carda, to accept the Sanitary Sewer, Storm Sewer, and Street Improvements for Phase I of the 2015 Ridgeway North Development Project, located in front of the following lots: Block 15, Lots 1 through 6, Block 16, Lots 1 and 18, all in Ridgeway North Subdivision. (Memorandum 16-256)

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

Action 16-337

Moved by Commissioner Carda, seconded by Commissioner Johnson, to approve Change Order Number 1, a decrease of \$23,652.00 for a new contract total of \$642,108.75, from Slowey Construction, Inc., Yankton, South Dakota, for the 15th Street Construction from West City Limits Road to Dakota Street; to accept the project as complete; and to authorize the Finance Officer to issue a manual check in the amount of \$39,897.13 to Slowey Construction, as final payment for the project. (Memorandum 16-259)

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

Action 16-338

Moved by Commissioner Ferdig, seconded by Commissioner Sommer, to adopt Resolution 16-78. (Memorandum 16-257)

RESOLUTION 16-78

WHEREAS, the City has been negotiating on the Collective Bargaining Agreement with its employee labor union, and

WHEREAS, the Labor Union has approved the proposed agreement,

NOW, THEREFORE, BE IT RESOLVED by the City Commission of Yankton, South Dakota, that the attached Collective Bargaining Agreement is hereby approved and the City Manager is authorized to implement the provisions of the agreement throughout the organization, as applicable, and amend the current personnel manual as appropriate.

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

Action 16-339

Moved by Commissioner Johnson, seconded by Commissioner Carda, to adjourn at 8:10 p.m.

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

Motion adopted.

C.N. Gross
Mayor

ATTEST:

Al Viereck
Finance Officer



OFFICE OF THE CITY MANAGER

www.cityofyankton.org

VOL. 51, NUMBER 22

Commission Information Memorandum

The Yankton City Commission meeting on Monday, November 28, 2016, will begin at 7:00 pm.

Non-Agenda Items of Interest

1) Police Department Update

Yankton Police Department is working with other agencies to strengthen Teen Court. We've had the program here for the last 3 years but are revisiting the process to get participants. Our Halloween was quiet and would compare to past Halloweens.

YPD has now began to house animals at Heartland Humane Society. It's been a long process but we feel it is in the best interest of the city to work hand and hand with Heartland Humane Society. We will be bringing a contract for 2017 with Heartland Humane Society to the City Commission at an upcoming meeting.

We've had some extra activity in the past week. We assisted Alcohol, Tobacco and Firearms (ATF) on a warrant. We also assisted the Division of Criminal Investigations (DCI) to dismantle a working Meth lab.

We presented YPD's stance on SB 70, the justice reform law on Wednesday November 9 during a meeting of State Attorney's in Sioux Falls.

YPD had our final night shoot the week of November 14, which should be the last shoot at our current range. We've been working with another location that likely will save a little money while providing us a place to train.

2) Environmental Services Update

The United States Environmental Protection Agency is conducting a study entitled the National Study of Nutrient Removal and Secondary Technologies to evaluate nutrient control at wastewater treatment facilities. The City of Yankton Wastewater Treatment staff will be required to complete a census and collect data on treatment performance related to nutrient removal. Our new discharge permit requires us to monitor nutrient removal but no limits have been set. Our current discharge permit is expires in 2025 and the next permit will most likely include limits and removal requirements for nutrients. The study will also be looking at treatment improvements that can be done to reduce the capitol cost needed for nutrient removal.

Water plant continues to make adjustments to the treatment process with the collector well water. The only significant change will be in the total hardness. Hard water is not a health hazard. In fact, the National Research Council (National Academy of Sciences) states that hard drinking water generally contributes a small amount toward total calcium and magnesium human dietary needs. The hardness will increase from 220mg/l to 320mg/l. The collector well water will help reduce the current THM

levels in the water. As the collector well develops the water hardness will slowly decrease. The new treatment plant will also be designed to remove additional hardness in the future.

3) Library Update

Teen Tech Tutors: The second session this month is scheduled for November 26, from 1-3 p.m.

International Game Day: This event is November 19 with family games 1-4 p.m. and teen games 2-4 p.m.

Adult Coloring Time: These sessions are Saturday and Sunday, November 26 and 27, 2-4 p.m. both days.

New Hires: Scott Sobocinski began as Library Assistant on November 14. The new youth services staff member should be starting the week of Thanksgiving.

Agreement for Provision of Library Services: The County Commissioners accepted this with our proposed changes at the November 15 meeting. This will be on your agenda for the December 12 meeting.

4) Human Resources Update

Scott Sobocinski started employment on November 14 as a Library Assistant. This position was vacant due to the promotion of Dana Schmidt to Sr. Library Assistant.

Interviews have been conducted for the Water Reclamation Plant Operations Specialist position. The department will be making a recommendation to hire one of the applicants that were interviewed.

We will be having two retirement receptions in December. Delores Chabane, Wastewater Lab Technician/Plant Operations Specialist, will be retiring on Dec. 9. Her reception will be on the 9th in the afternoon at the Wastewater Plant. Delores has been with us since October 1979. The other reception will be for Kathy Wibbels, Library Director. Her reception will be on December 16 at the Library. Even though her reception is in mid-December, Kathy will be with us until January 2.

5) Parks and Recreation Department Update

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

6) Community Development Department Update

Building Official Joe Morrow along with the Lewis and Clark Home Builders and the Lewis and Clark Board of Realtors are proposing to introduce the 2015 International Building Codes for Yankton. The 2015 codes are the most current available for communities to adopt. It is anticipated that a proposed ordinance will be presented to the Board of Commissioners in early January. The meetings with the Home Builders and Realtors have been productive in tailoring the broad scope of the International Codes to suit local building practices and climatic conditions. Staff will be recommending the adoption of an amended International Code that provides safe and affordable building practices.

7) Finance Department Update

Utility bills were mailed out on November 18 including the notice of rate increases that took effect November 1 and the 2017 recycling calendar.

November marks the second anniversary since the implementation of the Payment Service Network (PSN) online utility payment service. PSN allows customers to pay their utility bills online with a credit card or check, by phone, or in the office using a credit card. The City currently has 424 registered utility

customers utilizing the service compared to 301 customers one year ago. October 2016 reported 259 PSN transactions for a total of \$30,671.42 in utility payments for the month.

Registered PSN customers may also access their utility bill electronically and opt out of a paper bill. Currently 190 customers utilize this option and receive a monthly email notification once bills are generated and available to access online. They also receive attachments to their e-bill with rate notices and the recycling calendar just as those receiving a paper bill. There is a small fee that customers pay for the PSN service. In addition, the City continues to offer the ACH bank withdrawal payment service at no cost to utility customers.

Please see the enclosed Monthly Finance Report for October and the October Revenues and Expenditures Report.

8) Public Works Department Update

Street Department staff have been performing maintenance on snow removal equipment after the recent sanding and plowing event.

While weather conditions permit, Public Works continues to address fall maintenance items.

Highway 50 is completely open to traffic. The signal at 4th and Douglas is now operational. The temporary signal at 2nd and Broadway has been put on flash and will be decommissioned in the near future.

All the punch list items for the Transfer Station project have been addressed. The contractor must submit as-built plans to include utilities before Banner & Associates will submit documents for final acceptance.

The Miscellaneous Concrete contract is nearly complete. The only portion of the contract remaining is the replacement of a small stretch of curb and gutter approximately 30' in length. This work is expected to be completed the week of November 21.

9) Minutes

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

Have an enjoyable weekend and do not hesitate to contact us if you have any questions about these or other issues. If you will not be able to attend the Commission meeting on Monday, please inform my office.

Sincerely,

Amy Nelson
City Manager

Commission Information Memorandum

PARKS AND RECREATION DEPARTMENT

SUMMIT ACTIVITIES CENTER and RECREATION PROGRAMS

1st - half of November information:

Fitness Classes-	
Early Bird Boot Camp class	46 participants
Power Abs	44 participants
Prime Time Senior class	36 participants
Tabata class	77 participants
Water aerobics	218 participants
Work-Out Express class	110 participants
Yoga classes	95 participants
Zumba class	17 participants

Rentals-	
o Birthday rentals-	5 parties
o SAC courts-	2 hours
o Theater-	8 hours
o Meeting rooms-	1 hours
o City Hall courts-	17 hours
o Capital Building-	2 dates
o Riverside shelters-	0 rentals
o Memorial shelters-	0 rentals
o Westside shelter-	0 rentals
o Rotary outdoor classroom-	0 rentals
o Sertoma shelter-	0 rentals
o Tripp shelter-	0 rentals
o Meridian Bridge	0 rental

SAC members-	2,075 people
SAC memberships-	882
SAC attendance-	3,210 visits
New members-	18 people

Friday, November 4- Men's Basketball League Registration ended. 12 teams.

Friday, November 11- No School Special. 21 paid participants. Members free.

Saturday, November 12- Yankton Swim Team Meet. SAC pool closed.

Todd and Brittany LaCroix are meeting with the Ribfest committee to plan for 2017.

PARKS

Brittany LaCroix is working on the Holiday Festival of Lights Parade and Tree Lighting Ceremony planned for Thursday, December 1, 2016.

Todd is working with the new GIS Coordinator to inventory all the City Parks and green spaces. The inventory will provide data for all park amenities along with a photo of the amenity.

A new floating dock is being constructed and extension to the walkway is being added by the prison in Springfield.

P&R Department CIM

Page 1 of 2

Riverside Baseball Lighting Project was completed November 1 - 4. Youth softball is interested in using the old lights and towers at the SAC fields in the future.

The Parks Staff are installing five concrete pads in the Meridian Bridge Plaza. The concrete pads will be the locations for the Riverwalk Sculpture Projects' permanent sculptures that the group and the City have purchased over the past number of years.

The Parks Staff along with Street Department Staff have been hanging the Christmas Decorations on Broadway and in the downtown district.

FOX RUN GOLF COURSE

Tom Jeffers is researching the Great Life Golf and Fitness affiliate agreement that The Bluffs course in Vermillion was under in 2016. Tom will speak with Great Life to determine if they would be willing to offer us an affiliate agreement similar to the Bluffs.

The simulator is up at the Fox Run Clubhouse. Winter simulator leagues will begin the first week of December.

FINANCE MONTHLY REPORT

Activity	OCT 2016	OCT 2015	OCT 2016 YTD	OCT 2015 YTD
UTILITY BILLING:				
Water				
Water Sold (in gallons per 1,000)	63,440	66,861	640,532	601,216
Water Billed	\$473,614.08	\$480,441.52	\$4,745,775.64	\$4,406,178.82
Basic Water Fee/Rate per 1000 gal.	\$15.91/\$5.23	\$15.45/\$5.08		
Number of Accounts Billed	5,469	5,415	53,039	52,757
Number of Bills Mailed	5,469	5,415	53,039	52,757
Total Meters Read	5,593	5,546	55,741	55,700
Meter Changes/pulled	4	2	35	35
Total Days Meter Reading	1	1	10	10
Misreads found prior to billing	-	-	1	-
Customers requesting Rereads	-	-	1	-
Sewer				
Sewer Billed	\$293,589.62	\$284,705.93	\$2,864,091.17	\$2,707,381.26
Basic Sewer Fee/Rate per 1000 gal.	\$8.79/\$5.32	\$8.37/\$5.06		
Solid Waste				
Solid Waste Billed	\$81,104.32	\$77,841.32	\$805,377.65	\$774,402.51
Basic Solid Waste Fee	\$17.13	\$16.63		
Total Utility Billing:	\$848,308.02	\$842,988.77	\$8,415,244.46	\$7,887,962.59
Adjustment Total:	(\$162.22)	(\$132.26)	(\$9,922.09)	(\$3,395.98)
Misread Adjustments	\$0.00	\$0.00	\$0.00	(\$55.86)
Other Adjustments	(\$2.22)	\$17.74	(\$7,852.09)	(\$1,550.12)
Penalty Adjustments OFF	(\$170.00)	(\$170.00)	(\$2,140.00)	(\$1,970.00)
Penalty Adjustments ON	\$10.00	\$20.00	\$70.00	\$180.00
New Accounts/Connects	57	56	820	867
Accounts Finaled/Disconnects	161	109	686	582
New Accounts Set up	1	4	39	39
Delinquent Notices	435	366	3,931	3,888
Doorknockers	124	156	1,378	4,933
Delinquent Call List	94	49	970	885
Notice of Termination Letters	10	12	115	167
Shut-off for Non-payment	6	4	64	60
Delinquent Notice Penalties	\$4,350.00	\$3,660.00	\$39,310.00	\$38,880.00
Doorknocker Penalties	\$1,240.00	\$1,560.00	\$13,780.00	\$14,110.00
Other Office Functions:				
Interest Income	\$14,976.99	\$6,778.62	\$141,108.06	\$67,122.49
Interest Rate-Checking Account	0.78%	0.45%		
Interest Rate-CDs	N/A	N/A		
# of Monthly Vendor Checks	158	164		
Payments Issued to Vendors	\$ 1,864,892.50	\$ 1,626,380.61	\$ 20,260,732.46	\$ 21,352,189.12
# of Employees on Payroll	216	214		
Monthly Payroll	\$ 395,460.95	\$ 375,136.66	\$ 4,364,656.06	\$ 4,391,045.29

	01Oct2016 31Oct2016	01Oct2015 31Oct2015	YTD 2016	YTD 2015
101 General Fund				
Revenues	441,838.61	754,463.35	8,244,843.93	8,314,779.07
Expenditures	582,975.47	614,366.70	6,927,506.92	7,007,298.50
201 Parks				
Revenues	2,659.90	1,180.62	17,478.02	11,333.71
Expenditures	95,890.99	73,053.89	1,036,063.71	811,908.43
202 Memorial Pool				
Revenues	35.99	16.03	54,037.55	31,824.25
Expenditures	7,071.85	4,622.14	172,222.38	179,724.61
203 Summit Activity Center				
Revenues	38,150.86	32,789.86	378,561.46	389,829.40
Expenditures	33,884.41	41,940.94	539,899.81	524,635.70
204 Marne Creek				
Revenues	55.30	47.35	576.80	379.87
Expenditures	5,211.76	5,333.46	81,721.56	69,623.47
205 Casualty Reserve				
Revenues	38.40	21.56	310.48	178.96
Expenditures				
207 Bridge and Street				
Revenues	26.30	54.95	11,109.09	11,135.79
Expenditures	1,155.00		101,570.00	4.95
211 Lodging Sales Tax				
Revenues	13,326.90	55,247.14	439,929.72	460,367.47
Expenditures		3,310.00	362,619.61	278,492.54
241 Infrastructure Improvement				
Revenue	11,401.48	8.44	36,189.62	26,410.52
Expenditures				
501-504 Improvements/Capital				
Revenues	35,322.94		512,094.88	253,745.35
Expenditures	293,149.66		2,167,232.68	563,678.08
506 Special Capital Improvements				
Revenues	85,719.21	309,541.68	3,170,437.30	3,260,317.66
Expenditures	53,706.87	322,206.50	814,827.95	1,344,771.48
509 TID #2 Morgan Square				
Revenues			27,347.19	28,343.79
Expenditures			27,347.19	28,343.79
601-604 Water				
Revenues	488,412.57	495,931.03	10,677,327.89	7,457,969.07
Expenditures	914,400.85	691,634.30	6,518,484.04	9,708,065.91
611 Wastewater				
Revenues	1,009,179.80	285,598.81	3,988,914.61	2,730,711.03
Expenditures	235,848.74	181,164.12	3,213,470.36	3,426,064.74
621 Cemetery				
Revenues	814.91	3,829.40	22,990.48	24,233.70
Expenditures	8,076.57	7,509.44	126,961.01	93,866.60
631 Solid Waste Collection				
Revenues	79,627.05	78,566.98	795,975.98	776,129.17
Expenditures	47,871.88	46,709.77	903,242.49	740,726.83
637 Joint Powers Landfill				
Revenues	102,546.15	101,429.59	1,030,860.81	946,156.43
Expenditures	128,181.28	94,620.42	1,578,483.18	985,918.40
641 Fox Run Golf Course				
Revenues	26,233.78	54,528.03	662,566.97	731,107.28
Expenditures	52,245.25	58,437.00	833,827.20	789,139.29

Description	Yankton Transfer	Vermillion Landfill	Total Joint	10 Month Budget	Legal 2016 Budget
Joint Power Transfer/Landfill					
<i>Total Revenue</i>	\$928,706.24	\$646,974.34	\$1,575,680.58	\$1,310,133.33	\$1,572,160.00
<i>Expenses:</i>					
Personal Services	224,456.23	266,891.75	491,347.98	507,072.50	608,487.00
Operating Expenses	163,313.87	312,080.64	475,394.51	603,643.33	724,372.00
Depreciation (est)	99,172.34	233,784.80	332,957.14	340,920.00	409,104.00
Trench Depletion	0.00	126,830.94	126,830.94	63,979.17	76,775.00
Closure/Postclosure Resrv	0.00	7,174.92	7,174.92	6,675.00	8,010.00
Amortization of Permit	0.00	939.91	939.91	883.33	1,060.00
<i>Total Operating Expenses</i>	486,942.44	947,702.96	1,434,645.40	1,523,173.33	1,827,808.00
<i>Non Operating Expense-Interest</i>	0.00	151,307.99	151,307.99	70,204.17	84,245.00
<i>Landfill Operating Income</i>	441,763.80	(452,036.61)	(10,272.81)	(283,244.17)	(339,893.00)
Joint Recycling Center					
<i>Total Revenue</i>	96,114.65	128,437.53	224,552.18	231,283.33	277,540.00
<i>Expenses:</i>					
Personal Services	17,967.69	147,196.70	165,164.39	199,120.00	238,944.00
Operating Expenses	26,111.85	53,237.82	79,349.67	130,269.17	156,323.00
Depreciation (est)	33,643.20	33,311.50	66,954.70	65,708.33	78,850.00
<i>Total Operating Expenses</i>	77,722.74	233,746.02	311,468.76	395,097.50	474,117.00
<i>Non Operating Expense-Interest</i>	5,885.46	0.00	5,885.46	0.00	0.00
<i>Recycling Operating Income</i>	12,506.45	(105,308.49)	(92,802.04)	(163,814.17)	(196,577.00)
<i>Total Operating Income</i>	\$454,270.25	(\$557,345.10)	(\$103,074.85)	(\$447,058.33)	(\$536,470.00)
Tonage in Trench:	<u>10/31/2015</u>	<u>10/31/2016</u>			
Asbestos	106.54	114.88	114.88	41.67	50.00
Centerville	241.34	228.59	228.59	275.00	330.00
Beresford	1,113.61	1,097.20	1,097.20	958.33	1,150.00
Clay County Garbage	10,163.19	11,010.60	11,010.60	10,083.33	12,100.00
Elk Point	868.24	871.35	871.35	916.67	1,100.00
Yankton County Garbage	18,661.69	19,300.60	19,300.60	18,333.33	22,000.00
<i>Total Tonage in Trench</i>	31,154.61	32,623.22	32,623.22	30,608.33	36,730.00
Operating Cost per ton			\$43.98	\$52.06	\$52.06

This report is based on the following:

Revenue accrual thru October 31, 2016

Expenses cash thru October 31, 2016 with November Bills

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

Description	Yankton Transfer	Vermillion Landfill	Total Joint	10 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	454,270.25	(557,345.10)	(103,074.85)	(447,058.33)	(536,470.00)
Depreciation	132,815.54	267,096.30	399,911.84	406,628.33	487,954.00
Trench Depletion	0.00	126,830.94	126,830.94	63,979.17	76,775.00
Amortization of Permit	0.00	939.91	939.91	883.33	1,060.00
<i>Non Operating Revenue:</i>					
Grant	0.00	100,000.00	100,000.00	312,500.00	375,000.00
Loan Proceeds	0.00	0.00	0.00	312,500.00	375,000.00
Contributed Capital	0.00	2,529.72	2,529.72	20,000.00	24,000.00
Sale Proceeds	0.00	0.00	0.00	4,166.67	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	1,839.92	1,488.72	3,328.64	2,083.33	2,500.00
<i>Cash Flow Transfer:</i>					
Joint Power Transfer/Landfill	(423,468.09)	423,468.09	0.00	(26,966.67)	(32,360.00)
Joint Recycling Center	(33,980.49)	33,980.49	0.00	0.00	0.00
<i>Total Funds Available</i>	<u>375,339.13</u>	<u>1,100,696.66</u>	<u>1,476,035.79</u>	<u>1,460,661.83</u>	<u>1,590,405.00</u>
Application of Funds Available					
<i>Joint Power Transfer/Landfill</i>					
Equipment	0.00	186,449.00	186,449.00	176,666.67	212,000.00
Trench	0.00	0.00	0.00	0.00	0.00
Closure/Postclosure Cash Res.	0.00	7,174.92	7,174.92	6,675.00	8,010.00
<i>Joint Recycling Center</i>					
Equipment	594,984.03	511.26	595,495.29	692,916.67	831,500.00
<i>Payment Principal</i>	18,135.32	74,110.68	92,246.00	131,949.17	158,339.00
<i>Appropriation to Reserve</i>	0.00	0.00	0.00	0.00	0.00
<i>Total Applied</i>	<u>613,119.35</u>	<u>268,245.86</u>	<u>881,365.21</u>	<u>1,008,207.50</u>	<u>1,209,849.00</u>
<i>Ending Balance</i>	<u>(\$237,780.22)</u>	<u>\$832,450.80</u>	<u>\$594,670.58</u>	<u>\$452,454.33</u>	<u>\$380,556.00</u>

Joint Power Transfer/Landfill Description	Yankton Transfer	Vermillion Landfill	Total Joint	10 Month Budget	Legal 2016 Budget
<i>Revenue: (accrual)</i>					
Asbestos	\$0.00	\$7,467.26	\$7,467.26	\$3,333.33	\$4,000.00
Elk Point	0.00	40,518.12	40,518.12	41,250.00	\$49,500.00
Centerville	0.00	10,281.37	10,281.37	12,375.00	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	51,020.32	51,020.32	43,125.00	51,750.00
Clay County Garbage	0.00	553,077.82	553,077.82	478,750.00	574,500.00
Compost-Yd Waste-Wood	0.00	4,622.82	4,622.82	1,666.67	2,000.00
Contaminated Soil	0.00	3,907.05	3,907.05	416.67	500.00
White Goods	0.00	4,837.87	4,837.87	6,250.00	7,500.00
Tires	0.00	3,473.20	3,473.20	2,083.33	2,500.00
Electronics	0.00	4,756.55	4,756.55	1,250.00	1,500.00
Other Revenue	5,896.88	2,605.18	8,502.06	6,333.33	7,600.00
Less Recycling Tipping Fee	(56,765.16)	(39,593.22)	(96,358.38)	(90,866.67)	(109,040.00)
Cash long	(39.77)	0.00	(39.77)	0.00	0.00
Yard Waste	0.00	0.00	0.00	0.00	0.00
Rubble	42,631.45	0.00	42,631.45	41,666.67	50,000.00
Transfer Fees	936,982.84	0.00	936,982.84	762,500.00	915,000.00
Total Revenue	928,706.24	646,974.34	1,575,680.58	1,310,133.33	1,572,160.00
<i>Expenses: (cash)</i>					
Personal Services	224,456.23	266,891.75	491,347.98	507,072.50	608,487.00
Insurance	15,783.31	5,812.42	21,595.73	22,543.33	27,052.00
Professional Service/Fees	8,084.77	49,750.62	57,835.39	47,500.00	57,000.00
Non Professional Fees	0.00	0.00	0.00	0.00	0.00
Processing- Reduction	0.00	0.00	0.00	0.00	0.00
State Fees	0.00	32,623.22	32,623.22	30,566.67	36,680.00
Professional - Legal/Audit	1,426.00	0.00	1,426.00	208.33	250.00
Publishing & Advertising	58.58	1,543.66	1,602.24	1,083.33	1,300.00
Rental	0.00	0.00	0.00	416.67	500.00
Hauling fee	0.00	0.00	0.00	0.00	0.00
Equipment repair	3,732.88	41,887.61	45,620.49	38,333.33	46,000.00
Motor vehicle repair	570.99	3,445.11	4,016.10	19,166.67	23,000.00
Vehicle fuel & maintenance	84,419.19	28,537.61	112,956.80	199,166.67	239,000.00
Equip, Mat'l & Labor	14,520.69	0.00	14,520.69	10,000.00	12,000.00
Building repair	11,177.53	3,115.62	14,293.15	15,833.33	19,000.00
Facility repair & maintenance	0.00	26,482.64	26,482.64	20,833.33	25,000.00
Postage	453.31	30.22	483.53	625.00	750.00
Office supplies	1,339.75	846.22	2,185.97	2,500.00	3,000.00
Copy supplies	70.37	24.70	95.07	250.00	300.00
Uniforms	440.79	3,610.72	4,051.51	3,750.00	4,500.00
Small Tools & Hardware	208.22	0.00	208.22	208.33	250.00
Travel & Training	290.99	3,420.87	3,711.86	4,166.67	5,000.00
Operating supply	1,531.54	89,168.12	90,699.66	127,166.67	152,600.00
Electricity	6,288.95	14,351.37	20,640.32	21,833.33	26,200.00
Heating Fuel - Gas	9,864.77	5,461.41	15,326.18	30,833.33	37,000.00
Water	1,299.68	654.00	1,953.68	2,500.00	3,000.00
WW service	686.52	0.00	686.52	1,416.67	1,700.00
Landfill	171.30	0.00	171.30	166.67	200.00
Telephone	893.74	1,314.50	2,208.24	2,575.00	3,090.00
Depreciation (est)	99,172.34	233,784.80	332,957.14	340,920.00	409,104.00
Trench Depletion		126,830.94	126,830.94	63,979.17	76,775.00
Closure/Postclosure Resrv		7,174.92	7,174.92	6,675.00	8,010.00
Amortization of Permit		939.91	939.91	883.33	1,060.00
Total Op Expenses	486,942.44	947,702.96	1,434,645.40	1,523,173.33	1,827,808.00

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

Joint Power Transfer/Landfill Description	Yankton Transfer	Vermillion Landfill	Total Joint	10 Month Budget	Legal 2016 Budget
<i>Non Operating Expense-Interest</i>	0.00	151,307.99	151,307.99	70,204.17	84,245.00
<i>Operating Income (Loss)</i>	\$441,763.80	(\$452,036.61)	(\$10,272.81)	(\$283,244.17)	(\$339,893.00)
<i>Capital:</i>					
Capital Outlay	\$0.00	\$186,449.00	\$186,449.00	\$176,666.67	\$212,000.00
Landfill Development	0.00	0.00	0.00	41,666.67	\$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	\$218,333.33	\$262,000.00
<i>Grant Reimbursement</i>	\$0.00	\$0.00	\$0.00	\$312,500.00	\$375,000.00
<i>Equipment Sale Proceeds</i>	\$0.00	\$0.00	\$0.00	\$4,166.67	\$5,000.00
<i>Cash Flow Transfer</i>	(\$423,468.09)	\$423,468.09	\$0.00	\$0.00	\$0.00
<i>Tonage in Trench:</i>					
Asbestos		114.88	114.88	41.67	50.00
Beresford		1,097.20	1,097.20	958.33	1,150.00
Centerville Garbage		228.59	228.59	275.00	330.00
Clay County Garbage		11,010.60	11,010.60	10,083.33	12,100.00
Elk Point		871.35	871.35	916.67	1,100.00
Yankton County Garbage		19,300.60	19,300.60	18,333.33	22,000.00
<i>Total Tonage in Trench</i>		32,623.22	32,623.22	30,608.33	36,730.00
Operating Cost per ton			\$43.98	\$52.06	\$52.06

Joint Recycling Center Description	Yankton Transfer	Vermillion Center	Total Joint	10 Month Budget	Legal 2016 Budget
<i>Revenue:</i>					
Tipping Fees	\$56,765.16	39,593.22	\$96,358.38	90,866.67	\$109,040.00
Magazines	0.00	0.00	0.00	7,083.33	8,500.00
Metal/Tin	5,369.00	1,227.60	6,596.60	8,333.33	10,000.00
Plastic	0.00	24,113.95	24,113.95	26,666.67	32,000.00
Aluminum	5,317.40	13,637.91	18,955.31	29,166.67	35,000.00
Newsprint	10,407.47	9,438.85	19,846.32	14,166.67	17,000.00
Cardboard	18,255.62	27,364.19	45,619.81	40,833.33	49,000.00
High Grade Paper	0.00	5,459.58	5,459.58	12,500.00	15,000.00
Other Material	0.00	7,602.23	7,602.23	1,666.67	2,000.00
Contributions/Operating Grants	0.00	0.00	0.00	0.00	0.00
Total Revenue	96,114.65	128,437.53	224,552.18	231,283.33	277,540.00
<i>Expenses:</i>					
Personal Services	17,967.69	147,196.70	165,164.39	199,120.00	238,944.00
Insurance	250.96	1,610.47	1,861.43	1,894.17	2,273.00
Professional Service/Fees	0.00	349.54	349.54	16,666.67	20,000.00
Hazardous Waste Collection	0.00	2,681.42	2,681.42	27,083.33	32,500.00
Professional-Legal	0.00	0.00	0.00	0.00	0.00
Publishing & Advertising	0.00	822.68	822.68	2,083.33	2,500.00
Rental	0.00	0.00	0.00	0.00	0.00
Equipment repair	0.00	11,100.83	11,100.83	10,208.33	12,250.00
Vehicle repair & maintenance	0.00	0.00	0.00	833.33	1,000.00
Vehicle fuel	2,333.88	2,379.91	4,713.79	11,416.67	13,700.00
Building repair & maintenance	138.95	2,407.57	2,546.52	2,916.67	3,500.00
Postage	0.00	3.95	3.95	541.67	650.00
Freight	0.00	1,820.00	1,820.00	1,666.67	2,000.00
Office supplies	46.56	364.70	411.26	833.33	1,000.00
Uniforms	0.00	238.94	238.94	625.00	750.00
Materials Purchases	0.00	4,728.55	4,728.55	7,083.33	8,500.00
Travel & Training	0.00	1,921.92	1,921.92	1,250.00	1,500.00
Operating Supplies	0.00	8,564.21	8,564.21	8,333.33	10,000.00
Copy Supply	0.00	24.70	24.70	291.67	350.00
Electricity	0.00	5,336.88	5,336.88	4,583.33	5,500.00
Heating Fuel-Gas	0.00	1,499.30	1,499.30	4,583.33	5,500.00
Water	0.00	378.48	378.48	458.33	550.00
WW service	0.00	782.95	782.95	833.33	1,000.00
Telephone	0.00	669.23	669.23	666.67	800.00
Revenue Sharing	0.00	5,551.59	5,551.59	9,166.67	11,000.00
Transportation to Vermillion	3,780.00	0.00	3,780.00	3,750.00	4,500.00
Processing Recyclables	19,561.50	0.00	19,561.50	12,500.00	15,000.00
Depreciation (est)	33,643.20	33,311.50	66,954.70	65,708.33	78,850.00
Total Op Expenses	77,722.74	233,746.02	311,468.76	395,097.50	474,117.00
<i>Non Operating Expense-Interest</i>	5,885.46	0.00	5,885.46	0.00	0.00
Operating Income (Loss)	\$12,506.45	(\$105,308.49)	(\$92,802.04)	(\$163,814.17)	(\$196,577.00)
Capital Outlay	\$594,984.03	\$511.26	\$595,495.29	\$692,916.67	\$831,500.00
Grant Reimbursement/Donations	\$0.00	\$100,000.00	\$100,000.00	\$0.00	\$0.00
Cash Flow Transfer	(\$33,980.49)	\$33,980.49	\$0.00	\$0.00	\$0.00

This report is based on the following:

Revenue accrual thru October 31, 2016

Expenses cash thru October 31, 2016 with November 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
September	60,187.47	(227,602.14)	(167,414.67)	3,624.54	40.96	4,253.14	(13,574.70)	(9,321.56)	64,440.61	(241,176.84)	(176,736.23)
Subtotal	396,527.39	(473,594.80)	(77,067.41)	29,387.88	43.67	16,855.45	(89,986.04)	(73,130.59)	413,382.84	(563,580.84)	(150,198.00)
October	44,670.46	(38,276.31)	6,394.15	3,235.34	46.77	1,536.46	(15,322.45)	(13,785.99)	46,206.92	(53,598.76)	(7,391.84)
Subtotal	441,197.85	(511,871.11)	(70,673.26)	32,623.22	43.98	18,391.91	(105,308.49)	(86,916.58)	459,589.76	(617,179.60)	(157,589.84)

11/1/2016

City of Yankton Transfer Station
Recap of Customer Tonnage

Date	City	Licensed Haulers						Sub-Total	All Other	Total Transfer	Recycling
	Compactors (577)	Janssen (547)	Arts (586)	Fischer (590)	Independence (627)	Loren Fischer (648)	Kortan (673)				Plastic Tonnage
January 2015	228.32	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	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	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	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	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	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	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	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	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	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	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	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	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	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	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	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	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	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	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	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	705.87	563.39	67.83	0.00	54.20	13.14	1,404.43	425.85	2,105.71	4.83
September 2016	254.62	684.19	463.62	54.59	2.96	68.88	8.99	1,283.23	666.60	2,204.45	6.78
October 2016	228.46	616.02	499.49	47.87	3.46	71.68	8.35	1,246.87	448.09	1,923.42	3.39
2016 Total	2,362.07	6,204.49	4,711.06	580.95	6.42	596.40	87.32	12,186.64	4,373.01	18,921.72	49.46

Total Tons	1,923.42
X \$3	3.00
Recycling Fee	<u>5,770.26</u>

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
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	462.15	133.62	41.11	39.52	86.96	286.57	25.47	107.48	227.56	1410.44
Oct	382.48	143.09	29.91	41.08	88.53	291.09	22.05	118.45	208.17	1324.85
Nov										0.00
Dec										0.00
	----- 3735.47 -----	----- 1236.08 -----	----- 365.82 -----	----- 407.60 -----	----- 871.35 -----	----- 2859.65 -----	----- 221.10 -----	----- 1097.20 -----	----- 2518.35 -----	----- 13312.62 -----
2015	Independence Waste	Fischer Disposal		Verm. Garbage	City of Elk Point	Loren Fischer	Turner County	City of Beresford	Other	2015 Tons
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 -----

11/08/16

Fox Run Golf Course
Statement of Revenues & Expenses

	01Oct2016 31Oct2016	01Oct2015 31Oct2015	01Jan2016 31Oct2016	01Jan2015 31Oct2015	Legal Budget
Direct Revenues:					
Concessions	6,051.02	12,460.45	135,462.29	140,996.80	154,300.00
Pro Shop	9,749.53	13,032.58	74,149.73	119,490.51	164,500.00
Course	9,244.74	28,107.18	451,791.65	468,845.55	483,800.00
	-----	-----	-----	-----	-----
Total Direct Revenues	25,045.29	53,600.21	661,403.67	729,332.86	802,600.00
Direct Expenses:					
Concessions	5,495.82	5,241.93	56,312.74	58,456.93	71,075.00
Pro Shop	2,318.37	574.05	78,252.48	103,793.71	114,800.00
Course			35,631.81	26,680.81	37,300.00
	-----	-----	-----	-----	-----
Total Direct Expenses	7,814.19	5,815.98	170,197.03	188,931.45	223,175.00
Add Beginning Inventory					
Less Ending Inventory					
Net Direct Income (Loss)					
Indirect Revenues -	1,188.49	927.82	1,163.30	1,774.42	600.00
Indirect Expenses:					
Personal Services	29,004.62	21,004.74	343,558.54	295,586.75	370,992.00
Insurance	88.79		6,160.36	6,015.68	6,405.00
Professional Services	1,456.71	1,248.05	16,213.17	12,973.10	23,400.00
Advertising			11,566.20	7,056.30	7,000.00
Repair & Maintenance	4,896.19	2,839.66	42,991.65	33,994.93	57,500.00
Supplies & Materials	842.71	5,178.48	53,237.06	44,937.06	60,100.00
Travel, Conference & Dues	41.90		2,557.70	1,147.61	3,500.00
Utilities	3,881.36	3,812.40	25,463.66	24,580.95	36,500.00
Billing and Administration			67,340.00	67,340.00	67,340.00
Depreciation	4,218.78	5,128.69	47,647.26	50,029.55	55,745.00
	-----	-----	-----	-----	-----
Total Indirect Expenses	44,431.06	39,212.02	616,735.60	543,661.93	688,482.00
Net Operating Income	(26,011.47)	9,500.03	(124,365.66)	(1,486.10)	(41,117.00)
	=====	=====	=====	=====	=====
Capital Outlay		13,409.00	46,894.57	56,545.91	139,500.00
	=====	=====	=====	=====	=====

11/08/16

Fox Run Golf Course
Statement of Revenues

1

	01Oct2016 31Oct2016	01Oct2015 31Oct2015	01Jan2016 31Oct2016	01Jan2015 31Oct2015	Legal Budget
Concessions					
CASH Long	55.46	149.50	992.29	1,713.64	1,000.00
PREPARED FOOD	1,371.03	4,451.68	31,046.21	28,206.89	33,600.00
PRE-PACKAGED FOOD	390.25	673.52	7,924.44	10,517.73	7,700.00
BEER	2,979.62	5,196.94	74,089.16	76,370.36	89,000.00
BOTTLED POP	1,254.66	1,988.81	21,410.19	24,188.18	23,000.00
MISCELLANEOUS CONCESSIONS					
Total Concessions	6,051.02	12,460.45	135,462.29	140,996.80	154,300.00
Pro Shop					
GOLF BALLS	1,247.15	2,214.06	14,901.77	19,382.76	24,000.00
GLOVES	563.70	619.00	5,307.82	6,803.09	7,000.00
GOLF CAPS/VISORS	593.78	834.78	5,890.46	9,398.76	7,000.00
MERCHANDISE	1,733.03	3,636.90	12,932.91	29,804.58	38,000.00
MERCHANDISE NON-TAX		542.99	156.62	897.05	1,000.00
GOLF EQUIPMENT	5,200.41	4,526.42	26,709.63	39,906.79	70,000.00
MISCELLANEOUS MERCHANDISE			94.34		
CLUB REPAIRS	411.46	582.96	7,836.57	7,829.93	11,000.00
LESSONS		75.47	319.61	5,467.55	6,500.00
Total Pro Shop	9,749.53	13,032.58	74,149.73	119,490.51	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			168,041.21	167,194.95	175,000.00
SEASON PASS NON-TAX			3,446.69	3,521.69	3,500.00
GREEN FEES-WEEKENDS/HOLIDAYS	2,122.60	4,842.75	50,495.12	50,425.25	59,000.00
GRREN FEES NON-TAX		2,325.00	6,140.20	11,854.85	6,500.00
GREEN FEES - WEEKDAYS	3,330.52	10,869.75	61,410.99	77,658.85	70,000.00
GOLF CAR RENTAL	3,395.74	4,084.79	70,143.76	60,526.14	65,000.00
GOLF CAR STORAGE (NON-TAX)			23,840.95	25,815.09	25,200.00
TRAIL FEES	32.73	65.49	27,747.86	28,604.19	29,000.00
PULL CART RENTAL	56.10	18.70	422.62	261.80	300.00
GOLF CLUB RENTAL	15.54	15.54	881.36	637.14	1,000.00
DRIVING RANGE	291.51	593.16	16,447.09	18,787.38	15,000.00
DRIVING RANGE NON-TAX			1,239.66	568.16	800.00
HANDICAPING			7,973.43	7,053.40	9,000.00
LEAGUES					
JUNIOR GOLF PROGRAM		592.00	3,794.00	5,077.00	4,000.00
GOLF CART WRAPS		4,700.00	3,694.61	7,400.00	15,300.00
LEAGUE SOFTWARE ADS					
Total Course	9,244.74	28,107.18	451,791.65	468,845.55	483,800.00
Total Direct Revenues	25,045.29	53,600.21	661,403.67	729,332.86	802,600.00

11/08/16

Fox Run Golf Course
Statement of Expenditures

1

	01Oct2016 31Oct2016	01Oct2015 31Oct2015	01Jan2016 31Oct2016	01Jan2015 31Oct2015	Legal Budget
Concessions					
CASH SHORT	81.15	162.70	1,983.36	1,914.83	1,000.00
PREPARED FOODS	2,185.75	2,286.67	16,550.85	19,444.07	26,000.00
CANDY	335.70		2,929.90	3,831.37	4,000.00
BEER	2,150.92	2,492.00	25,715.17	24,973.20	30,000.00
POP	742.30	300.56	7,715.29	8,293.46	10,000.00
	-----	-----	-----	-----	-----
Total Concessions	5,495.82	5,241.93	56,312.74	58,456.93	71,075.00
Pro Shop					
GOLF BALLS			33,149.88	34,153.81	24,000.00
GLOVES			3,056.45	847.67	3,200.00
GOLF CAPS/VISORS			2,800.01	5,082.20	3,600.00
MERCHANDISE	755.39	193.00	13,304.86	23,574.89	23,000.00
GOLF EQUIPMENT	757.74		19,533.29	34,807.41	55,000.00
TRADE IN GOLF EQUIPMENT					
CLUB REPAIRS	805.24	381.05	6,358.50	5,327.73	6,000.00
	-----	-----	-----	-----	-----
Total Pro Shop	2,318.37	574.05	78,252.48	103,793.71	114,800.00
Course					
GOLF CAR RENTAL			25,305.81	24,780.81	26,000.00
REIMBURSEMENT-GOLF SHED RENTAL			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			35,631.81	26,680.81	37,300.00
Total Direct Expenditures	7,814.19	5,815.98	170,197.03	188,931.45	223,175.00
	=====	=====	=====	=====	=====

CITY of YANKTON
PLANNING COMMISSION MEETING MINUTES
for
November 14, 2016

The meeting was called to order at 5:30 p.m. by Chairman Pier

ROLL CALL:

Present – Dr. Scott Shindler, Mike Healy, Bruce Viau, Jon Economy, Marc Mooney, City Commission Liaison Chris Ferdig, Chairman Steve Pier and ETJ Member Michael Welch.

Unable to attend: Deb Specht, Brad Wenande and Vice Chairman Lynn Peterson.

Chairman Pier asked for approval of the October 10, 2016 meeting minutes.

MINUTES – October 10, 2016

- 16-52 **MOTION** – It was moved by Commissioner Shindler and seconded by Commissioner Mooney to approve the minutes for October 10, 2016 with the change to the last sentence on page 3, paragraph 1 to read “In summary, Commissioner Healy’s preference is to retain the property the way it currently is, used as green space and soccer fields or to defer action on Ordinance 990 until at least the planned initiative utilizing the same process as the Mead Neighborhood Concept has been completed for the Downtown and Riverfront areas of Yankton and other properties in Yankton with a potential for economic development.”

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

MOTION – PASSED

Chairman Pier read action item to review of Lots 1A, 1B, 2A and 2B, Block 3, Westbrook Estates Addition to the City of Yankton, South Dakota. Addresses, 2521, 2523, 2525 and 2527 Dorian Drive. KN Construction, Inc, owner.

Mr. Joe Morrow (Building Official), filling in for Mr. Dave Mingo, stated that this is an easy plat to review as they are divided on the common wall and property lines. Any common ground is owned by the property owner. Commissioner Pier asked Mr. Morrow if this same type of plat has been done before and Mr. Morrow stated yes on North Douglas. Commissioner Economy asked if there would need to be an association created. Mr. Morrow stated eventually yes, to account for shared building features, such as roof, siding, common walls, etc.

- 16-53 **MOTION** – It was moved by Commissioner Viau and seconded by Commissioner Healy to approve the plat of Lots 1A, 1B, 2A and 2B, Block 3, Westbrook Estates Addition to the City of Yankton, South Dakota. Addresses, 2521, 2523, 2525 and 2527 Dorian Drive. KN Construction, Inc, owner.

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

MOTION – PASSED – Moves to November 28th City Commission meeting.

Chairman Pier read action item to review of Lots 3A, 3B, 3C and 3D, Block 5, Westbrook Estates Addition to the City of Yankton, South Dakota. Addresses, 1417, 1419, 1421 and 1423 W. 25th Street. KN Construction, Inc, owner.

Mr. Morrow stated this was the same situation as previous action item.

- 16-54 **MOTION** – It was moved by Commissioner Shindler and seconded by Commissioner Economy to approve the plat review of Lots 3A, 3B, 3C and 3D, Block 5, Westbrook Estates Addition to the City of Yankton, South Dakota. Addresses, 1417, 1419, 1421 and 1423 W. 25th Street. KN Construction, Inc, owner.

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

MOTION – PASSED Moves to November 28th City Commission meeting.

October Building Permit Report Update - Mr. Morrow stated there have been 29 single family units built this year. There is also a new subdivision going up, Summit Lane, owned by Jim Tramp. Mr. Morrow also stated there is an 18 unit apartment complex being starting construction and could be framed up by this winter.

ADJOURNMENT

- 16-55 **MOTION** – It was moved by Commissioner Economy and seconded by Commissioner Viau to adjourn at 5:45 PM.

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

MOTION – PASSED

Respectfully submitted,

Dave Mingo
Secretary

Publishing Dates: November 14 and November 17, 2016

NOTICE TO BIDDERS

Sealed bids will be received by the City Commission of the City of Yankton, South Dakota, at 416 Walnut Street, Yankton, South Dakota, at the Office of the City Finance Officer of said City until 3:00 P.M. or may be hand delivered to the place of opening at 3:00 P.M. on the 1st day of December, 2016, at which time they will be publicly opened and read in the Second Floor Meeting Room of City Hall, Yankton, South Dakota. Disposition of said bid will be held on the 12th day of December, 2016 at 7:00 P.M. in the City of Yankton Community Meeting Room located in the Technical Education Center at 1200 W. 21st Street, Yankton, South Dakota.

Bids will be received on the following:

**ANNUAL SUPPLY OF TRANSPORT-TANKWAGON PETROLEUM PRODUCTS
FOR CHAN GURNEY MUNICIPAL AIRPORT**

Copies of the specifications may be obtained at the Office of the Airport Supervisor, 700 E 31st Street, Yankton, South Dakota 57078 or by telephoning (605) 661-9223 or online at the City website; cityofyankton.org.

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

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

Dave Mingo, AICP
Director of Community &
Economic Development
City of Yankton, South Dakota

Memorandum #16-285

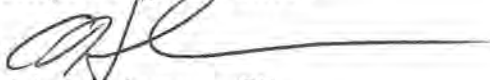
To: Amy Nelson, City Manager
From: Adam Haberman, PE, Public Works Director
Subject: 2016 Assessment Rolls – Douglas Avenue Construction from Anna Street to 31st Street
Date: November 18, 2016

Attached to this memorandum is the special assessment roll for street improvements. The following schedule of events should be undertaken to complete the special assessment process:

- November 18, 2016 Department of Public Works files special assessment roll with Finance Officer.
- November 28, 2016 City Commission sets public hearing for December 12, 2016.
- November 30, 2016 Department of Public Works sends notice of hearing to affected property owners.
- December 1, 2016 Department of Public Works publishes notice of hearing in Press & Dakotan. Publishing date of December 1, 2016.
- December 12, 2016 City Commission holds public hearing on assessment roll and approves resolution.
- December 13, 2016 Finance Department sends notice to property owners giving amount of assessment, installments, etc.
- December 2016 Finance Department publishes resolution with December 12th Commission Minutes.
- January 10, 2017 Final date property owners can pay entire assessment without interest.
- January 1, 2017 First special assessment installment due.

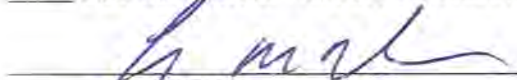
In order for City staff to begin the special assessment process it is recommended that the City Commission, at their meeting on November 28, 2016, set a public hearing date on the special assessment roll for Monday, December 12, 2016.

Respectfully submitted,


Adam Haberman, PE
Public Works Director

Attachments

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


Amy Nelson
City Manager

cc: Al Viereck

_____ Establish hearing date

Property Owners with Estimated Costs for Douglas Avenue
 Between Anna Street and 31st Street
 All in the City of Yankton, Yankton County, South Dakota

11/18/2016

Cost per linear front foot: \$20.00

Owner	Address	Legal Description	Front Footage (Ft.)	Assessed Cost
Gail Kennedy	101 W. 31st Street	Lot 1, Block 1 of Airport Acres	369.49	\$7,389.80
Patricia Heine	3001 Douglas Avenue	E 376.62' of the N1/2 of Lot 2, Block 1 of Airport Acres Add.	196.47	\$3,929.40
Carson Vande Kop Properties, LLC	300 E. 6th Street, Yankton, SD 57078	Lot 2 Except the E 376.62' of the N1/2 of Lot 2, Block 1 of Airport Acres Add.	196.66	\$3,933.20
Carson Vande Kop Properties, LLC	300 E. 6th Street, Yankton, SD 57078	& N 92' of Lot 3, Block 1 of Airport Acres Addtion	91.98	\$1,839.60
Wintz -Ray Funeral Home	2901 Douglas Avenue	E 187' of the S 99.4' of N 191.4' of Lot 3, Block 1 of Airport Acres Addition, Block 1 of Airport Acres Addtion	99.40	\$1,988.00
Wintz -Ray Funeral Home	2901 Douglas Avenue	E 187' of the S 262.00' of Lot 3, Block 1 of Airport Acres Addition, Block 1 of Airport Acres Addtion	262.00	\$5,240.00
Wintz - Ray Funeral Home	2901 Douglas Avenue	Lot 4, Block 1 of Airport Acres Addition	653.40	\$13,068.00
Roman Catholic Church	509 Capital Street	S2 SW4 NW4, Sec 6-93-55	662.45	\$13,249.00
Horseshoe Bend, LLC	179 Sherwood Dr., Yankton, SD 57078	Tract E of Willow Ridge Subdivision	287.06	\$5,741.20
Sutton Place Limited Partnership	320 N. Main Ave., Sioux Falls, SD 57101	Tract C of Willow Ridge Subdivision	346.00	\$6,920.00
Sutton Place Limited Partnership	320 N. Main Ave., Sioux Falls, SD 57101	Tract D of Willow Ridge Subdivision	325.00	\$6,500.00
Apple Creek Limited Partnership	4110 Eaton, Suite A, Caldwell, ID 83607	Tract F of Willow Ridge Subdivision	379.16	\$7,583.20
Horseshoe Bend, LLC	179 Sherwood Dr., Yankton, SD 57078	SE1/4, NW1/4 Except dedicated ROW & Except that part of said Description now platted into Lots, Blocks and Outlots, Sec. 6-93-55.	436.35	\$8,727.00
Horseshoe Bend, LLC	179 Sherwood Dr., Yankton, SD 57078	Lot 2, Block 6A Except Townhouse Lots TL10, TL11, TL12 and TL13 of Willow Ridge Subdivision & The Se4 NW4 Exc. Dedicated ROW and Exc. that part of said description now platted lots, blocks and outlots.	223.83	\$4,476.60
			4529.25	\$90,585.00

RESOLUTION 16-86

A RESOLUTION APPROVING THE 2016 SPECIAL ASSESSMENT ROLL FOR DOUGLAS AVENUE CONSTRUCTION FROM ANNA STREET TO 31ST STREET

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

SECTION 1. That the special assessment roll for the assessment of the property assessable for the Douglas Avenue construction from Anna Street to 31st Street in the city of Yankton, South Dakota, is hereby approved and the assessments as set out in said special assessment roll approved this date are hereby levied against such property upon filing of said special assessment roll in the office of the City Finance Officer.

SECTION 2. Said assessment may be paid in ten (10) annual installments and shall be collected under Plan Two "Collection by City Finance Officer", as provided in SDCL 9-43.

Dated: _____

C.N. Gross
Mayor

Attest:

Al Viereck
Finance Office

Memorandum #16-265

To: City Manager
From: Finance Department
Date: November 17, 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, January 14, 2017, from Boomer's Inc., (Gary W. Boom, President) d/b/a Boomer's Lounge, 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 #16-266

To: City Manager
From: Finance Officer
Date: November 17, 2016
Subject: New Retail (on-off sale) Wine License-The Fox Stop

We have received an application for a New Retail (on-off sale) Wine License for January 1, 2017, to December 31, 2017 from The Fox Stop, Inc. d/b/a The Fox Stop, Inc. (James Grotenhuis, President), 1316 W. 30th Street, Yankton, SD.

The above application 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. An inspection by the Building Inspector and Fire Marshal has been done and the premises are in compliance with building and fire codes.



Al Viereck
Finance Officer

Memorandum #16-267

To: City Manager
From: Finance Officer
Date: November 17, 2016
Subject: New Retail (on-off sale) Malt Beverage License-The Fox Stop

We have received an application for a New Retail (on-off sale) Malt Beverage License for July 1, 2016, to June 30, 2017 from The Fox Stop, Inc. d/b/a The Fox Stop, Inc. (James Grotenhuis, President), 1316 W. 30th Street, Yankton, SD.

The above application 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. An inspection by the Building Inspector and Fire Marshal has been done and the premises are in compliance with building and fire codes.



Al Viereck
Finance Officer

Memorandum #16-274

To: Amy Nelson, City Manager
From: Adam Haberman, PE, Public Works Director
Subject: Summary of 2016 Special Assessment Rolls 15th Street Construction from West City Limits Road to Dakota Street
Date: November 15, 2016

November 28, 2016 is the date established for a public hearing at which time the final costs associated with the subject project will be assigned to the benefiting properties. Information provided to the City Commission in conjunction with Memorandum #16-262 (attached) on November 14, and subsequently provided to the properties to be assessed, documents that the final costs are based on the assessment amount determined when the assessment district was established by the City Commission. As of the date of this memorandum there have been no property owner inquires.

Recommendation: It is recommended that the Board of Commissioners approve Resolution #16-60 approving the 2016 Special Assessment Roll for 15th Street Construction from West City Limits Road to Dakota Street.

Respectfully submitted,




Adam Haberman, PE
Public Works Director

Attachments

I concur with the recommendation.

I do not concur with the recommendation.


Amy Nelson, City Manger

Memorandum #16-262

To: Amy Nelson, City Manager
From: Adam Haberman, PE, Public Works Director
Subject: 2016 Assessment Rolls – 15th Street Construction from West City Limits Road to Dakota Street
Date: November 8, 2016

Attached to this memorandum is the special assessment roll for street improvements. The following schedule of events should be undertaken to complete the special assessment process:

- November 7, 2016 Department of Public Works files special assessment roll with Finance Officer.
- November 14, 2016 City Commission sets public hearing for November 28, 2016.
- November 17, 2016 Department of Public Works sends notice of hearing to affected property owners.
- November 17, 2016 Department of Public Works publishes notice of hearing in Press & Dakotan. Publishing date of November 17, 2016.
- November 28, 2016 City Commission holds public hearing on assessment roll and approves resolution.
- November 29, 2016 Finance Department sends notice to property owners giving amount of assessment, installments, etc.
- December 2016 Finance Department publishes resolution with November 28th Commission Minutes.
- December 29, 2016 Final date property owners can pay entire assessment without interest.
- January 1, 2017 First special assessment installment due.

In order for City staff to begin the special assessment process it is recommended that the City Commission, at their meeting on November 14, 2016, set a public hearing date on the special assessment roll for Monday, November 28, 2016.

Respectfully submitted,



Adam Haberman, PE
Public Works Director

Attachments

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



Amy Nelson
City Manager

cc: Al Viereck

_____ Establish hearing date

RESOLUTION 16-60

**A RESOLUTION APPROVING THE 2016 SPECIAL ASSESSMENT ROLL FOR 15TH STREET
CONSTRUCTION FROM WEST CITY LIMITS ROAD TO DAKOTA STREET**

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

SECTION 1. That the special assessment roll for the assessment of the property assessable for the 15th Street construction from West City Limits Road to Dakota Street in the city of Yankton, South Dakota, is hereby approved and the assessments as set out in said special assessment roll approved this date are hereby levied against such property upon filing of said special assessment roll in the office of the City Finance Officer.

SECTION 2. Said assessment may be paid in ten (10) annual installments and shall be collected under Plan Two "Collection by City Finance Officer", as provided in SDCL 9-43.

Dated: _____

C.N. Gross
Mayor

Attest:

Al Viereck
Finance Office

Property Owners with Final Costs for 15th Street
 Between WCLR and Dakota Street
 All in the City of Yankton, Yankton County, South Dakota

11/7/2016

Cost Per Front Foot: \$224.029201

Owner	Address	Legal Description	Front Footage (Ft.)	Estimated Cost
James and Jean Tramp Trust	2513 Burleigh Street, Yankton, SD 57078	NW4 SW4 EXC LTS 1-10 BLK 1 & EXC LTS 1-8 BLK 2 & EXC LTS 4-9 BLK 3 & EXC LTS 1-12 BLK 4 & EXC LTS 1-20 BLK 5 & EXC LTS 1-6 BLK 6 & EXC LTS 1A-12 BLK 7 & EXC O/L 2& EXC S225' W255' E577' NW4 SW4 (PARCELS) & EXC THE EAST 173.9' OF THE SOUTH 225'	857.75	\$192,161.05
Mark & Lydia LLC	1500 Dakota Street, Yankton, SD 57078	S225' W255' E577' NW4 SW4 (PARCELS)	255	\$57,127.45
Yankton School District	2410 West City Limits Road, Yankton, SD	LOT A SW4 OF THE SW4	330.2	\$73,974.44
Steve & Lori Drotzmann	623 Augusta Circle, Yankton, SD 57078	PARCEL IN SW4 SW4 EXC LT A EXC LTS 1-7 BLK 1 LTS 1-5 BLK 2 & LT 1 BLK 3 DAKOTAWEST ESTATES ADDITION (PARCELS)	782.55	\$175,314.05
			2225.5	\$498,576.99

11/8/2016

Memorandum #16-268

To: Amy Nelson, City Manager
 From: Todd R. Larson, Director of Parks, Recreation, & City Events
 Date: November 14, 2016
 Subject: Cemetery Rate Increase

It is the recommendation of the Cemetery staff to increase the 2017 Cemetery rates to help ease the current subsidy.

In the attached document, the Cemetery rates are compared with other Municipal Cemeteries throughout the State, Sacred Heart Cemetery, and Garden of Memories Cemetery. The survey's state average includes all cemeteries found outside of the City of Yankton and does not include Yankton's fees. The local average includes the two other cemeteries found in the City of Yankton but again does not include the City Cemetery fees.

The last time rates were increased was in 2014. If approved, the Parks and Recreation Department will update our website and brochure to take effect on January 1, 2017.

The total increase in revenue with the rate increase would be projected at approximately **\$7,250 per year**. The increased revenues would help decrease the general fund transfer, which in 2015 was \$59,598.

	<u>New Rate</u>	<u>Old Rate</u>
Ave. sale of adult lots	30 x \$600= \$18,000	30 x \$500= \$15,000
Ave. adult internments	25 x \$650= \$16,250	25 x \$510= \$12,750
Ave. cremations	5 x \$400= \$ 2,000	5 x \$250= \$ 1,250
Total Revenue	<u>=\$36,250</u>	<u>=\$29,000</u>

It is the recommendation of the Parks Department to implement the new rate structure on January 1, 2017.

Respectfully submitted,



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

I concur with this recommendation.

I do not concur with this recommendation.



Amy Nelson, City Manager

____ Roll call

RESOLUTION 16-82

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

WHEREAS, the City of Yankton has conducted a cemetery rate analysis based on other rates charged by municipal cemeteries in South Dakota.

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

That the following cemetery rates shall be adopted:

Description	Local Avg.	Current	Proposed
		2016 rates	
Sale of Lots			
Adult	\$597.50	\$500.00	\$600.00
Interments			
Adult-Weekday	\$625	\$510.00	\$650.00
Cremains -Weekday	\$375	\$250.00	\$400.00

ADOPTED:

C.N. Gross
Mayor

ATTEST:

Al Viereck
Finance Officer

2016 Cemetery Rate Study

Description	State								
	Rapid City	Brookings	Watertown	Vermillion	Mitchell	Aberdeen	Huron	Pierre	Avg.
	All Sales tax included								
Sale of Lots									
Adult	\$804.03	\$600.00	\$730.00	\$450.00	\$500.00	\$425.00	\$600.00	\$400.00	\$563.63
Infants	\$251.48	\$600.00	N/A	\$450.00	N/A	\$5.00	\$600.00	\$50.00	\$326.08
Small Child	\$765.23	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Interments									
Adult-Weekday	\$851.27	\$750.00	\$595.00	\$575.00	\$452.63	\$525.00	\$773.00	\$425.00	\$618.36
Adult- Weekend/Holiday	\$1,115.45	N/A	\$805.00	\$675.00	\$665.63	\$725.00	\$873.00	N/A	\$809.85
Small Child-Weekday	\$628.18	N/A	\$595.00	N/A	N/A	N/A	N/A	N/A	\$611.59
Small Child-Weekend	\$892.36	N/A	\$805.00	N/A	N/A	N/A	N/A	N/A	\$848.68
Cremaains -Weekday	\$352.25	\$475.00	\$297.50	\$200.00	\$213.00	\$325.00	\$730.00	N/A	\$370.39
Cremaains -Weekend/Holiday	\$616.43	N/A	\$507.50	\$300.00	\$426.00	\$525.00	\$873.00	N/A	\$541.32
Infant -Weekday	\$266.25	\$150.00	No Charge	\$200.00	\$213.00	\$175.00	\$773.00	\$200.00	\$282.46
Infant-Weekend/Holiday	\$530.43	N/A	No Charge	\$300.00	\$426.00	\$375.00	\$873.00	N/A	\$500.89
Disinterments (All)									
Reburial within Cemetery	3 x Interment Rate	N/A	3 x Interment Rate	3 x Interment Rate	3 x Interment Rate	3 x Interment Rate	3 x Interment Rate	\$800.00	
Reburial out of Cemetery	2 x Interment Rate	N/A	2 x Interment Rate	2 x Interment Rate	2 x Interment Rate	2 x Interment Rate	2 x Interment Rate	\$700.00	
Other									
Setting Markers/Monuments	\$69.45	\$50.00	\$70.00	\$25.00	\$ 50.00	\$ 50.00	\$ 50.00	N/A	\$52.06

Description	2013	2016	2013	2016	Local	Proposed	Yankton Current	2013 Yankton
	Sacred Heart	Sacred Heart	Garden of Mem.	Garden of Mem.	Avg.			
Sale of Lots								
Adult	\$500.00	\$600.00	\$495.00	\$595.00	\$597.50	\$600.00	\$500.00	\$450.00
Infants	\$225.00	\$600.00	\$175.00	\$175.00	\$387.50	\$600.00	\$200.00	\$200.00
Interments								
Adult-Weekday	\$510.00	\$600.00	\$550.00	\$650.00	\$625.00	\$650.00	\$510.00	\$460.00
Adult- Weekend/Holiday	\$610.00	\$600.00	\$550.00	\$650.00	\$625.00	\$650.00	\$590.00	\$590.00
Cremaains -Weekday	\$310.00	\$400.00	\$200.00	\$350.00	\$375.00	\$400.00	\$250.00	\$225.00
Cremaains -Weekend/Holiday	\$385.00	\$400.00	\$200.00	\$350.00	\$375.00	\$400.00	\$350.00	\$350.00
Infant -Weekday	\$275.00	\$400.00	\$175.00	\$200.00	\$300.00	\$400.00	\$200.00	\$200.00
Infant-Weekend/Holiday	\$325.00	\$400.00	\$175.00	\$200.00	\$300.00	\$400.00	\$350.00	\$350.00
Disinterments (All)								
Reburial within Cemetery	\$950.00	\$1,000.00	\$990.00	\$1,300.00	\$1,150.00	3 x Interment Rate	3 x Interment Rate	3 x Interment Rate
Reburial out of Cemetery	N/A	\$1,000.00	\$550.00	\$1,300.00	\$1,150.00	2 x Interment Rate	2 x Interment Rate	2 x Interment Rate
Other								
Setting Markers/Monuments	\$50.00	\$60.00	\$50.00	\$75.00	\$67.50	\$60.00	\$50.00	\$50.00

Memorandum #16-269

To: Amy Nelson, City Manager
From: Todd R. Larson, Director of Parks, Recreation, & City Events
Date: November 14, 2016
Subject: Summit Activity Rate Increase

It is the recommendation of the Recreation Department to adjust the Summit Activity Center rates (attachment) approximately 4% to help ease the current yearly subsidy and bring rates closer to market comparisons. The rates at the SAC were last adjusted in 2014. The proposed rates would be effective March 1, 2017, to correspond with the next corporate quarterly billing.

The 2017 Proposed SAC Rates attachment presents the proposed schedule of fees and where the fees have been in the past. The Parks Advisory Board reviewed the recommendation at the October 2016 meeting and recommended the proposed fee schedule adopted.

The Recreation Department believes the proposed SAC rates maintain the facility and its offerings as a very good value for anyone in the Yankton area. Current members would receive a mailing detailing the rate changes prior to the implementation date of March 1, 2017.

As always, the number one goal is to retain members while implementing fee changes. With making fitness classes a free benefit for members, by allowing SAC members to register for swim lessons and summer recreation programs before the general public, and by giving a discount on the Yankton Summer Pool Pass to SAC members, we hope the members realize we have increased the value of being a member over the past years.

Customer service is also an area that we will continue to strive to improve so again, the members feel they are always welcome in the facility, always welcome to provide input, and feel comfortable in approaching any of our staff about concerns, questions, or comments.

It is the recommendation of the Recreation Department to implement the new rate structure on March 1, 2017.

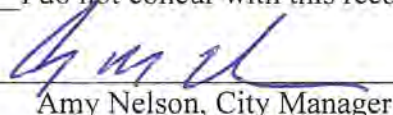
Respectfully submitted,



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

I concur with this recommendation.

I do not concur with this recommendation.



Amy Nelson, City Manager

Roll call

	<u>2006-2009</u>	<u>2010</u>	<u>2011</u>	<u>2014</u> does not include tax	<u>Proposed 2017</u>
<u>Annual Memberships</u>					
Family	\$400	\$460	\$504	\$516 Effective December 1, 2016	\$540
Adult Couple	\$330	\$373	\$420	\$432 Approximately 4% increase	\$456
Senior Citizen Couple	\$260	\$296	\$348	\$372	\$396
Adult Single	\$260	\$260	\$288	\$312	\$324
Senior Citizen Single/College	\$200	\$208	\$240	\$264	\$276
High School/Youth	\$115	\$100	\$120	\$144	\$156

Electronic Monthly Payment (Annual members only)

Family		\$39	\$42	\$43	\$45
Adult Couple		\$32	\$35	\$36	\$38
Senior Citizen Couple		\$25	\$29	\$31	\$33
Adult Single		\$22	\$24	\$26	\$27
Senior Citizen Single/ College		\$18	\$20	\$22	\$23
High School/Youth		\$9	\$10	\$12	\$13

Quarterly Memberships

Family	\$140	\$148	\$158	\$161	\$169
Adult Couple	\$115	\$120	\$132	\$135	\$143
Senior Couple	\$86	\$93	\$109	\$116	\$124
Adult Single	\$100	\$78	\$90	\$98	\$101
Senior Single/ College	\$70	\$63	\$75	\$83	\$86
High School/Youth	\$40	\$30	\$38	\$45	\$49

Military Rates Annual

Family	\$300	\$358	\$404	\$428	\$448
Adult Couple	\$247	\$291	\$336	\$359	\$378
Adult Single	\$140	\$174	\$231	\$259	\$269

Military Electronic Monthly Payment

Family		\$30	\$34	\$36 17% discount military	\$37
Adult Couple		\$25	\$28	\$30	\$32
Adult Single		\$15	\$20	\$22	\$22

Military Rates Quarterly

Family	\$105	\$115	\$126	\$129	\$135
Adult Couple	\$86	\$94	\$105	\$108	\$114
Adult Single	\$50	\$58	\$72	\$78	\$81

Corporate Memberships

Quarterly billed amount

Corporations must be billed quarterly for 12% discount. No individuals may sign-up for corporate.

Family		\$104	\$114	\$114	\$119
Adult Couple		\$84	\$95	\$95	\$100
Adult Single		\$59	\$65	\$69	\$71

**** Corporate EFT rate added in 2010 to work with State of SD employees

Daily Rates

Family	\$10	\$12	\$14	\$12	\$12
Adult	\$5	\$6	\$7	\$6	\$6
Sr. Cit./College/HS/Youth	\$4	\$5	\$6	\$5	\$5
Pre-School	\$2	\$3	\$4	\$3	\$3
Showers only	\$2	\$3	\$3	\$3	\$3

June, July, August summer special: 15% off of annual membership, 10% of off quartely membership
 Started September 1, 2010 memberships included water aerobics, yoga, other fitness programming

Memorandum #16-270

To: Amy Nelson, City Manager
From: Todd R. Larson, Director of Parks, Recreation, & City Events
Date: November 17, 2016
Re: Proposed 2017 Fox Run Golf Course Rate adjustments.

The proposal for the 2017 Fox Run Golf Rates from Fox Run Staff and the Golf Advisory Board is for keeping the same rate structure as was used in 2016 but raising the fees by approximately 4%.

The Golf Advisory Board discussed rates at the GAB meetings in both October and November. The recommendation from the GAB is to adopt the proposed golf fees, as found on the two attachments, for 2017 but that cart and trail fees only be increased as long as security cameras are added to the cart sheds prior to the start of the 2017 season.

Fox Run season pass totals increased from 2015 to 2016 which was a positive. Unfortunately, the rounds of green fees paid were down. Through October 31 the revenue for concessions, the pro-shop, and the course were all down from 2015.

Amy, Todd, and Tom Jeffers have worked on a strategic plan for 2017 which will help decrease expenses while still offering strong customer service and a well-maintained golf course.

All prices for merchandise and food items would also be subject to increases based on wholesale prices.

The last item to consider in regards to the 2017 Fox Run Golf Fees is the Community Recreation Pass idea that was discussed with the Commission in 2015 and 2016. To keep the idea simple, current SAC annual members are given a discount when purchasing Summer Pool Passes for Fantle Memorial Park Pool. In bringing Fox Run on board with this program, current SAC annual members would be given a 10% discount when purchasing an Individual Adult Pass or an Adult Couples Pass at Fox Run. The discount would not apply to any other fees or charges at Fox Run (i.e. Limited Play Passes, Trail Fees, Cart Storage, etc.). Based on past member analysis at both facilities, it would affect approximately 73 memberships at Fox Run. This program would create some goodwill with those area residents who support the City by being members at both facilities while also trying to make our SAC Fitness Center and Fox Run Golf Course more attractive to those who may be golfing at Fox Run but using a different fitness facility in town, or those who are members at the SAC and golfing at Crofton or other area golf courses.

It is the recommendation of the Recreation Department and the Golf Advisory Board to adopt the Fox Run fees as proposed for 2017. It is also the Recreation Department recommendation to adopt the discount program for SAC annual members at Fox Run Golf Course.

Respectfully submitted,



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

I concur with this recommendation.

I do not concur with this recommendation.



Amy Nelson, City Manager

FOX RUN GOLF COURSE
YANKTON, SOUTH DAKOTA
605-668-5205 – www.cityofyankton.org

2017 ANNUAL PASSES January 1st – December 31st (Taxes included)

~ playing restrictions on Saturday and Sunday apply for all youth aged 14 years and younger. Saturday and Sundays prior to Noon, youth aged 14 and younger must be with an adult.

<i>Individual (aged 31+)</i> <i>Adult Pass Plus</i>	Includes adults age 31 or older. kids 14 and under can play free as a part of Individual Pass Plus plan Each additional child aged 15 to 24 added to golf pass for \$70/child \$582
<i>Individual (aged 18 – 30)</i> <i>Adult Pass Plus</i>	Includes adults age 18 to 30 and not meeting college requirements. kids 14 and under can play free as a part of Individual Pass Plus plan Each additional child aged 15 to 24 added to golf pass for \$70/child \$312
<i>Adult Couple</i> <i>Pass Plus</i>	Includes two adults living at same address kids 14 and under can play free as a part of Couple Pass Plus plan Each additional child aged 15 to 24 added for \$70/child \$759
<i>Limited Play</i> <i>Value Pass Plus</i>	Play restricted to Monday – Friday (excludes weekdays that are holidays) kids 14 and under can play free as a part of Limited Play Value Pass plan Each additional child aged 15 to 24 added for \$70/child \$210 individual adult (25 to 30) \$447 individual adult (31+) \$572 adult couple
<i>College Pass</i>	Includes full-time college students until they have reached age 24 \$191
<i>H. S. or</i> <i>Younger Pass</i>	Includes students enrolled in grades 12 or below during the current academic year. \$136

GREENS FEES (Taxes included)

9 holes Fri. – Sun., Holidays	\$22.00 (\$32.00 w/cart)
18 holes Fri. – Sun., Holidays	\$28.00 (\$43.00 w/cart)
Weekend after 3:00pm Children 14 and under play free with adult paying green fees.	
9 holes Mon. - Thurs.	\$17.00 (\$27.00 w/cart)
18 holes Mon. – Thurs.	\$23.00 (\$38.00 w/cart)
Senior Rates (60 and older, Mon. – Fri. a.m. tee time only, excludes holidays)	
9 holes	\$24 w/cart
18 holes	\$34 w/cart
Junior Rates (Students in grade 12 or below, valid immediately after high school graduation for summer)	
9 holes	\$12
18 holes	\$18

GOLF CART RENTALS (Taxes included) Must have at least a restricted driving permit to operate.

Person (per seat) 9 holes	\$10.00
Person (per seat) 18 holes	\$15.00
Rider only	\$5.00 ~ just riding and watching

TRAIL FEES FOR PRIVATELY OWNED CARTS

Daily	For carts not stored at course	\$10.00
Annual	For carts not stored at course	
	Primary Owner	\$185
	Secondary Owner	\$185

CART STORAGE – Includes gas or electricity for ONLY your golf cart. Annual Trail Fee (\$185) and an Annual Golf Pass is mandatory for any private cart stored at Fox Run.

Cart Storage for year \$290.00 plus annual trail fee \$185 = \$475

ANNUAL GOLF CART RENTAL OF FOX RUN CARTS

Individual	\$410
Adult Couple	\$530
(Add \$20 for each additional family member)	

DRIVING RANGE TOKENS AND SEASON PASSES (Taxes included)

½ bucket	\$5.00
Full bucket	\$9.00
High School/Youth	\$60.00
College	\$85.00
Adult Single Pass	\$110.00
(each additional family member added to adult single pass will cost \$30 more per individual)	

GOLF SIMULATOR RATES (Taxes included) Rates are time based with no limit on number of players

Non-Pass Holders

Weekday Open Golf/Range (M-F)	\$27/hour
Weekend Open Golf/Range (Sa-Su)	\$37/hour
League Rates (9 hole)	\$17/player/week
League Rate Allocation	\$5/week goes to payout \$12/week goes to green fees

Current Pass Holders

Weekday Open Golf/Range (M-F)	\$22/hour
Weekend Open Golf/Range (Sa-Su)	\$27/hour
League Rates (9 hole)	\$12/player/week
League Rate Allocation	\$5/week goes to payout \$7/week goes to green fees

Type of Fee	2016 Mitchell	2016 Watertown	2016 Madison	2016 Vermillion	2016 Aberdeen	2016 Brookings	2016 Crofton	2016 Average	2017 Fox Run
									4%
Family (\$60 per 15-24 child)	\$ 795.00	\$ 820.00	\$ 780.00	\$ 779.00	\$ 885.00	\$ 855.00		\$ 819.00	\$ 821.00
Adult Couple	\$ 720.00	\$ 745.00	\$ 700.00	\$ 709.00	\$ 790.00	\$ 785.00		\$ 741.50	\$ 759.00
Adult Individual (31+)	\$ 495.00	\$ 500.00	\$ 535.00	\$ 545.00	\$ 560.00	\$ 579.00	\$ 582.00	\$ 542.29	\$ 582.00
Adult Individual (18-30)									\$ 312.00
Limited Play Individual (31+)		\$ 400.00			\$ 495.00			\$ 447.50	\$ 447.00
Limited Play Individual (18-30)									\$ 210.00
Limited Play Couple									\$ 572.00
College	\$ 200.00	\$ 325.00	\$ 200.00	\$ 269.00	\$ 320.00	\$ 199.00	\$ 180.00	\$ 241.86	\$ 191.00
H.S. or Younger	\$ 140.00	\$ 160.00	\$ 200.00	\$ 129.00	\$ 180.00	\$ 160.00	\$ 125.00	\$ 156.29	\$ 136.00
9 Hole G.F. Mon.-Thrs.	\$ 16.00	\$ 18.00	\$ 17.00	\$ 18.00	\$ 18.00	\$ 10.00	\$ 17.00	\$ 16.29	\$ 17.00
18 Hole G.F. Mon.-Thrs.	\$ 26.00	\$ 25.00	\$ 23.00	\$ 24.00	\$ 26.00	\$ 18.00	\$ 23.00	\$ 23.57	\$ 23.00
9 Hole G.F. Fri.-Sun.	\$ 16.00	\$ 20.00	\$ 23.00	\$ 21.00	\$ 20.00	\$ 15.00	\$ 22.00	\$ 19.57	\$ 22.00
18 Hole G.F. Fri.-Sun.	\$ 26.00	\$ 30.00	\$ 29.00	\$ 32.00	\$ 28.00	\$ 23.00	\$ 28.00	\$ 28.00	\$ 28.00
9 Hole Cart Rental	\$ 10.00	\$ 8.00	\$ 8.50	\$ 12.00	\$ 9.00	\$ 10.00	\$ 10.00	\$ 9.64	\$ 10.00
18 Hole Cart Rental	\$ 20.00	\$ 15.00	\$ 11.50	\$ 17.00	\$ 15.50	\$ 14.00	\$ 15.00	\$ 15.43	\$ 15.00
Cart Storage	\$ 240.00		\$ 200.00	\$ 359.00	\$ 230.00	NO PRIVATE	\$ 202.00	\$ 246.20	\$ 290.00
Trail Fee	\$ 150.00	\$ 180.00	\$ 220.00	\$ 179.00	\$ 190.00			\$ 183.80	\$ 185.00
Daily Trail Fee	\$ 10.00	\$ 10.00	\$ 9.00		\$ 10.00		\$ 5.00	\$ 8.80	\$ 10.00
Adult Cart Pass	\$ 395.00	\$ 400.00		\$ 509.00	\$ 445.00	\$ 200.00		\$ 389.80	\$ 410.00
Couple Cart Pass	\$ 525.00	\$ 500.00		\$ 689.00	\$ 570.00	\$ 94.00		\$ 475.60	\$ 530.00
1/2 Bucket	\$ 4.50	\$ 4.00		\$ 4.00	\$ 6.75	\$ 5.00		\$ 4.85	\$ 5.00
High School		\$ 125.00		\$ 94.00				\$ 109.50	\$ 60.00
College									\$ 85.00
Adult Range	\$ 100.00	\$ 190.00		\$ 199.00	\$ 100.00	\$ 160.00		\$ 149.80	\$ 110.00
+1	\$ 150.00	\$ 220.00		\$ 274.00		\$ 220.00		\$ 216.00	\$ 130.00
+2	\$ 150.00	\$ 220.00		\$ 274.00		\$ 220.00		\$ 216.00	\$ 150.00

too expensive, too hard, too time consuming
What can we do for youth who cannot afford to golf?

Type of Fee	2016 Fox Run	2016 Tatanka
Family (\$60 per 15-24 child)	\$ 790.00	\$ 1,200
Adult Couple	\$ 730.00	\$ 1,000
Adult Individual (31+)	\$ 560.00	\$ 750
Adult Individual (18-30)	\$ 300.00	\$ 750
Limited Play Individual (31+)	\$ 430.00	
Limited Play Individual (18-30)	\$ 200.00	
Limited Play Couple	\$ 550.00	
College	\$ 184.00	
H.S. or Younger	\$ 131.00	
9 Hole G.F. Mon.-Thrs.	\$ 18.50	
18 Hole G.F. Mon.-Thrs.	\$ 24.50	\$ 65
9 Hole G.F. Fri.-Sun.	\$ 18.50	
18 Hole G.F. Fri.-Sun.	\$ 24.50	\$ 70
9 Hole Cart Rental	\$ 10.00	
18 Hole Cart Rental	\$ 13.00	
Cart Storage	\$ 275.00	
Trail Fee	\$ 180.00	
Daily Trail Fee	\$ 10.00	
Adult Cart Pass	\$ 400.00	\$ 250
Couple Cart Pass	\$ 520.00	\$ 300
1/2 Bucket	\$ 4.00	
High School	\$ 50.00	
College	\$ 75.00	
Adult Range	\$ 100.00	
+1	\$ 120.00	
+2	\$ 140.00	

Clubhouse and Pool Social

Memorandum #16-271

To: Amy Nelson, City Manager
 From: Todd R. Larson, Director of Parks, Recreation, & City Events
 Date: November 14, 2016
 Subject: Shelter House Rental Fee Adjustment

It is the recommendation of the Parks Department to adjust the Shelter House Rental fees (attachment) to help increase department revenue. The fees for Shelter House Rentals were last adjusted in 2011. The proposed fees would be effective January 1, 2017, and only apply to new reservations. Those reservations already in the system would be charged the 2016 fees.

The 2017 Proposed Shelter House Rental Fees attachment presents the proposed schedule of fees and where the fees have been in the past. The Parks Advisory Board reviewed the recommendation at the October 2016 meeting and recommended the proposed fee schedule be adopted.

It is the recommendation of the Recreation Department to implement the new fee structure on January 1, 2017.

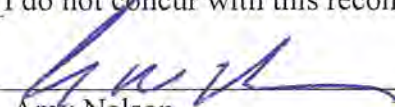
Respectfully submitted,



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

I concur with this recommendation.

I do not concur with this recommendation.



Amy Nelson
 City Manager

Roll call

Park Rental Facilities

	2010 & before	2011	2017 proposed
Riverside Ampitheater	\$60	\$70	\$100
Territorial Capitol Replica	\$50	\$60	\$100
Riverside Park			
#3	\$40	\$50	\$75
#1, #2, #4, #5, #6, #7,	\$30	\$40	\$60
Fantle Memorial Park			
South	\$40	\$50	\$75
North, West	\$30	\$40	\$60
Sertoma Park			
East, West	\$30	\$40	\$60
Westside Park	\$30	\$40	\$60
Tripp Park	\$30	\$40	\$60

Memorandum #16-272

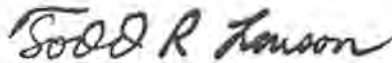
To: *Amy Nelson, City Manager*
 From: *Todd R. Larson, Director of Parks, Recreation, & City Events*
 Date: *November 14, 2016*
 Subject: *Memorial Pool and Summer Pool Pass Fee Adjustment*

It is the recommendation of the Recreation Department to adjust the Memorial Pool and Summer Pool Pass fees (attachment) to help increase department revenue. The fees for the Memorial Pool have not been adjusted for a very long time. The proposed fees would be effective for the 2017 pool season

The 2017 Proposed Memorial Pool and Summer Pool Pass Fees attachment presents the proposed schedule of fees. The Parks Advisory Board reviewed the recommendation at the October 2016 meeting and recommended the proposed fee schedule be adopted.

It is the recommendation of the Recreation Department to implement the new fee structure in 2017.

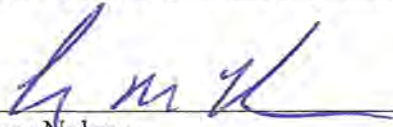
Respectfully submitted,



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

I concur with this recommendation.

I do not concur with this recommendation.



 Amy Nelson

_____ Roll call

Memorial Pool

2016				2017 Proposed			
Daily Pass							
Family	\$ 12.00			Family	\$ 12.00		
Adults	\$ 6.00	eliminate		Individual	\$ 6.00		
Youth	\$ 5.00	eliminate					

Season Pass							
Family	\$ 90.00			Family	\$ 100.00		
Individuals	\$ 45.00			Individual	\$ 50.00		
				Seniors 60+	FREE	???	

SAC Summer Pool Pass Discount (must be purchased at SAC)							
Family	\$ 70.00			Family	\$ 80.00		
Individuals	\$ 35.00			Individual	\$ 40.00		

Started offering 1/2 price outdoor pool passes as a part of "Get Up and Play Weekend" in 2015 & 2016

Attendance

2016	2015	2014	2013	2012	2011	2010	2009	2008
18,450	16,122	14,930	14,186	19,997	19,215	16,927	13,885	16,097

Passes sold

2016	2015	2014	2013	2012	2011	2010	2009	2008
518	573	367	494	505	458	366	377	370

Total Revenue

2016	2015	2014	2013	2012	2011	2010	2009	2008
\$ 60,455	\$ 58,922	\$ 48,417	\$ 70,812	\$ 58,327	\$ 29,178	\$ 37,731	\$ 40,903	

Please note, 2012 & 2011 there was no transfer to SAC

Concessions are a part of revenues & expenses starting in 2011.

Pool hours of operation expanded in 2011.

Subidy Amount

2016	2015	2014	2013	2012	2011	2010	2009	2008
\$ 137,367	\$ 133,402	\$ 125,974	\$ 103,872	\$ 147,277	\$ 157,655	\$ 92,056	\$ 99,451	

Memorandum #16-273

To: Amy Nelson, City Manager
From: Todd R. Larson, Director of Parks, Recreation, & City Events
Date: November 14, 2016
Subject: Special Event Handbook and Application Adoption with Fee Proposal

It is the recommendation of the Parks Advisory Board to adopt the proposed Special Event Handbook and Application (attachments) for use starting in 2017. The PAB reviewed the documents and made the recommendation at the November meeting.

The fees for moving items for special events was discussed at the PAB meeting in November also. At this time, the PAB felt it was appropriate to recommend the special event applicant make a monetary donation to the Parks Department for the use of City items and the staff cost involved for moving items. After 2017, the staff time and amount of equipment moved can be documented along with the donations made by special events groups. A new fee recommendation could be brought forward for 2018 based on the data collected in 2017.

It is the recommendation of the Parks Advisory Board and the Parks and Recreation Department to adopt and implement the Special Events Handbook and Application in 2017.

Respectfully submitted,



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

I concur with this recommendation.

I do not concur with this recommendation.



 Amy Nelson

____ Roll call

CITY OF YANKTON SPECIAL EVENTS APPLICATION HANDBOOK

SECTION 1

The City of Yankton welcomes the opportunity to work with your organization in staging a special event on public property (streets and right-of-ways) or City property (hereinafter referred to as “public property”) that is open to the general public and which will benefit the community. The goal is to provide you with the information you need to be successful, ensure you comply with City policy, and and comply with the law. Please read the handbook and ask questions.

Included in this handbook is a list of names and phone numbers of City staff who will answer your questions and guide you through unfamiliar permitting processes. Please be sure to call them when you have a question.

General Guidelines and Definitions

1. The special event policy will govern any special interest use of public property. This includes rentals, events, street closures, etc. If a group or individual wants to use public property and requires City assistance, an events permit will be required. Any use of streets or alleys requires an events permit.
2. A special event is defined as any event on public property (streets and right-of-ways) or City property (hereinafter referred to as “public property”) that is open to the general public and which will benefit the community. An application must be processed for each event and the written approval in the form of a permit must be received from the City before a public announcement of the event can be made.
3. All requests to conduct a special event in the City of Yankton will be directed to the Events Coordinator, 668-5232.
4. It shall be required that an Event Liaison be designated from the organization or group. This person will be charged with the responsibility of working with the Events Coordinator and other City Staff. The Event Liaison shall assume the primary responsibility of insuring that all application requirements are met.
5. The Special Event application for the use of public property should be submitted via the City website or in written form (Special Event Application) at least **ninety (90) days prior to the event**. Major events (1,000+ attendees) should be submitted **six (6) months prior to the event**.
6. The application will be reviewed by the City Commission, City Manager, Events Coordinator, and other City departments.
7. All proposed events requiring City assistance must be held within City Limits.
8. The City of Yankton reserves the right to refuse a request, ask for modifications, or cancel an event.
9. Event date and/or time extensions of approved events shall be handled through the Events Coordinator.
10. The City recognizes the potential public safety risks associated with vehicle movement in the spectator area of an event. All vehicle movement inside the event should be limited. The Event is liable for the operators and safe use of vehicles inside the event.

11. Events scheduled for Fantle Memorial Park must be completed by 12:00 am with loud noise ceasing at 11:00pm. Events in Riverside Park must be completed by 1:00am with loud noise ceasing at 12:00am. Riverside Park is closed to the public from 1:00am to 5:00am.
12. The City of Yankton Noise Ordinance (16-18) will apply to the event.
13. To ensure that we do not violate the rights of homeowners, residents and businesses, organizers must publicize the need to obey all traffic and parking regulations. Many of these regulations are directly related to public safety and, as such, are strictly enforced. Advanced notification to patrons, vendors and spectators will reduce the potential for any ill will toward the sponsor and the City if tickets are issued or vehicles are towed. The City does not wish to have you or the City criticized for inviting the public to an event and failing to warn them of ticketing/towing for non-compliance.
14. The City of Yankton Sign Ordinance will apply to the event.
15. Responsible alcohol management is an important factor in the success of an event. The proper sale and consumption of alcohol at an approved event is an important crowd management factor. If your organization is practiced in managing the sale of alcohol at your event, many problems can be minimized or avoided. This makes your event a positive experience for all attendees. There are certain regulations with which your organization must comply when having an event in an alcohol approved venue in the City of Yankton.
16. When beer/wine is served during an event, organizers assume the responsibility to follow all State and Local regulations pertaining to alcohol.

In issuing a permit for a special event, the City considers whether:

1. The event is likely to cause injury to persons or property, create a disturbance, cause disorderly conduct, be a threat to public safety, or encourage or result in violation of the law;
2. The event will substantially interfere with the safe and orderly movement of pedestrians and vehicular traffic in the area;
3. The proposed location is adequate for the size and nature of the event;
4. The event does not unreasonably interfere with the intended use of the area;
5. City equipment and services are requested and are available;
6. Other known scheduled special events and/or reoccurring community events; and
7. All permit requirements have been met.

Special Event Definition

Any activity sponsored by an organization or individual, other than the City of Yankton, held on public property (streets and right-of-ways) or City property (hereinafter referred to as “public property”) that is open to the general public and which will benefit the community as it is designed for entertainment, competitions, amusement or social, ethnic, religious and/or cultural awareness that:

1. requires restricted or exclusive use of any portion of public property, including but not limited to roped park areas, streets, stages, tables, bleachers, tents, temporary barriers and/or boundaries; and/or;
2. impedes the normal flow of traffic; and/or
3. impedes the enjoyment or use of the property by the public.

Such events require a Special Events Permit issued by the City of Yankton.

Classification of Special Events

City Special Events

Events that are created, planned, and implemented by City Departments. Funding for City sponsored events is reviewed annually during the budget process. Although events may continue to be classified as City sponsored, seeking private and corporate sponsorships is acceptable. Each event shall be assessed by the Events Coordinator, Department Heads, and City Manager as to its overall quality, cost and community benefits and changes made accordingly.

Special Events with City Partnership

Events that are created, planned, and implemented by non-City organizations. The event partnership may include in-kind services from City staff based on regular staff hours, requests for City staff overtime hours, services and materials from the City, and/or financial support limited to funds approved by the City Commission or funds previously budgeted. Cost recovered expenses to be paid to City Departments may include staff labor and overtime, services, materials, and other direct expenses. The Special Events Application will be forwarded to the Yankton Police Department to determine what security will be required, if the police can provide any security and/or how much private security will be required, and if police security is provided at what cost to the event.

Special Events without City Partnership

Events that are created, planned and implemented by non-City organizations. The City does not provide financial support or police security for these events and expects to be reimbursed for all costs associated with the activity including over-time expenses, supplies and materials, and other direct expenses. There will not be continuous police presence. Private security will be needed to roam through event area, keep order, check ID's if alcohol is present, and protect event attendees. If less than 1,500 attendees are expected, security may not be required. If 1,500 or more attendees are expected, or there has been a past history of incidents at the event, private security will be required. Recommendation is 1 security officer for every 1,500 attendees.

Parades

Parades provide a unique contribution to the City by promoting community identity and providing cultural enrichment.

Block Parties

Block party events are neighborhood supported events and designed to assist with creating a sense of community. City assistance may include barricades for street closure. The property owners in the block(s) in question must be agreeable to the barricades and or blockage of streets. The event liaison must contact all of the property owners to advise them of the event and street closure times.

Demonstrations

Demonstration events are supported strictly by the requesting group. These events must be approved if public property will be utilized.

SECTION 2

SPECIAL EVENT LICENSES AND PERMITS

ALL REQUESTS SHOULD BE MADE WELL IN ADVANCE (ninety days up to six months) OF ANY EVENTS.

LICENSE/PERMITS THAT REQUIRE CITY COMMISSION APPROVAL:

SPECIAL EVENT NO PARKING AND STREET CLOSING (Police enforcement AND towing)

A request must be made to the City Manager to place before the City Commission to establish a special events parking zone. Along with the application, a detailed map must be submitted identifying the boundaries of the zone. This request will establish a zone in which no person shall park a vehicle on a specified date and during specified times. Vehicles found within the special events parking zone may be towed. No parking signs with specific event information securely attached must be posted in the zone forty-eight (48) hours prior to the event start time. The event times include set-up and take-down. It is recommended a PSA (Public Service Announcement) be sent to the local media about the street closing. The property owners in the block(s) in question must be agreeable to the barricades and or blockage of streets. The event liaison must contact all of the property owners to advise them of the event and street closure times.

SPECIAL EVENT MALT BEVERAGE AND/OR WINE LICENSE

Any municipality may issue a Special Malt Beverage and/or Wine License in conjunction with special events. This license requires an inspection of the premises by the Building Inspector and Fire Department to ensure that the premises conform to the provisions of Code and other ordinances of the city and the laws of the state. A police check is conducted by our local Police Department, which takes about one week and needs to be done prior to submitting the application to the City Commission. Processing of this application takes two consecutive City Commission meetings. (City Commission Meetings are held the second and fourth Mondays of every month.) The first meeting is to set the date of the Public Hearing for the license. The second meeting is the Public Hearing for approval of the license. The applicant should be present at this meeting in case City Commissioners have any questions. Deadline for submission of application is at least two weeks prior to the first of the two consecutive City Commission meeting dates when the request will be considered.

SPECIAL EVENT DANCE LICENSE

See SDCL 9-34-15. Temporary license to hold a dance. Includes all events with live music. This license requires an inspection of the premises by the Building Inspector and Fire Department to ensure that the premises conform to the provisions of Code and other ordinances of the city and the laws of the state. The Chief of Police needs to be contacted to see what type of security needs to be in attendance at the dance. Also a police check is conducted by our local Police Department, which takes about one week and needs to be done prior to submitting the application to the City Commission. Proof of liability insurance with the City named as additional insured or a bond is needed. Processing of this application takes one City Commission meeting. Deadline for submission of application is at least two weeks prior to the City Commission meeting date when the request will be considered. This license alone does not allow for serving or consumption of alcoholic beverages.

TRANSIENT MERCHANT LICENSE

Any person who engages in a temporary business of selling and delivering goods, wares and merchandise within the city and whom in furtherance of such purpose, hires, leases, uses or occupies any building structure, tent, railroad boxcar, public room in a hotel, or vehicle of any character whatever, for the exhibition and sale of such goods, wares and merchandise. The term “transient merchant” shall also include any person offering for sale or selling from a wagon, automobile or truck, or their vehicle, or from stands, any fruit, vegetable or farm products except as otherwise provided in this division. (Per City of Yankton Code a person retailing merchandise or products of his own manufacture or production is exempt.) A “transient merchant” does not include any newly opened business that is of a permanent nature. This license requires police check by our local police department and needs to be done prior to submitting the application to the City Commission. A South Dakota Sales tax license is required. Proof of liability insurance or a bond is needed. Processing of this application takes one City Commission meeting. Deadline for submission of application is at least two weeks prior to the City Commission meeting date when the request will be considered.

PEDDLERS OR SOLICITOR LICENSE

Peddler – shall mean a person engaged in the selling or personal property of personal services to include, but not limited to, spraying, trimming, or pruning of trees and shrubs of all species, painting or repairing buildings or structures, and pest or rodent control by going about from place to place, highway or street parking, or house to house either in person or by telephone to sell the same and who carries with him such property for delivery at time of sale or performs such service at the time of contract for such service or immediately thereafter.

Solicitor – shall mean a person engaged in going from place to place, highway or street parking, or house to house either in person or by telephone to solicit orders for, or to offer to sell, personal property for future delivery. The term “solicitor” shall also include a person soliciting orders for books, papers, or magazines or subscriptions thereto, and shall include solicitors for transient or nonresident photographers. A solicitor for a transient photographer means any person going from house to house, place to place, or street to street soliciting orders for photographic work to be done by a transient photographer. A solicitor for a nonresident photographer means any person going from house to house, place to place or street to street soliciting orders for photographic work to be done by a photographer who has no studio or other place in the city fully equipped for the taking and finishing of photographs. These license require a police check by our local police department and needs to be done prior to submitting the application the City Commission. A South Dakota Sales tax license is required. Proof of liability insurance or a bond is needed. Processing of this application take on City Commission meeting. Deadline for submission of application is at least two weeks prior to the City Commission meeting date when the request will be considered.

DISCHARGING FIREWORKS

A letter of request needs to be submitted to the City Manager’s Office to be placed before the City Commission to grant permission for discharging fireworks in City Limits. A form must be completed for the Yankton Fire Department also. Deadline for submission of the request is at least four weeks prior to the event. Requests should be mailed to the City Manager’s office, 416 Walnut, PO Box 176, 668-5221. This request will be coordinated by City Manager along with the City Events Coordinator, the Fire Department and Police Department.

SPECIAL EVENT LICENSES/PERMITS THAT DO NOT REQUIRE CITY COMMISSION APPROVAL:

SPECIAL EVENT STREET CLOSING (no City enforcement or towing)

A letter of request needs to be submitted to the City Manager's Office asking permission for a specific street closing. Deadline for submission of the request is at least two weeks prior to the event. Requests should be mailed to the City Manager's office, 416 Walnut, PO Box 176, 668-5221. This request will be coordinated by City Manager along with the City Events Coordinator, Police Department, Water Department, and the Street Department. The property owners in the block(s) in question must be agreeable to the barricades and or blockage of streets. The event liaison must contact all of the property owners to advise them of the event and street closure times.

STREET VENDOR OF FOOD LICENSE

Selling of food from stands, trays, machines, motor or other vehicles, upon the streets or public ground of the city. This application does not require City Commission approval, however the applicant will need to be inspected by the Department of Health for a State license.

NOTE: Locating on or adjacent to City Parks or City Property requires prior written approval of the City Manager.

ITINERANT RESTAURANT LICENSE

A restaurant operating for a temporary period of time, not in excess of ninety days, or in connection with a fair, carnival, circus, public exhibition or similar gathering. This license requires an inspection of the premises by the Building Inspector and Fire Department to ensure that the premises conform to the provisions of Code and other ordinances of the city and the laws of the state. This application does not require City Commission approval, however the applicant will need to be inspected by the Department of Health for a State license.

PARADES

A letter of request needs to be submitted to the City Manager's Office asking permission for a specific street closing. Deadline for submission of the request is at least four weeks prior to the event. Requests should be mailed to the City Manager's office, 416 Walnut, PO Box 176, 668-5221. This request will be coordinated by City Manager along with the City Events Coordinator, Police Department, Water Department, and the Street Department.

SECTION 3

SPECIAL EVENT ALCOHOL – BEER, WINE, AND LIQUOR

SPECIAL ALCOHOL LICENSES AND PERMITS

The following licenses need a completed application, with the required fee at the time of submission, along with a copy of the liability insurance and then approval by the Yankton City Commission. You cannot sell alcohol without an alcohol license. You cannot consume alcohol on public property (streets) without an open container permit. Alcohol consumption is allowed in all City of Yankton Parks.

Special Event Malt Beverage and/or Wine License

Processing of this application takes two City Commission meetings. (City Commission Meeting are held the second and fourth Mondays of every month.) First meeting is to set the notice that is printed in the newspaper. Second meeting is for approval of the license. The applicant should be present at this meeting in case City Commissioners have any questions. The application forms are available in the Finance Office, 668-5243. All applications should be submitted well in advance. Deadline for submission of application is at least two weeks prior to the first of the two consecutive City Commission meeting dates when the request will be considered.

Special Event Alcohol Licensing per State Law

SDCL 35-4-124. Special alcoholic beverage license issued in conjunction with special events. Any municipality or county may issue:

- (1) A special malt beverage retailers license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2(4), (6), or (16) in addition to any other licenses held by the special events license applicant;
- (2) A special on-sale wine retailers license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2(4), (6) or (12) or chapter 35-12 in addition to any other licenses held by the special events license applicant;
- (3) A special on-sale license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2(4), or (6) in addition to any other licenses held by the special events license applicant; or
- (4) A special off-sale package wine dealers license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2(3), (5), (12), (17A), or (19) or chapter 35-12 in addition to any other licenses held by the special events license applicant. A special off-sale package wine dealer's licensee may only sell wine manufactured by a farm winery that is licensed pursuant to chapter 35-12.

Special Event Alcohol Licensing per State Law continued

Any license issued pursuant to this section may be issued for a period of time established by the municipality or county. However, no period of time may exceed fifteen consecutive days. The local governing body shall establish rules to regulate and restrict the operation of the special license, including rules limiting the number of licenses that may be issued to any persons within any calendar year.

Source: SL 2010, ch 185 § 1; SL 2011, ch 175, § 1.

Alcohol Management Pertaining to Special Events on Public Property

1. Alcohol is defined as beer and/or wine. Any wine based beverage containing more than 19% alcohol would be considered a liquor.
2. Only established bars/restaurants with a valid Liquor License may apply to sell liquor at a special event.
3. NO alcohol shall be brought into or out of the venue by patrons. Proper posted signs shall be at all entrance/exit for disposal of these beverages prior to entering or leaving the venue. Open containers of alcohol and drinking in the public-right-of-way or in parking areas are not permitted by law.
4. Each approved concession area for the sale of beer and wine must have signs specifying the legal drinking age and hours of sales. Mobile vending of beer and wine is not permitted. All beer and wine sales must be at pre-approved concession areas. No glass containers may be brought onto the public property by beverage vendors for cup dispensing.
5. All individuals should have their age verified prior to selling them beer/wine. If a centralized ID check area is to be used, proof of verification should be wrist bands or some other method that has been previously approved by the City of Yankton.
6. Alcohol consumption laws will be enforced by the Yankton Police Department.

Remember to err on the side of caution if there is any question whether or not an individual should be served alcohol.

SECTION 4

EVENT SECURITY

The safety of the general public, event sponsors, and city employees is of paramount importance at all events. Life safety is especially important of events on public property because of the possibility of overcrowding public parks or public facilities that may lead to damage of the City's reputation, ability to host special events in the future, and the possibility of civil liability exposure. Each event must appoint an Event Liaison who will work closely with City Staff and be the point of contact for the duration of the event.

If the event's attendance is estimated at less than 1,500 people private security is recommended. If the event's attendance is estimated at more than 1,500 private security will be required. The City of Yankton reserves the right to provide security/police in addition to the private security if the City deems it necessary.

SECTION 5

PORTABLE TOILETS

The event is responsible for providing toilets for event participants. Minimum Toilet Requirement is 1 toilet for every 250 persons with 5% of toilets being ADA compliant. If available restrooms under the control of the Applicant (park facilities or private businesses) are expected to be insufficient to meet this requirement, portable toilets shall be required to be provided by the Applicant at its own expense.

SECTION 6

INSURANCE

1. General liability insurance with the City of Yankton listed as an additional insured is required for a special event utilizing public property and a) involving formal street closures which utilize the special event parking ordinance and/or b) involve the sale of alcohol under the special event alcohol license.
2. The Certificate of Insurance must be received and approved by the City. The City will not permit the special event prior to receiving the Certificate of Insurance.
3. The minimum amount liability limits for the policy will be one million dollars (\$1,000,000) per occurrence which protects the organizing group and the City against liability claims resulting from activities at the event. The liability insurance should cover for both property damage and bodily injuries, including those resulting in death. Auto coverage may be necessary depending upon the event.

SECTION 7

CITY FACILITIES (IF USED)

GENERAL POLICIES, RULES AND PROCEDURES

ANIMALS

With the exception of guide, signal or service dogs, animals are not allowed in City facilities without prior approval. Approval is based on whether the animal is legitimately part of the show, exhibit, or activity requiring the use of animals. If allowed, the renter is responsible for the liability associated with animals and sanitary needs.

DECORATIVE MATERIALS

Nothing may be nailed, stapled, tacked, or otherwise affixed to ceilings, walls, painted surfaces, fire sprinklers, columns, windows or floors. Check with City staff for further information on appropriate decorating methods. Damages resulting from the improper use of these materials will be billed to organizing group. Extreme care must be taken to keep balloons securely tied to a base. It is recommended helium balloons not be brought into the facility until the start of the event to reduce the risk of loose/lost balloons. The use of glitter, confetti, rice, or sand is not permitted. Birdseed may be used OUTSIDE of the facilities. Fog machines are prohibited INSIDE facilities.

FACILITY CLEANING

Users are required to restore facilities back to original conditions. Janitorial/housekeeping are NOT City's responsibility. All garbage is to be taken to the dumpster bins. Re-line garbage cans with liners provided. Clean out any spilled garbage in the container. Clean all outside areas surrounding the facility, including the parking areas used by the guests. Tables and benches/chairs are to be wiped down. Check all windows and doors to make sure they are closed and secure if using a secured facility. All doors must be locked. All items brought by the user, guests, staff, decorators, caterers or others must be removed. Failure to fully clean and restore facilities may result in assessment of cleaning fees against the event Applicant.

KEYS

The City charges a \$10 key deposit for the Dakota Territorial Capitol Building, Amphitheater, and City Hall Gym. The fee is paid when the key is picked up as the user is responsible for picking up keys from the Summit Activities Center, 1801 Summit St, 668-5234. Each user is allowed one set of keys. It is the sole responsibility of the user to unlock the facility for their guests, staff, decorators, caterers, etc. The user must return the keys to the Summit Activities Center the day after the event. The \$10 deposit is returned when the key is returned.

LOST AND FOUND

The City of Yankton is not responsible for lost or stolen items. As a courtesy, some City facilities contribute to a lost and found collection maintained at the Summit Activities Center. Lost and found items must be claimed within 10 working days after the event. The items will be labeled with dates/times when turned into the Summit Activities Center. Failure to timely claim lost and found items will result in City donation or destruction of such items. The City is not responsible for reimbursing or returning items donated or destroyed under this policy.

SAFETY

All equipment used by the user, staff, decorators, caterers, DJs etc. must be UL approved. Extension cords shall be three-wire with ground and shall service one appliance or device. Multi-plug adapters must be UL approved and have an overload internal circuit breaker. Open flames are not allowed. All candles must be enclosed in appropriate containers that rise at least 3" above the flame. Exits, entrances, air supply vents, ramps, sidewalks, and stairways must be kept clear at all times. Exit signs must be kept visible at all times. Fire extinguishers must be kept clear at all times.

GENERAL POLICES

- The City staff has the right to enter the facility at any time during your event.
- Smoking and tobacco use is prohibited within all City facilities and on City property.
- During the winter months, the City staff will clear walk-ways, stairs, and entrances of snow and will spread ice melt previous to an event. It is the user's responsibility to maintain these areas during their event.

SECTION 8

USE OF STREETS-

STREET CLOSINGS, RACES/WALKS, PARADES

1. The City may require a special event to provide/hire security or traffic control attendants.
2. Through the special event application process, the City of Yankton will determine the amount of security and/or traffic control attendants needed for event.
3. Routes for parades, walks, runs, or marathons must be approved by the City of Yankton.
4. Maps of the special event area and/or routes are required. Maps must indicate all of the areas and/or streets being requested for use or for closure.
5. An event which has a vehicle and/or semi-permanent structure placed on a street, sidewalk, or trail will require a special event application.
6. No alcoholic beverages are permitted on public property right-of-ways or streets, whether opened or not, without the appropriate alcohol licensing.
7. In the event of a street closure that will affect businesses in the closure area, prior written approval from those businesses will be necessary. This will be the sole responsibility of the event applicant.
8. The event will be responsible for cleaning up the closed street at its conclusion.

SECTION 9

TENTS

1. No tents shall be erected closer than six (6) feet to a property line, ten (10) feet to any building or structure, or closer to the street line than building line.
2. No tent shall be erected or used unless authorized by the Yankton Parks Department. Such authorization shall not exceed thirty (30) days.
3. Tents shall not be treated with any substance or preparation which would increase the rate of combustibility of the fabric. Tents shall not be erected when subject to overloading by sleet or snow.
4. The provisions of this section, except as to safety, do not apply to temporary tents under 200 sq. ft. erected for the purpose of providing shelter at a cemetery for a funeral, special occasions (such as picnics, private receptions, and similar affairs lasting not more than one (1) day) when erected and used under proper direction.

SECTION 10

MISCELLANEOUS

APPROVAL OF EVENTS

Once a written request (Special Events Application) and all corresponding materials (licenses, insurance, etc.) are received by the Events Coordinator, the request/application will then be submitted for approval. It is the responsibility of the Event Liaison to work with the Events Coordinator to ensure that all requirements for the City are met in a timely manner. The Events Coordinator will contact you with your approved permit.

BANNERS/SIGNS

The hanging of banners or signs must follow the City of Yankton Sign Ordinance and/or must have prior approval. The Sign Ordinance is governed by Community Development and Code Enforcement, 668-5251.

BARRICADES/CONES

The amount of barricades and/or cones needed for an event will be determined with input from the Street Department, Police Department, Events Coordinator, and the Event Liaison. Set-up and take-down of barricades/cones is the responsibility of the Event Liaison and event workers.

ELECTRIC

When required, all electric service shall be installed by a licensed electrician. Any event requiring heavy electrical usage must identify needs with the Events Coordinator. Electric extension cords shall be utilized properly. Gauge size of cords used must be compatible with equipment. Cords shall not be frayed. Cords shall be completely covered with tape or other method to prevent tripping. Cords shall be properly grounded.

HYDRANTS

If water from a hydrant is requested, approval will be required from the City of Yankton and a metered adapter for the hydrant will be used for billing purposes. Any event requiring hydrant water must identify needs with the Events Coordinator and arrangements will be made with the Water Department and Finance Office.

TRASH REMOVAL

Trash removal at the event site is the responsibility of the special event group, however, there may be occasions to coordinate with Yankton's Parks Department and/or Public Works Department. Portable garbage receptacles may be available upon request. Trash dumpsters may be available upon request.

SECTION 11

ASSEMBLIES AND DEMONSTRATIONS

1. The Special Events Coordinator must be notified of organized demonstrations or rallies. Application must be made as a special event. It must meet all City requirements including:
 - a. No blocking any entrance or exit.
 - b. No preventing any persons from entering or leaving any premises.
 - c. No using any type of physical force upon any person.
 - d. No throwing any type of material.
2. Any breach of the peace or criminal act by or against any participant may result in appropriate legal action against the organization or individuals, including possible arrest and prosecution.
3. Further guidelines to ensure the safety of persons and property, associated with demonstrations include:
 - a. The orderly use of public sidewalks and other properties will be assured.
 - b. For the protection of the public, any group wishing to use streets or public ways for demonstrating must complete a Special Events Application.
 - c. Any group wishing to use any park area or facility, may be granted permission by the Events Coordinator, consistent with its rules.
 - d. A Certificate of Insurance, naming the City of Yankton as an "Additional Insured" will be required.
 - e. Individuals and organizations must be aware of the rights of private business to restrict access to its property. Demonstrations will not be allowed to picket or assemble on private property without permission of the property owner.
 - f. Organizations sponsoring demonstrations are required to designate individuals from their group to act as "Activity Marshals" to help assure participant safety. Marshals must be identifiable to participants and police officers.
 - g. The Yankton Police Department will endeavor to ensure citizens right to express their rights and views in an orderly, safe manner.

SECTION 12

FOOD CONCESSIONS

South Dakota Department of Health

Office of Health Protection

600 E Capital Ave

Pierre, SD 57501

Phone 605.773.4945

Fax 605.773.5683

<https://doh.sd.gov/food/restaurants-lodging/Licensure/Food-Service>

SALES TAX

South Dakota Department of Revenue

Yankton Revenue Office

1900 Summit Street

Yankton, SD 57078

Phone 605.668.2939

<http://dor.sd.gov/Taxes/>

Memorandum #16-264

To: Amy Nelson, City Manager
From: Brittany LaCroix, Events and Promotions Coordinator
Subject: Request for Special Events Parking Ordinance #933 to be in place during
Downtown Holiday Festival of Lights
Date: November 15, 2016

Yankton Holiday Festival of Lights, organized by the City of Yankton and Downtown Yankton, is requesting a Special Events Parking for Thursday, December 1, 2016 from 4pm-9pm. The Special Events Parking would take place on 3rd Street from Capitol to Cedar. The purpose of the request is to clear any obstruction during the parade for both participants and spectators. Downtown businesses have been notified of the request being made.

Yankton Holiday Festival of Lights is requesting No Parking signs to be provided from the City of Yankton and the Yankton Holiday Festival of Lights will set up 48 hours in advance of said event.

Recommendation: It is recommended that the City Commission adopt the Resolution authorizing the no parking zone for Yankton Holiday Festival of Lights on 3rd Street from Capitol to Cedar. The no parking zone shall be in effect on December 1, 2016 from 4:00 PM to 9:00 PM.

Respectfully submitted,

Brittany LaCroix
Events and Promotions Coordinator

I concur with this recommendation.

I do not concur with this recommendation.



Amy Nelson, City Manager

____ Roll call

Resolution #16-81

Request for Special Events Parking Ordinance #933 to be in place during Yankton Holiday Festival of Lights

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

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

WHEREAS, the Holiday Festival of Lights Committee has made a request to enact this no parking zone for their events on December 1, 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 on Third Street from Capitol to Cedar to be closed from 4:00 p.m to 9:00 p.m on December 1, 2016.

Adopted:

C.N. Gross
Mayor

ATTEST:

Al Viereck, Finance Officer

_____ Roll call

Special Event Guidelines No Parking Signage and Towing

No Parking Signage

No Parking signs must be posted forty-eight (48) hours prior to your event start time, including set-up. You must verify that all No Parking signs are placed in their correct location(s) every twenty-four-(24) hours from the time of initial placement of the signage and a minimum of twelve (12) hours prior to your event start time.

Missing, collapsed, improperly placed, or damaged signs may prevent you from legally towing vehicles within your event venue and may result in an impact to your overall event plans. All signage must be removed from the venue immediately following the event and no more than twelve (12) hours after the conclusion of all event activities.

In addition to the required equipment, it is important to assess the venue in which your proposed event will be held to develop signage and notification plans that best meet the needs of the event and the neighborhood or business district.

Tow Authorization

Only a representative of the Yankton Police Department can authorize a tow in the public right-of-way. As an event organizer, you must coordinate with the Yankton Police Department for the towing of all vehicles within your event venue prior to the onset of your event activities'

- No Parking signs **must be posted 48 hours** prior to your event start time.
- Verification that all No Parking signs are placed in their correct location(s) every twenty-four (24) hours from time of initial placement of the signage and a minimum of twelve (12) hours prior to your event set-up start time is required.
- No Parking signs must be posted on the curb next to the roadway including red, yellow, white, green and blue zone areas.
- No parking signs must be placed a minimum of every twenty (20) feet.

116 Walnut St

PO Box 176

Yankton, SD 57078-0176

Phone (605) 668-5221

www.cityofyankton.org

EQUAL OPPORTUNITY EMPLOYER



- Additional No Parking signs must be placed in areas where obstructions are present.
- Missing, collapsed, or damaged No Parking signs must be replaced at least daily and a minimum of twelve (12) hours prior to your event set-up start time.

No Parking Signage Technical Specifications

- No Parking signs must be an "A" frame type structure. An "A" frame may be constructed of plastic, wood or metal.
- No Parking signs must be a minimum of 13" x 16". The printed area of the sign must be a minimum of 12" x 15".
- No Parking Tow-Away message on each sign should meet the following requirements:
 - White background.
 - Preprinted message stating at minimum
 - ✓ Tow Away
 - ✓ No Parking
 - ✓ Special Event
 - A temporary sign securely attached to the "A" frame structure must use easily readable lettering and must include:
 - ✓ Tow-Away Times (e.g. 6 AM - 2 PM)
 - ✓ Day/Date
 - ✓ Event Name/Telephone Number
 - ✓ Yankton Police Department Phone Number

416 Walnut St
PO Box 176
Yankton, SD 57078-0176
Phone (605) 668-5221
www.cityofyankton.org

EQUAL OPPORTUNITY EMPLOYER



Memorandum #16-275

To: Amy Nelson, City Manager
From: Kyle Goodmanson, Environmental Services Director
Subject: Final Payment and Acceptance of Highway 50 Utilities Phase 1
Date: November 17, 2016

Phase 1 of the Highway 50 Utilities Project is complete.

The attached Change Order 2 and 3 decreasing the final project cost by \$11,939.53 from \$369,101.27 to \$357,161.74. The change orders consist of changes in quantities within the project.

The City utility portion of the project included replacement of water main and sewer main crossings along Highway 50 from Burleigh to Broadway Street.

City staff has reviewed the project, change order, and the final pay request. We recommend approval of Change Orders 2 and 3 and that the project be accepted and that the City Finance Officer be authorized to issue a manual check in the amount of \$51,359.65 to D & G Concrete Construction, Inc.

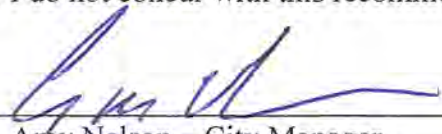
Respectfully submitted,


Kyle Goodmanson
Environmental Services Director

Recommendation: City staff recommends approval of Change Orders 2 and 3, and that the project be accepted, and that the City Finance Officer be authorized to issue a manual check in the amount of \$51,359.65 to D & G Concrete Construction, Inc.

I concur with this recommendation.

I do not concur with this recommendation.



Amy Nelson – City Manager

____ Roll call

Contractor's Application for Payment No. 7-Final

Application Period: August 24, 2016 - November 1, 2016	Application Date: 11/1/2016
To (Owner): City of Yankton, South Dakota	From (Contractor): D & G Concrete Construction, Inc.
Project: Utility Project - SD50/East 4th Street, from the south jct of US81 East to Marne Creek	Via (Engineer): McLaury Engineering, Inc.
Owner's Contract No.: ES2014-003	Contractor's Project No.: _____ Engineer's Project No.: 32120502

**Application For Payment
Change Order Summary**

Approved Change Orders		
Number	Additions	Deductions
CCO #1	\$9,457.80	
CCO#2	\$16,274.66	
CCO#3		\$37,671.99
TOTALS	\$25,732.46	\$37,671.99
NET CHANGE BY CHANGE ORDERS	-\$11,939.53	

1. ORIGINAL CONTRACT PRICE.....	\$	\$369,101.27
2. Net change by Change Orders.....	\$	-\$11,939.53
3. Current Contract Price (Line 1 + 2).....	\$	\$357,161.74
4. TOTAL COMPLETED AND STORED TO DATE (Column F total on Progress Estimates).....	\$	\$357,161.74
5. RETAINAGE:		
a. X \$357,161.74 Work Completed.....	\$	
b. X _____ Stored Material.....	\$	
c. Total Retainage (Line 5.a + Line 5.b).....	\$	
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c).....	\$	\$357,161.74
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application).....	\$	\$305,802.09
8. AMOUNT DUE THIS APPLICATION.....	\$	\$51,359.65
9. BALANCE TO FINISH, PLUS RETAINAGE (Column G total on Progress Estimates + Line 5.c above).....	\$	


Contractor's Certification

The undersigned Contractor certifies, to the best of its knowledge, the following:

(1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;

(2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all Liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such Liens, security interest, or encumbrances); and

(3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Contractor Signature:  Date: 11/8/2016

Payment of: \$ 51,359.65
(Line 8 or other - attach explanation of the other amount)

is recommended by:  11-8-16
(Engineer) (Date)

Payment of: \$ _____
(Line 8 or other - attach explanation of the other amount)

is approved by: _____
(Owner) (Date)

Approved by: _____
Funding or Financing Entity (if applicable) (Date)

Progress Estimate - Unit Price Work

Contractor's Application

For (Project) Utility Project - SD50/East 4th Street, from the south jct of US81 East to Marne Creek											Application Number 7-Final			
Application Period: August 24, 2016 - November 1, 2016											Application Date: 11/1/2016			
A				B1		B2		C	D	E	F			
Item		Contract Information				Change to Contract			Estimated Quantity Installed	Value of Work Installed to Date	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D + E)	% (F / B1+B2)	Balance to Finish (B1 + B2 - F)
Item No.	Description	Item Quantity	Units	Unit Price	Total Value of Item (\$)	Addition / Deduction	Unit Price	Total Addition or Deduction (\$)						
009E0010	Mobilization	1	LS	\$80,000.00	\$80,000.00				1	\$80,000.00		\$80,000.00	100.0%	
009E3260	Miscellaneous Staking	1	LS	\$7,500.00	\$7,500.00	-1	\$7,500.00	-\$7,500.00					100.0%	
110E0460	Remove Manhole	9	Each	\$704.90	\$6,344.10				9	\$6,344.10		\$6,344.10	100.0%	
110E0520	Remove Sewer Pipe	813	Ft	\$4.24	\$3,447.12	-77	\$4.24	-\$326.48	736	\$3,120.64		\$3,120.64	100.0%	
110E1910	Remove Fire Hydrant	8	Each	\$159.00	\$1,272.00				7	\$1,113.00		\$1,113.00	100.0%	
110E1940	Remove Underground Storage Tank		Each			1	\$1,223.46	\$1,223.46	1	\$1,223.46		\$1,223.46	100.0%	
110E1965	Remove Gate Valve	15	Each	\$53.00	\$795.00	-1	\$53.00	-\$53.00	14	\$742.00		\$742.00	100.0%	
110E1970	Remove Water Main	1051	Ft	\$4.24	\$4,456.24	-119.5	\$4.24	-\$506.68	931.5	\$3,949.56		\$3,949.56	100.0%	
451E0301	Pipe Encasement	16	Each	\$874.50	\$13,992.00	-6	\$874.50	-\$5,247.00	10	\$8,745.00		\$8,745.00	100.0%	
451E0606	6" PVC Water Main	960	Ft	\$36.04	\$34,598.40	-168	\$36.04	-\$6,054.72	792	\$28,543.68		\$28,543.68	100.0%	
451E0608	8" PVC Water Main		Ft			139	\$42.65	\$5,928.35	139	\$5,928.35		\$5,928.35	100.0%	
451E0612	12" PVC Water Main		Ft			14	\$67.35	\$942.90	14	\$942.90		\$942.90	100.0%	
451E0616	16" PVC Water Main	19	Ft	\$74.20	\$1,409.80	-19	\$74.20	-\$1,409.80					100.0%	
451E1004	4" PVC Sewer Pipe		Ft			8.5	\$44.90	\$381.65	8.5	\$381.65		\$381.65	100.0%	
451E1006	6" PVC Sewer Pipe		Ft			104	\$50.51	\$5,253.04	104	\$5,253.04		\$5,253.04	100.0%	
451E1008	8" PVC Sewer Pipe	724	Ft	\$63.60	\$46,046.40	-71	\$63.60	-\$4,515.60	653	\$41,530.80		\$41,530.80	100.0%	
451E1015	15" PVC Sewer Pipe	89	Ft	\$82.68	\$7,358.52	-6	\$82.68	-\$496.08	83	\$6,862.44		\$6,862.44	100.0%	
451E1275	1" Water Service	7	Each	\$1,749.00	\$12,243.00	1	\$1,749.00	\$1,749.00	8	\$13,992.00		\$13,992.00	100.0%	
451E2207	6"x6" Pipe Tee	5	Each	\$630.70	\$3,153.50				5	\$3,153.50		\$3,153.50	100.0%	
451E2802	1" Corporation Stop with Tapping Saddle	7	Each	\$312.70	\$2,188.90	-1	\$312.70	-\$312.70	6	\$1,876.20		\$1,876.20	100.0%	
451E2902	1" Curb Stop with Box	7	Each	\$360.40	\$2,522.80				7	\$2,522.80		\$2,522.80	100.0%	
451E3006	6" Pipe Bend	29	Each	\$381.60	\$11,066.40	-10	\$381.60	-\$3,816.00	19	\$7,250.40		\$7,250.40	100.0%	
451E3008	8" Pipe Bend		Each			4	\$477.04	\$1,908.16	4	\$1,908.16		\$1,908.16	100.0%	
451E3012	12" Pipe Bend		Each			4	\$841.85	\$3,367.40	4	\$3,367.40		\$3,367.40	100.0%	
451E3016	16" Pipe Bend	4	Each	\$1,383.30	\$5,533.20	-4	\$1,383.30	-\$5,533.20					100.0%	
451E3106	6" Pipe Cap	15	Each	\$201.40	\$3,021.00	-7	\$201.40	-\$1,409.80	8	\$1,611.20		\$1,611.20	100.0%	
451E4206	6" Gate Valve with Box	8	Each	\$1,102.40	\$8,819.20				8	\$8,819.20		\$8,819.20	100.0%	
451E4208	8" Gate Valve with Box		Each			1	\$1,627.54	\$1,627.54	1	\$1,627.54		\$1,627.54	100.0%	
451E4542	42" Fire Hydrant Extension		Each			1	\$1,728.00	\$1,728.00	1	\$1,728.00		\$1,728.00	100.0%	
451E4580	Standard Fire Hydrant	6	Each	\$2,893.80	\$17,362.80	1	\$2,893.80	\$2,893.80	7	\$20,256.60		\$20,256.60	100.0%	
451E4926	Water Main Bedding Material	979	Ft	\$2.39	\$2,339.81	-34	\$2.39	-\$81.26	945	\$2,258.55		\$2,258.55	100.0%	
451E4945	8" Sewer Pipe Bedding Material	724	Ft	\$2.92	\$2,114.08	-71	\$2.92	-\$207.32	653	\$1,906.76		\$1,906.76	100.0%	
451E4948	15" Sewer Pipe Bedding Material	89	Ft	\$4.24	\$377.36	-6	\$4.24	-\$25.44	83	\$351.92		\$351.92	100.0%	
451E5206	Adjust 6" Water Main	287	Ft	\$39.22	\$11,256.14	-7.5	\$39.22	-\$294.15	279.5	\$10,961.99		\$10,961.99	100.0%	
451E5212	Adjust 12" Water Main		Ft			14	\$123.50	\$1,729.00	14	\$1,729.00		\$1,729.00	100.0%	
451E5216	Adjust 16" Water Main	19	Ft	\$132.50	\$2,517.50	-19	\$132.50	-\$2,517.50					100.0%	
451E6055	Temporary Water Main Connection	2	Each	\$795.00	\$1,590.00	1	\$795.00	\$795.00	3	\$2,385.00		\$2,385.00	100.0%	
451E6099	Abandon Water Service	1	Each	\$106.00	\$106.00				1	\$106.00		\$106.00	100.0%	
451E6100	Reconnect Water Service	7	Each	\$280.90	\$1,966.30	1	\$280.90	\$280.90	8	\$2,247.20		\$2,247.20	100.0%	
451E6105	Connect To Existing Water Main	17	Each	\$1,272.00	\$21,624.00	-2	\$1,272.00	-\$2,544.00	15	\$19,080.00		\$19,080.00	100.0%	
451E7010	Reconnect Sewer Service		Each			4	\$395.00	\$1,580.00	4	\$1,580.00		\$1,580.00	100.0%	
451E7016	Connect to Existing Sewer Main	17	Each	\$450.50	\$7,658.50				17	\$7,658.50		\$7,658.50	100.0%	
451E7052	Temporary Sanitary Sewer Main Connection	9	Each	\$318.00	\$2,862.00	-1	\$318.00	-\$318.00	8	\$2,544.00		\$2,544.00	100.0%	
671E1048	48" Manhole	8	Each	\$3,243.60	\$25,948.80				8	\$25,948.80		\$25,948.80	100.0%	
671E2000	External Manhole Seal	8	Each	\$500.00	\$4,000.00				8	\$4,000.00		\$4,000.00	100.0%	
671E5502	2" Adjusting Ring For Manhole	28	Each	\$175.00	\$4,900.00				28	\$4,900.00		\$4,900.00	100.0%	
671E6009	Type A9 Manhole Frame and Lid	8	Each	\$595.00	\$4,760.00				8	\$4,760.00		\$4,760.00	100.0%	
671E7020	Connect Into Existing Manhole	1	Each	\$1,950.40	\$1,950.40				1	\$1,950.40		\$1,950.40	100.0%	
Totals					\$369,101.27			-\$11,939.53		\$357,161.74		\$357,161.74	100.0%	

Date of Issuance: 7/13/2016
 Owner: City of Yankton, South Dakota
 Contractor: D & G Concrete Construction, Inc.
 Engineer: McLaury Engineering, Inc.
 Project: Utility Project – SD50/East 4th Street

Effective Date:
 Owner's Contract No.: ES2014-003
 Contractor's Project No.:
 Engineer's Project No.: 32120502
 Contract Name:

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

Description: This change order covers the work needed to demolish, remove, and backfill an old pit in the southwest corner of 4th & Capital Intersection. The addition of 4 inch Sewer pipe, 6 inch Sewer pipe, Pipe bend, and Reconnect Sewer Service for existing sanitary sewer service lines that were not anticipated in the existing location. A revision of pipe size for an existing waterline. The pipe was found to be 8" line in the field but was shown on record drawings as a 6" line.

Attachments: See Attachment 1 for breakdown of Bid Quantity Adjustments

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES [note changes in Milestones if applicable]
Original Contract Price: \$ <u>369,101.27</u>	Original Contract Times: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
Increase from previously approved Change Orders No. <u>1</u> to No. <u>1</u> : \$ <u>9,457.80</u>	[Increase] [Decrease] from previously approved Change Orders No. <u> </u> to No. <u> </u> : Substantial Completion: _____ Ready for Final Payment: _____ days
Contract Price prior to this Change Order: \$ <u>378,559.07</u>	Contract Times prior to this Change Order: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
Increase of this Change Order: \$ <u>16,274.66</u>	[Increase] [Decrease] of this Change Order: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
Contract Price incorporating this Change Order: \$ <u>394,833.73</u>	Contract Times with all approved Change Orders: Substantial Completion: _____ Ready for Final Payment: _____ days or dates

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: <u>Josh Jansen</u> Engineer (if required)	By: _____ Owner (Authorized Signature)	By: <u>[Signature]</u> Contractor (Authorized Signature)
Title: <u>Project Engineer</u>	Title: _____	Title: <u>Pres.</u>
Date: <u>7-26-16</u>	Date: _____	Date: <u>7-26-16</u>

Approved by Funding Agency (if applicable)

By: _____ Date: _____
 Title: _____

Change Order - Contract Price Adjustments

Attachement 1

For (Project) Utility Project - SD50/East 4th Street, from the south jet of US81 East to Marne Creek						Change Order Number: 2				
Application Period March 1, 2016 - July 13, 2016						Change Order Date 7/13/2016				
A				B	C	D	E	F	G	
Item		Original Contract Information			New Contract Information (After Change Order)			Change in Contract Price	Comments	
Bid Item No	Description	Item Quantity	Units	Unit Price	Total Value of Item (\$)	New Item Quantity	New Unit Price			New Total Value of Item
110E1940	Remove Underground Storage Tank		Each			1	\$1,223.46	\$1,223.46	\$1,223.46	SW Corner 4th & Capital
451E0608	8" PVC Water Main		Ft			139	\$42.65	\$5,928.35	\$5,928.35	
451E1004	4" PVC Sewer Pipe		Ft			8.5	\$44.90	\$381.65	\$381.65	
451E1006	6" PVC Sewer Pipe		Ft			104	\$50.51	\$5,253.04	\$5,253.04	
451E3008	8" Pipe Bend		Each			2	\$477.04	\$1,908.16	\$1,908.16	
451E7010	Reconnect Sewer Service		Each			4	\$395.00	\$1,580.00	\$1,580.00	
Totals								\$16,274.66	\$16,274.66	

Date of Issuance: 11/1/2016	Effective Date:
Owner: City of Yankton, South Dakota	Owner's Contract No.: ES2014-003
Contractor: D & G Concrete Construction, Inc.	Contractor's Project No.:
Engineer: McLaury Engineering, Inc.	Engineer's Project No.: 32120502
Project: Utility Project – SD50/East 4 th Street	Contract Name:

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

Description: This change order covers addition or deduction of final quantities for all work completed in the field.

Attachments: See Attachment 1 for breakdown of Bid Quantity Adjustments

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES [note changes in Milestones if applicable]
Original Contract Price: <u>\$ 369,101.27</u>	Original Contract Times: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
Increase from previously approved Change Orders No. <u>1</u> to No. <u>2</u> : <u>\$ 25,732.46</u>	[Increase] [Decrease] from previously approved Change Orders No. <u> </u> to No. <u> </u> : Substantial Completion: _____ Ready for Final Payment: _____ days
Contract Price prior to this Change Order: <u>\$ 394,833.73</u>	Contract Times prior to this Change Order: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
Decrease of this Change Order: <u>\$ -37,671.99</u>	[Increase] [Decrease] of this Change Order: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
Contract Price incorporating this Change Order: <u>\$ 357,161.74</u>	Contract Times with all approved Change Orders: Substantial Completion: _____ Ready for Final Payment: _____ days or dates

1 RECOMMENDED:	ACCEPTED:	4 ACCEPTED:
By: <u>[Signature]</u> Engineer (if required)	By: _____ Owner (Authorized Signature)	By: <u>[Signature]</u> Contractor (Authorized Signature)
Title: <u>Engineer</u>	Title: _____	Title: <u>President/owner</u>
Date: <u>11-8-16</u>	Date: _____	Date: <u>11/8/2016</u>

Approved by Funding Agency (if applicable)

By: _____ Date: _____
Title: _____

Change Order - Contract Price Adjustments

Attachement 1

For (Project): Utility Project - SD50/East 4th Street, from the south jct of US81 East to Marne Creek								Change Order Number: 3 - Final		
Application Period: July 14, 2016 - November 1, 2016								Change Order Date: 11/1/2016		
A				B	C	D	E	F	G	
Item		Current Contract Information				New Contract Information (After Change Order)			Change in Contract Price	Comments
Bid Item No.	Description	Item Quantity	Units	Unit Price	Total Value of Item (\$)	New Item Quantity	New Unit Price	New Total Value of Item		
009E3260	Miscellaneous Staking	1	LS	\$7,500.00	\$7,500.00	0	\$7,500.00	\$0.00	-\$7,500.00	
110E0520	Remove Sewer Pipe	813	Ft	\$4.24	\$3,447.12	736	\$4.24	\$3,120.64	-\$326.48	
110E1910	Remove Fire Hydrant	8	Each	\$159.00	\$1,272.00	7	\$159.00	\$1,113.00	-\$159.00	
110E1965	Remove Gate Valve	15	Each	\$53.00	\$795.00	14	\$53.00	\$742.00	-\$53.00	
110E1970	Remove Water Main	1051	Ft	\$4.24	\$4,456.24	931.5	\$4.24	\$3,949.56	-\$506.68	
451E0301	Pipe Encasement	17	Each	\$874.50	\$14,866.50	10	\$874.50	\$8,745.00	-\$6,121.50	
451E0606	6" PVC Water Main	960	Ft	\$36.04	\$34,598.40	792	\$36.04	\$28,543.68	-\$6,054.72	
451E0616	16" PVC Water Main	19	Ft	\$74.20	\$1,409.80	0	\$74.20	\$0.00	-\$1,409.80	
451E1008	8" PVC Sewer Pipe	724	Ft	\$63.60	\$46,046.40	653	\$63.60	\$41,530.80	-\$4,515.60	
451E1015	15" PVC Sewer Pipe	89	Ft	\$82.68	\$7,358.52	83	\$82.68	\$6,862.44	-\$496.08	
451E1275	1" Water Service	7	Each	\$1,749.00	\$12,243.00	8	\$1,749.00	\$13,992.00	\$1,749.00	
451E2802	1" Corporation Stop with Tapping Saddle	7	Each	\$312.70	\$2,188.90	6	\$312.70	\$1,876.20	-\$312.70	
451E3006	6" Pipe Bend	29	Each	\$381.60	\$11,066.40	19	\$381.60	\$7,250.40	-\$3,816.00	
451E3016	16" Pipe Bend	4	Each	\$1,383.30	\$5,533.20	0	\$1,383.30	\$0.00	-\$5,533.20	
451E3106	6" Pipe Cap	15	Each	\$201.40	\$3,021.00	8	\$201.40	\$1,611.20	-\$1,409.80	
451E4208	8" Gate Valve with Box	0	Each	\$0.00	\$0.00	1	\$1,627.54	\$1,627.54	\$1,627.54	
451E4542	42" Fire Hydrant Extension	0	Each	\$0.00	\$0.00	1	\$1,728.00	\$1,728.00	\$1,728.00	
451E4580	Standard Fire Hydrant	6	Each	\$2,893.80	\$17,362.80	7	\$2,893.80	\$20,256.60	\$2,893.80	
451E4926	Water Main Bedding Material	979	Ft	\$2.39	\$2,339.81	945	\$2.39	\$2,258.55	-\$81.26	
451E4945	8" Sewer Pipe Bedding Material	724	Ft	\$2.92	\$2,114.08	653	\$2.92	\$1,906.76	-\$207.32	
451E4948	15" Sewer Pipe Bedding Material	89	Ft	\$4.24	\$377.36	83	\$4.24	\$351.92	-\$25.44	
451E5206	Adjust 6" Water Main	287	Ft	\$39.22	\$11,256.14	279.5	\$39.22	\$10,961.99	-\$294.15	
451E5216	Adjust 16" Water Main	19	Ft	\$132.50	\$2,517.50	0	\$132.50	\$0.00	-\$2,517.50	
451E6055	Temporary Water Main Connection	2	Each	\$795.00	\$1,590.00	3	\$795.00	\$2,385.00	\$795.00	
451E6100	Reconnect Water Service	7	Each	\$280.90	\$1,966.30	8	\$280.90	\$2,247.20	\$280.90	
451E6105	Connect To Existing Water Main	19	Each	\$1,272.00	\$24,168.00	15	\$1,272.00	\$19,080.00	-\$5,088.00	
451E7052	Temporary Sanitary Sewer Main Connection	9	Each	\$318.00	\$2,862.00	8	\$318.00	\$2,544.00	-\$318.00	
Totals					\$222,356.47			\$184,684.48	-\$37,671.99	

Memorandum 16-276

To: Board of City Commissioners
From: Amy Nelson, City Manager
Date: November 17, 2016
Subject: Uniform Personnel Rules and Regulations Manual

A copy of the revised Personnel Manual for the City of Yankton is included in your meeting packet. The revised manual has also been reviewed by Ross DenHerder, City Attorney and distributed to members of the Employee Committee per Section 1.3 of the manual, "Amendments to the Personnel Manual."

Attached is Resolution #16-83, approving the revised personnel manual and after adoption of the resolution, the manual shall be in full force and repeals previous resolutions adopted for the same or similar purpose.

I recommend approval of the personnel manual and adoption of Resolution #16-83.



Amy Nelson
City Manager

Attachment

_____ Roll call

RESOLUTION #16-83

A RESOLUTION APPROVING THE REVISED PERSONNEL MANUAL FILED BY THE CITY MANAGER WITH THE CITY FINANCE OFFICER WHICH PROVIDES RULES AND REGULATIONS RELATIVE TO ALL OFFICERS AND EMPLOYEES OF THE CITY OF YANKTON, SOUTH DAKOTA

WHEREAS, it is recognized that a sound personnel program is a major element in securing and retaining qualified employees who will perform the municipal services most efficiently for the citizens of Yankton, and,

WHEREAS, the City Manager has determined that it is desirable that uniform policies and procedures concerning personnel matters are made applicable to all employees of the City of Yankton; and,

WHEREAS, under the provision of the Commission-Manager form of government of the State of South Dakota, SDCL 9-10-13 and the Yankton Code of Ordinances, the City Manager has the responsibility to provide rules and regulations in regard to their employment;

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

Section 1. That the Personnel Manual filed with the City Finance Officer and the Board of City Commissioners is hereby approved, subject however to its further amendments as may from time to time be necessary or required.

Section 2. That the City Manager shall have the right to amend said Personnel Manual from time to time as may be required; said amendments shall be forwarded to an employee advisory committee for comment; and, that said amendment shall require the approval of the Board of City Commissioners. Provided, however, that nothing contained therein shall relieve the City Manager of her duty and obligation to administer the affairs of the various departments of the city and to make such administrative decisions as may be necessary for the proper administration of each department which are consistent and do not conflict with the Yankton Code of Ordinances, state statute, or federal law.

Section 3. That in the event any rules and regulations set forth in said Personnel Manual are in conflict with any federal or state laws or ordinances of the City of Yankton, South Dakota, such federal or state laws or ordinance of the City of Yankton, SD, shall be controlling.

Section 4. This resolution shall be in full force and effect from and after its adoption, repealing any previous resolutions adopted for same or similar purpose

Adopted:
Published:
Effective:

C.N. Gross, Mayor

ATTEST:

Al Viereck, Finance Officer

CITY OF YANKTON SOUTH DAKOTA

PERSONNEL MANUAL

ADOPTED:

EFFECTIVE:

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100 INTRODUCTION

101 Purpose and Scope

- A. This document provides the basic outline for the personnel policies, practices and procedures of the City of Yankton.
- B. The manual contains several statements of City policy and should not be read as including the fine details of each policy or as forming an expressed or implied contract.
- C. The manual is not intended to alter the employment-at-will relationship in any way.
- D. In the event of a conflict between these policies and state or federal law, the law shall prevail.
- E. Current collective bargaining agreement provisions shall supersede these policies for those employees covered by the agreement.

102 Application and Administration

- A. The City's personnel policies and procedures shall apply to all municipal employees and appointed officers unless otherwise specified or specifically excluded.
- B. The City Manager has the responsibility for the proper administration of these policies as provided in SDCL9-10-13, as amended thereto.

103 Amendments

- A. The City will attempt to keep its manual current, but there may be times when policies change before this document can be updated.

104 Departmental Regulations and Chain of Command

- A. Department heads may develop reasonable rules and administrative regulations for department employees, as long as the language does not conflict with these policies and the administrative rules and regulations are reviewed and approved by the City Manager.
 - 1) Department heads may develop other administrative processes as necessary for the management of their programs and/or City services; and
 - 2) Inter-department policies on communication and supervision may also vary, depending upon the situation as determined by the City Manager.
- B. The City of Yankton has developed a chain of command for the operation and supervision of all departments. Employees shall follow the chain of command concerning any subject related to municipal operations, personnel policies or administrative procedures.

105 Employment at Will and Contracts

- A. South Dakota is an employment-at-will state, thus both the employee and employer have the legal right to terminate the employment relationship at any time, without prior notice and for any reason, except as provided by law or applicable provisions of a collective bargaining agreement.

- B. This manual does not constitute a contract of employment. No implied oral or written agreements contrary to the expressed language of this document are valid unless they are in writing and approved by the City Commission.

106 Saving Clause

- A. Should any part or any provisions of this manual be rendered or declared invalid by legislative or court action, such invalidation of that part or portion of this document shall not invalidate the remaining portions.

107 Release of Information

- A. Unless otherwise authorized, public statements or the release of information on any matter related to municipal policy, administration, the operation of any department, or personnel management shall be limited to the City Commission, City Manager and Department Heads or designee.

200 GENERAL POLICIES

201 Equal Employment Opportunity

- A. The City of Yankton conforms to all laws, statutes and regulations concerning equal employment opportunity and affirmative action.
- B. All qualified applicants will receive consideration for employment, without regard to race, color, religion, gender, national origin, disability status, genetic information and testing, family and medical leave, sexual orientation, gender identity or express, protected veteran status or any other characteristics protected by law.
- C. The City prohibits retaliation against individuals who bring forth any complaint, orally or in writing, to the employer or the government, or against any individuals who assist or participate in the investigation of any complaint or otherwise oppose discrimination.

202 Discrimination, Harassment and Sexual Harassment (CBA Article 21)

- A. The City is committed to providing a productive work environment that is free from all forms of illegal discrimination and harassment as defined below.
 - 1) Discrimination includes employment related decisions and/or workplace conduct on the characteristics noted in 201 B.
 - 2) Harassment is offensive, degrading and intimidating comments and/or conduct toward an individual or individuals relating to a person's characteristics noted in 201 B.
 - 3) Sexual harassment is behavior of a sexual nature which is unwelcome and personally offensive to its recipient. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a physical nature constitute sexual harassment when:
 - a. By threat or insinuation, either explicitly or implicitly, an employee's refusal to submit to sexual advances or refusal to tolerate or participate in unwanted conduct or communication of a sexual nature will affect the employee's terms

and conditions of employment, including but not limited to wages, advancement, evaluation, assigned duties, shift assignment, career development, etc., or when submission is made a term or condition of obtaining or retaining employment.

- b. Any conduct or communication of a sexual nature has the purpose or effect of substantially interfering with work performance or creating a hostile, intimidating, or offensive employment environment that may be considered offensive to another employee, including but not limited to:
 - Repeated sexual flirtations, advances, or propositions
 - Continued or repeated verbal abuse of a sexual nature
 - Foul language
 - Unwelcome physical contact
 - Graphic verbal commentaries about an individual's body or mannerisms
 - Sexually degrading words used to describe an individual
 - Displays of sexually explicit pictures, cartoons, or other materials
 - Viewing, creating and/or sending explicit or offensive materials electronically
 - Bullying, including cyberbullying
- B. Any employee who feels he/she has been the victim of illegal discrimination or harassment, including sexual harassment, or that his/her personal rights have been violated, or who has knowledge of such behavior, should immediately report the matter to a Department Head, Human Resources Coordinator or to the City Manager.
- C. Any immediate supervisor or Department Head who becomes aware of any possible discrimination or harassment shall immediately advise the City Manager.

203 Safety (CBA Article 22)

- A. The City is committed to providing a safe work environment for its employees. The City Manager and Department Heads shall be responsible for the establishment and enforcement of safety programs and practices among City employees and their respective departments. The City's commitment includes the establishment of an "Employee Safety Manual" and Safety Committee.
- B. All employees are expected to conduct themselves and handle equipment in such a manner as to avoid accidents and injury. Employees are responsible for complying with all City, state and department safety rules. Employees are also to report unsafe working conditions or equipment to their Department Head and/or Safety Committee representative.
- C. Seat belt usage is required by state law and City policy. All municipal employees and passengers shall be required to use seat belts when driving or riding in any City owned or leased vehicle (if equipped with seat belts) or while driving their personal vehicle on official municipal business.

204 Electronic Media and Services

- A. Employees may have access to one or more forms of electronic media, and services while working for the City (e.g. computers, email, radios, telephones, cell phones, voice mail, fax machines, external electronic bulletin boards, internet, social media, on-line bulletin boards, etc.). The City encourages the use of these media and associated services because they make communication more efficient, effective, and because they are valuable sources of information about vendors, customers, products and services. However, electronic media and services provided by the City are City property, and their purpose is to facilitate City business.
- B. Employees are responsible for using such equipment in a professional manner.
- C. When requested, employees must provide any passwords for City accounts to their immediate supervisor, must not attempt to access files or information that is unauthorized, and must take care to assure the security and confidentiality of information, when appropriate.
- D. Employees are responsible for the content of all files and communications they create, store and send, and all web locations they access. Employee should have no expectation of privacy, as the City reserves the right to access and monitor all files, communications, and history of equipment use.
- E. Use of personal electronic devices, such as personal cell phones, I-pods and MP3 players, can be used during paid working hours as deemed appropriate by supervisor.
- F. Information and files on City owned electronic equipment is considered City property and is subject to review and inspection at any time.
- G. Any stipend for using a private cell phone for City business is at the discretion of the City Manager.

205 Driver's License

- A. The City requires that all municipal employees, appointed officers, elected officials, independent contractors and anyone else who operates a City vehicle must have a valid driver's license.
- B. Each driver must have the required driver's license for the specific type of equipment they are operating, and must provide documentation to the department head or immediate supervisor.
- C. If an employee loses his/her driving privileges, or has them restricted in any manner, he/she must report the matter to their Supervisor, Department Head and the City Manager immediately and provide proof of an authorized work permit.
- D. The loss of driving privileges may result in disciplinary action, up to and including termination.

206 Smoking and Tobacco Use

- A. City facilities are smoke free and tobacco free. Smoking and other tobacco use, including electronic cigarettes, is not allowed in City vehicles or equipment, and shall be permitted only in designated smoking areas outside of buildings and away from main entry ways, and

only during designated break times. The City asks that smokers and tobacco users please use proper containers for extinguishing and disposing of tobacco products.

- B. The ban on smoking and tobacco applies to employees, customers and visitors.

300 CONDITIONS OF EMPLOYMENT

301 Recruitment

- A. The public announcement of all regular and temporary, full-time and part-time positions open for employment will be made by the City Manager's office. An exception may be made with prior approval of the City Manager.
- B. Where sufficient qualified applicants are anticipated from within the current City staff, open positions may be posted internally for a period of seven (7) days.
- C. If qualified applications are not received within seven (7) days or if sufficient qualified applications are not anticipated internally, position opening may be advertised using:
 - 1) Local newspaper;
 - 2) South Dakota Department of Labor;
 - 3) City website
 - 4) Department postings; and
 - 5) Other venues, such as social media and professional publications.

302 Application

- A. Individuals interested in applying for a specific position must complete and submit a City employment application form. A resume may be required as well.
- B. Applicants need to indicate on the form, the position title(s) for which they wish to be considered.

303 Background Checks

- A. The City may conduct background checks as part of the employment process, in compliance with applicable laws. The investigations may involve a third party administrator.
- B. The information that may be collected, may include, but is not limited to:
 - 1) Criminal and civil filing background;
 - 2) Employment history;
 - 3) Education;
 - 4) Credit; and
 - 5) Professional and personal references.
- C. The City has the right to make the final decision about employing an individual after the background check is complete even if an applicant is given a conditional offer of employment before completion of the background check. Information obtained from the background check will be kept confidential by Human Resources.

304 Eligibility and Qualifications

- A. To be eligible for employment with the City, an applicant must:

- 1) Be legally eligible to be employed in the United States as proven on the required I-9 form;
 - 2) Be registered for the Selective Service, as required by Federal and State laws.
 - 3) Be able to pass a physical examination and drug screening as outlined in 306.
- B. The City maintains job descriptions for each position which:
- 1) Establishes the minimum required levels of education, experience and physical fitness necessary to qualify for appointment; and
 - 2) Details of the desired skills or qualifications.
- C. Where all other qualifications are equal, preference in employment will be given to veterans who have served on active duty and been honorably discharged from the Armed Forces of the United States, as defined and specified by SDCL 33-17-1 and SDCL 33-17-2.

305 Selection and Appointment

- A. The nature of examinations to determine the relative fitness and selection of applicants for employment to, or promotion within City service will differ with the position to be filled.
- B. Each applicant for a particular position will be given the same examination by the department head, including any or all of the following factors:
- 1) Education;
 - 2) Experience;
 - 3) Knowledge;
 - 4) Skills;
 - 5) Physical fitness;
 - 6) Personality;
 - 7) Character; or
 - 8) Other qualifications deemed necessary for satisfactory job performance.
- C. The appointment of City employees is subject to the approval of the City Manager, which entails:
- 1) Notifying the selected applicant by the City Manager in writing;
 - 2) Extending an offer of employment, including a starting date;
 - 3) Ensuring that the new employee is aware of at-will conditions of employment during the training period and beyond.
- D. Upon employment acceptance the employee will be assisted by the Human Resources Coordinator in compiling all necessary and proper paperwork to establish an individual personnel file.
- E. Personnel files shall be accessible only to the City Manager, an employee's Department Head and to any others with a demonstrated need to know. An employee shall have reasonable access to his/her personnel file upon request to the City Manager.
- F. As noted in 107A, the release of information, concerning personnel management is strictly controlled.

306 Physical Fitness

- A. In order to determine physical fitness for duty, each person employed for a regular full-time or part-time position may be required to take and pass a post-offer pre-employment physical and drug screen. Physicals and drug screens may also be required at any time during City employment.
- B. The physical will be performed according to guidelines established by the City in order to determine fitness for duty.
- C. An employee may be examined by their own physician.
- D. Certain employees (e.g. police officers) may be required to pass an agility test and/or psychological examination prior to and/or during employment.
- E. All reports will be kept confidential and separate from the employee's personnel file. Access to the file will be limited, with authorization needed from the City Manager.
- F. Any costs incurred to conduct any of the aforementioned tests or examinations shall be covered by the City.

307 Residency

- A. Employees of the following departments are required to live within fifteen (15) miles of the legal corporate limits of the City, including Nebraska. A map illustrating the 15 mile area is provided in the Appendices. The area is subject to change.
 - 1) Chan Gurney Airport;
 - 2) Water/Wastewater Plants;
 - 3) Street Department (on-call for snow removal);
 - 4) Parks and Recreation Maintenance (on-call)
- B. Individuals who live more than fifteen (15) miles outside the City limits may apply for employment with the City for these positions. If they are selected, they shall be required to comply with this policy within 120 days of employment.
- C. The City Manager, at his/her discretion, may require Department Heads and other key employees to live within, or in close proximity to, the City.
- D. On-call employees must comply with Section 418B.

308 Nepotism

- A. For the purpose of this policy a "relative" is defined as a
 - 1) Spouse
 - 2) Child (natural, adoptive, foster, or stepchild)
 - 3) Parent
 - 4) Brother
 - 5) Sister
 - 6) Grandparent
 - 7) Grandchild
- B. Persons related to each other may be employed at the City, which could include them working in the same department. Each individual must be hired on his/her own merits and is qualified and suitable for employment with the City.

- C. Efforts shall be made to see that no employee is placed under the supervision of a relative. Such effort shall not be at the expense of any employee or any candidate for employment. The City shall have the option of transferring an employee to a comparable job of equal classification in order to avoid supervision by a relative.
- D. No employee of the City may hire, appoint, review, supervise, direct, promote, or participate in decisions involving hire, renewal, retention, supervision, promotion, evaluation, or compensation of a relative.
- E. Relatives of employees who desire City employment: Individuals who are related to current City employees may apply for and be considered without prejudice for any advertised positions at the City. However, any City employee who is related to the applicant cannot participate in any aspect of the hiring process.
- F. An employee cannot participate in personnel decisions involving a relative who is a City employee. These decisions include, but are not limited to
 - 1) Performance evaluations;
 - 2) Salary determinations;
 - 3) Work assignments;
 - 4) Travel;
 - 5) Office space;
 - 6) Disciplinary actions; and
 - 7) Termination decisions.
- G. The City Manager will determine if any personnel matters involving relatives create a bias or conflict of interest. Alternative supervisory procedures may be implemented to address conflict of interest situations.

309 Outside Employment

- A. Employees are permitted to engage in outside employment as long as outside employment does not interfere with the employee's duties at the City. Department Heads must have written approval from the City Manager.
- B. The supervisor, Department Head or City Manager may rescind prior approval if the additional outside employment interferes with the employee's City duties.
- C. Police Department employees must obtain written permission from the Chief of Police to perform off duty security related assignments.
- D. No City employee who is drawing sick leave, workers compensation, and/or FMLA benefits from the City shall work at any other employment during his/her time on City sick leave.
- E. The City's Worker's Compensation coverage is not extended to employees while engaged in outside employment.

310 Personnel Records

- A. It is the employee's responsibility to inform the Human Resources Office of any changes in:
 - 1) Name;
 - 2) Address;
 - 3) Phone number;

- 4) Withholding status;
 - 5) Emergency contact information;
 - 6) Other pertinent changes which could affect their employment.
- B. Personnel records will be maintained in accordance with the records management and retention manuals for municipalities, published by the State Bureau of Administration.
 - C. Confidential benefit and medical information will be kept in a separate file, which is maintained by the City Manager or his/her designee. This information will only be disclosed on a need to know basis.

311 Employment References

- A. The City will provide only the following information on both present and past employees.
 - 1) Whether an individual is or has been employed with the City;
 - 2) Dates of employment;
 - 3) Current position or position at date of separation from employment and other positions held; and
 - 4) Verification of salary information.
- B. Additional information may be released upon approval of the City Manager. The City may require a written authorization prior to releasing any employment information.
- C. Only persons authorized by the City Manager shall give out employment information. Providing employment references including off-the-record remarks without authorization is prohibited.

400 EMPLOYEE CLASSIFICATIONS AND PAY PLAN

401 Employee in Training (Introductory Period) (CBA Articles 18.51 and 18.52)

- A. Every employee hired by the City must complete a six (6) month training or introductory period for the purpose of assessing the individual's ability to perform their assigned duties.
- B. The introductory period for police officers is one year.
- C. During the introductory period, the employee may be terminated without the right of appeal or due process.
- D. An employee shall accrue both sick and vacation leave during the introductory period. Sick leave may be used as necessary, but vacation leave cannot be used until the introductory period is completed.
- E. Employees will be entitled to paid holidays during the introductory period, as observed by the City.
- F. The introductory period may be extended by the Department Head for a maximum of six (6) months. No more than one extension of the introductory period shall be permitted without approval by the City Manager.
- G. Upon completion of the introductory period, the Department Head shall interview the employee and complete an employee evaluation form.

402 Administrative Probation

- A. An employee who has completed the introductory period may be placed on administrative probation, when their work performance shows a definite deterioration.
- B. An action plan must be developed at the beginning of the probation period, with an evaluation completed at the end of the period.
- C. The maximum amount of time an employee will spend on administrative probation is six (6) months. The number of times that an employee can be placed on administrative probation will not be limited.
- D. An employee may be terminated during or after administrative probation, with the approval of the City Manager.
- E. An employee does not have to be placed on administrative probation prior to disciplinary action or termination.

403 Classification of Positions

- A. Each job within municipal service shall be assigned an individual title or jobs of similar characteristics, duties and responsibilities shall be assigned to a group classification.
- B. Each job shall be classified in accordance with the character, difficulty and responsibility of designated duties and skills, educational and physical requirements, hazards and supervision received and exercised.
- C. The City Manager may reclassify, reassign and/or transfer any employee or employees when in his/her opinion such actions are desirable for the improvement of municipal operations.

404 Regular Appointment (CBA Article 2)

- A. Regular full-time and part-time employees participate in all fringe benefits as may be available. The Appendices contain a summary of fringe benefits. *(CBA 2.0)*
- B. A regular, full-time position is based upon a forty (40) hour work week. Exceptions apply to the Police Department. *(CBA 2.0)*
- C. A regular, part-time position involves less time than the normal work week, but at least thirty (30) hours per week. *(CBA 2.0)*
- D. Regular, part-time employees are eligible for benefits on a pro-rated basis unless otherwise specified. The benefit ratio is based upon comparing their budgeted work day with an eight hour work day.
- E. Certain benefits may be the same for regular part-time and full-time employees. Current examples include health, dental, vision and life insurance benefits.
- F. Regular, part-time employees may be eligible for South Dakota Retirement System participation.

405 Part-Time Appointment

- A. Employees working less than thirty (30) hours per week, with pay computed to an hourly basis, as recommended by the Department Head and approved by the City Manager, shall not be entitled to fringe benefits.
- B. Part-time employees will be covered by workers compensation.

406 Temporary Appointment (CBA Article 2)

- A. Employees with the following appointment situations shall not be entitled to fringe benefits. They will be covered by workers' compensation.
- 1) Temporary Appointment – Involves filling a regular position when circumstances warrant, not exceeding twelve (12) months, unless agreed to by the parties. (CBA 2.2)
 - 2) Part-time Appointment – Involves a work week of less than thirty (30) hours, with pay computed on an hourly basis, as recommended by the department head and approved by the City Manager.
 - 3) Seasonal Appointment – Involves employees appointed to a position lasting no more than six months. It is typically seasonal in nature (example: summer laborer).

407 Contract Labor

Independent contractors, technical experts, and consultants appointed to render specialized temporary services are not considered employees and, therefore, are not eligible for any benefits including workers compensation.

408 Performance Evaluations

- A. The purpose of the evaluation is to commend strengths, address weaknesses, suggest ways to improve and discuss employee goals and objectives.
- B. Evaluations will be conducted by the employee's immediate supervisor and/or Department Head. The City Manager may attend all evaluation meetings at his/her discretion. Evaluations of Department Heads will be conducted by the City Manager.
- C. An evaluation will be conducted at least once per year and as often as determined necessary.
- D. Evaluations will be conducted in private and employees are required to sign the evaluation. Signing does not imply agreement, but that the contents have been made known or discussed with the employee.
- E. Employees will receive a copy of the evaluation upon request.

409 Pay Plan

- A. The pay plan shall consist of a salary range for each classification. The pay range for each classification provides the minimum and maximum rate of pay for regular full-time and regular part-time employment.
- B. Salary ranges are determined by the relative difficulty and responsibility of the positions of the class, qualifications, prevailing rates of pay, cost of living factors, financial policy of the City and other economic conditions.
- C. Copies of the salary ranges and position title schedule shall be available for review by all City employees through their respective Department Heads.
- D. The City Manager, as the Chief Administrative Officer of the City, shall be responsible for the administration and interpretation of the official pay plan and shall establish all salaries and wages for all employees subject to the limits and procedures established herein.

- E. No salary payment shall be made to any employee which would have the effect of causing the employee's total pay for any period to exceed the maximum rate prescribed for the employee's range, except as required in adhering to regulations established for overtime allowances, shift pay, on-call pay, sick leave payout or out of class pay.
- F. The minimum rate of pay for a range shall be paid upon original appointment to the range. Appointment at a rate above the minimum may be authorized by the City Manager.
- G. A cost of living adjustment and yearly step increase must be approved by a resolution of the City Commission.

410 Overtime (CBA Article 17)

- A. Any work performed in excess of the employee's scheduled workday or in excess of forty (40) hours in a work week shall be considered overtime and shall be compensated as overtime or as compensatory time. Holidays, vacation, and sick leave shall be considered as hours worked when computing overtime.
- B. Overtime for police officers is based upon a twelve (12) hour workday and 80 hour work period.
- C. Any overtime worked shall be with the prior knowledge and approval of the Department Head or designated supervisor.
- D. Time and one-half the employee's regular rate of pay shall be paid for all work performed in excess of forty (40) hours in any workweek or all hours worked over the scheduled work day. Holidays, vacation and sick leave shall be considered as hours worked when computing overtime. (CBA 17.0)

411 Compensatory Time Rate (CBA Article 17)

- A. If the employee works overtime, the employee may, with the approval of the Department Head, choose to take compensatory time instead of overtime pay. Compensatory time shall be awarded at the rate of one and one-half (1 ½) hours of compensatory time for each hour of overtime worked. (CBA 17.1)
- B. Employees may accumulate compensatory time to a maximum of forty-five (45) hours. (CBA 17.1)
- C. The days to be taken off shall be at the option of the employee with the approval of the Supervisor/Department Head. (CBA 17.1)
- D. Public Service Dogs (PSD) require routine maintenance and care every day, including weekends and holidays. PSD handlers are authorized to code one-half hour as work time on their days off, holidays that are not worked, and days while off work on compensatory time.
- E. Specialized shifts as recommended by the Department Head and approved by the City Manager shall only be compensated overtime pay or compensatory time off for any work performed in excess of forty (40) hours in a work week. (Note: Specialized shift applies only to non-union eligible employees.)

412 Travel Time

- A. Travel time will be compensable for employees depending upon the kind of travel involved. This includes travel from job site to job site and travel to work-related meetings. Time spent traveling between home and the departure site is considered the equivalent of travel between home and work and is not compensable.
- B. Time spent traveling to and from another City is counted as hours worked even on days that are not normal workdays. Therefore, employees who are traveling to their destination need to be paid for the time spent traveling. If an hourly employee takes a one day trip, all the time spent traveling (including meals) between cities is counted as hours worked. However, time spent traveling between home and the departure is equivalent of travel between home and work and is not compensable. Employees will be paid up to their regularly scheduled number of hours per day for travel, meetings, and seminars. Overtime/compensatory time must be approved by the Department Head.
- C. When an hourly employee is involved in overnight, out of town travel, a specialized shift shall apply. All time for the work week shall be straight time until the employee has worked forty (40) hours. (Note: Specialized shift applies only to non-union eligible employees.) Time spent traveling to and from another City is counted as hours worked even on days that are not normal workdays. Therefore, employees who are traveling to their destination need to be paid for the time spent traveling. However, time spent traveling between home and the departure site will not be paid. Meals and social events in conjunction with a conference are not considered time worked unless the employee has been directed by management to attend the activity for the purpose of fulfilling a work-related function. Overtime/compensatory time for the remainder of the workweek must be approved by the Department Head.
- D. All paid travel time must be requested and approved at least two weeks in advance by the Department Head and the City Manager prior to traveling.
- E. A travel request form must be completed and approved. An example of the form is provided in the Appendices.

413 FLSA Exemption

- A. To the extent permitted by federal or state law, all FLSA –exempt personnel shall not receive extra compensation or overtime pay. The need for them to work extra or irregular hours from time to time in order to carry out their assigned responsibilities and properly administer the authority vested in them is a consideration in the determination of their salary. Time off reflecting extraordinary time worked is at the discretion of the City Manager and is not an “hour for hour” basis.

414 Dates of Pay

- A. All employees shall be paid on a biweekly basis, with Friday being the payday.
- B. In the event a payday falls on a holiday, employees will be paid the last workday before the holiday.

415 Volunteer Firefighters

- A. An employee who is a member of a volunteer fire department, volunteer ambulance service, or search and rescue team is not required to use leave for emergency response if the service is performed within the volunteer’s established normal response area or mutual aid response area, when authorized by the employee’s supervisor, Department Head or the City Manager.
- B. Volunteer service outside this area must have prior approval of the employee’s supervisor or Department Head.
- C. Training and other activities supporting these volunteer activities will be considered on a case-by-case basis by the employee’s supervisor or department head. The absence is considered time off with pay.
- D. Volunteer firefighters shall be paid as established by the City Commission.
- E. Volunteers must be approved by the City Commission to be eligible for workers compensation.

416 Longevity Pay (CBA 13.4)

- A. Regular employees shall be eligible for longevity pay based upon length of service with the City of Yankton. Employees hired after January 1, 2008, are not eligible for longevity pay, until they have completed 25 years of continuous service with the City. Longevity pay shall be granted to eligible employees in accordance with the following schedule:

5-9 years from date of hire to January 1, 2012	\$250
10-14 years from date of hire to January 1, 2012	\$350
15-19 years from date of hire to January 1, 2012	\$450
20-24 years from date of hire to January 1, 2012	\$550
25+ years from date of hire	\$650

- B. In order to be eligible for longevity pay, the following conditions must be fulfilled:
 - 1) “Length of Service” shall be the full number of complete years of employment, calculated on the basis of the employee’s hire date, during the calendar year.
 - 2) Those years of service must be continuous.
 - 3) Employees who have had their career interrupted by service in the Armed Forces of the United States and who resume their City careers within the period of time specified in applicable federal law shall have all prior service and military service counted as years of service.
- C. Any question of eligibility shall be determined by the City Manager.

417 Payroll Records and Final Pay

- A. The Department of Finance shall keep appropriate records of all persons employed, their pay scale, time worked, compensatory time, accrued and used vacation and sick leave, holiday pay, all absences from duty and all other records pertinent to payroll, including the extension and verification of payroll.
- B. An employee, who is laid off, dismissed or who otherwise terminates their employment shall receive their final pay on the first regularly scheduled pay day following termination of employment and only after all City property has been returned.
- C. No employee shall be paid for any unused sick leave upon termination of employment except for any payment in excess of maximum accumulation as designated in Section 604D.
- D. An employee who has been employed six (6) months or longer shall be paid all unused vacation and pro-rated sick pay if over the maximum accrual upon termination of employment.
- E. An employee shall be paid all unused compensatory time upon end of employment.

418 On-Call and Shift Differential Pay (CBA Articles 13 and 16)

- A. An employee who is scheduled for call time during other than normal working hours shall receive on-call compensation at straight time in the amount of one hour per day for each day in which the employee is on call. *(CBA 16.0)*
- B. To be eligible for on-call pay, an employee must be regularly scheduled to be on-call, available when called, carry employer-supplied communications equipment, and live within fifteen (15) miles from their designated on-call station. *(CBA 16.1)*
- C. Department Heads who have employees on-call shall prepare an on-call list and make it available for all employees concerned. *(CBA 16.2)*
- D. All classified employees who are scheduled to work a regular swing or midnight shift shall be compensated a special shift differential of \$.50 per hour. This special shift differential shall be paid to all eligible employees on a quarterly basis. *(CBA 13.3)*
- E. The Police Department shift differential is established by the City Manager.

419 Insurance Benefits (CBA Article 10)

- A. The City of Yankton will make group life, health, vision, and dental insurance programs available for participation by eligible employees.
- B. Payroll deduction is also available for other insurance and insurance buy up programs as available.

420 Retirement Benefits (CBA Article 10)

- A. The City participates in the South Dakota Retirement System. Class A employees contribute 6% of their gross income biweekly to the system and Class B employees (sworn officers and fire) contribute 8%.
- B. The City matches these contributions.
- C. The City also participates in the South Dakota Retirement Supplemental Plan.

421 Deferred Compensation

- A. The International City Manager’s Association (ICMA) offers a deferred compensation plan to all municipal employees.
- B. Payroll deduction is available for employee participation in any of the funds available.

422 Flex Plan

- A. This plan allows for employees to pay for eligible insurance premiums with untaxed dollars.
- B. Expenses for unpaid medical costs and dependent daycare may also be run through this plan, in accordance with all applicable plan rules, regulations, and guidelines.

423 Paperless Payroll

- A. Direct Deposit is required for all employees and will automatically deposit employee’s pay into a designated checking and/or savings account on each payday.
- B. The first payroll after sign-up will be used by the bank to verify accuracy of account numbers and funds. The following payroll will commence the automatic deposit of funds as indicated on the authorization form and can be accessed through the Employee Self Service website.

424 Training

- A. Each department may determine and provide necessary training beyond that which is a prerequisite to employment for its employees.
- B. Any training which will require the employee to be out of the City or will incur any obligation on behalf of the City shall first be recommended by the Department Head and approved by the City Manager on the Travel Request/Travel Advance Requisition form.
- C. Any person undertaking such training shall submit the Employee Training Record form to Human Resources within ten (10) days of the training. This form will be placed in the employee’s personnel file.

425 Transfers and Promotions

- A. Vacancies will be filled by promotion wherever practical and whenever in the best interest of the City. Where applicable, promotions may require examinations.
- B. Personnel, in departments where written promotional exams are given on a regularly scheduled basis, shall take and pass prescribed examinations before being eligible for promotion.
- C. Employees wishing to transfer to another department or division when an opening exists must complete an employment application form.
- D. Upon meeting minimum qualifications for the stated position, the employee’s name shall be placed on the proper eligibility list for consideration.
- E. Upon offer of employment and acceptance, the employee shall give two (2) weeks notice to their current Department Head. The transfer shall be effective the first work week following the two (2) weeks notice or as agreed upon by the impacted parties.
- F. Employees promoted or transferred to a new position or division shall be subject to the introductory period policy and procedures described in Section 400 including termination

for unsatisfactory performance. However, regular employees who have completed an initial or an extended introductory period shall be entitled to due process if terminated.

426 Committees

- A. The purpose of the Employee Committee shall be to make recommendations to the City Manager regarding employee events/activities, interests, & concerns, which affect the working environment of the employees of the City of Yankton. The Committee shall work on employee recognition, employee wellness programs, annual appreciation events, and other duties as assigned by the City Manager. The employees of the City of Yankton shall select representatives to the Committee on or before January 1 annually. Each selected member serves a two (2) year term and shall serve no more than two (2) consecutive terms. The number and distribution of representatives shall be determined by the City Manager.
- B. The Health Insurance Committee (CBA 10.0) is made up of three persons appointed by the City Manager and three employees appointed by the collective bargaining unit. A non-voting chairman shall be appointed by the City Manager. The committee shall review the health insurance plan annually, shall request and review quotes for the health insurance when deemed necessary, and shall make recommendations regarding such plans.
- C. The Safety Committee is described in Section 502.

500 SAFETY AND TRAVEL (CBA ARTICLE 22)

501 Safety

- A. Employees shall make reasonable effort to exercise good judgment and take appropriate precautions in the performance of their work. Department Heads and supervisors shall exercise reasonable effort to see that employees are properly trained in how to safely perform their various tasks and utilize equipment. Recklessness, laxity or carelessness will not be allowed. Prompt action shall be taken to correct or repair faulty equipment or hazardous conditions in work areas.
- B. Department Heads and supervisors shall exercise reasonable efforts to see that adequate protective equipment is available for use by employees under their supervision. Employees whose work requires prescription safety eyeglasses or who are in positions in which prescription eyeglasses may be damaged or broken due to occupational risks may request and will be provided with one pair of prescription safety eyeglasses at City expense. Employees covered by this section are eligible for replacement of damaged or broken prescription eyeglasses once per calendar year. The City Manager shall establish the maximum amount to be paid by the City for the purchase or replacement of eyeglasses. Employees must purchase eyeglasses, which meet the criteria of prescription safety eyeglasses, and may submit a request for reimbursement up to the maximum amount established by the City Manager. All purchases or replacements of prescription eyeglasses shall be approved in advance by the employee's Department Head.
- C. All City personnel and passengers operating or occupying City vehicles or equipment, or one used on official business will wear safety belts (lap and shoulder).

- D. Safety belt assemblies, in City vehicles or equipment shall not be modified or altered in any manner without the express written approval of the Department Head.
- E. City vehicles or equipment with inoperable safety belt assemblies will not be used until the safety belt assemblies are repaired.
- F. Exception: There may be times and circumstances where the use of safety belts may be deemed inappropriate or inadvisable due to the nature of the function. Supervisory personnel may grant in writing, an exception to this policy pursuant to the specific situation. As with any policy deviation, rationale must be warranted and explained upon request.
- G. Enforcement: It will be the responsibility of supervisory personnel to monitor and enforce this policy. City personnel disregarding this policy may be subject to disciplinary action.

502 Safety Committee (CBA 22.3)

- A. The City and the collective bargaining unit shall establish and maintain a joint Safety Committee.
- B. The committee will be composed of three (3) members designated and appointed by the City Manager and three (3) members designated and appointed by the collective bargaining unit. The City Manager shall appoint a non-voting chair.
- C. The committee shall meet on a regular basis as mutually agreed no less than once every month. The committee shall be charged with:
 - 1) Reviewing accidents and providing recommendations for future safety practices (without declaration of fault related to the incident);
 - 2) Hearing and reviewing presented health and safety concerns and make recommendations regarding such;
 - 3) Making recommendations for formal safety training programs; and
 - 4) Developing, reviewing and recommending a risk management policy and a safety manual.
- D. It is not the responsibility of the Safety Committee to determine in reviewing an accident, to place any blame, responsibility, liability or justification in any manner.

503 General Travel Policies

- A. The City of Yankton, in order to advance the training and professionalism of its staff, authorizes attendance at certain schools and conferences, and recognizing that employees sometimes travel outside the City to conduct business, herein provides a policy framework for use by City employees.
- B. In all cases, City employees are expected to show good judgment and proper regard for economy in incurring travel and related expenses.
- C. In no instance will the City incur any cost for a member of an employee's family or other approved individual who may accompany the employee on an official trip in a private vehicle. However, with the City Manager's approval, an employee's spouse may ride along in a City vehicle with the cost difference for any expenses to be paid by the employee. The special request should be made at the same time as the travel request.

504 Travel Guidelines

- A. City employees shall make a reasonable effort to take the most economical mode of transportation feasible for any given travel assignment or arrangement.
- B. Where an employee elects to take a more expensive mode of travel, said employee shall only be reimbursed for the more economical form of travel by the City. Employees are permitted, with supervisor approval, to have their own motel/hotel room.
- C. If the employee elects to arrange their own separate transportation rather than ride with other employees in available City transportation, the employee shall not be reimbursed for any travel expense.
- D. Adequate receipts shall be required for all expenses (except for miscellaneous expenses explained below) incurred on any authorized travel. In addition to transportation, the City shall provide for the payment of lodging, meals, registration fees and miscellaneous expenses where necessary.
- E. Reimbursement for meals shall be based on the South Dakota Department of Labor & Regulations in-state and out-of-state meal rate reimbursements with the express prohibition of City funds being spent on any alcoholic beverages.
- F. Registration fees shall be paid by the City in advance where possible.
- G. Miscellaneous expenses with or without a receipt (such as cab fares, tips for cabs or occurrences where receipts are not normally received) will be paid where found to be reasonable for such items as local transportation, tips and other miscellaneous expenses which are incurred by said employee.
- H. All employees shall be expected to complete an expense report within five (5) working days of return to the City from authorized travel. A per diem allowance may be requested in advance and approved at the discretion of the Department Head or City Manager instead of a reimbursement.
- I. In all instances where the use of private cars are required and approved by the City Manager for City business, the employee shall be reimbursed at a rate per mile as established by the IRS from time to time for the use of private vehicles. If an employee elects to take their own vehicle when a City vehicle is offered, they shall be reimbursed for gas expense only.
- J. The City Manager may authorize advance travel monies in an amount not to exceed the estimated budget for the trip.
- K. Any City approved expenses reimbursed to the employee by an outside agency must be returned to the City.

600 LEAVES OF ABSENCE

601 General Policies

- A. An employee must be in full pay status while on leave, that is, not on leave without pay or injury leave unless otherwise noted. (Exceptions to this policy are noted specifically for seniority credit while on military leave without pay.) A request for a leave of absence may be denied.

- B. When an employee is promoted, demoted or transferred, all sick leave, vacation leave and compensatory time credit remain to the employee's credit and shall be so transferred. Every effort should be made to exhaust compensatory time prior to the transfer.
- C. When possible, all requests for leaves of absence, with or without pay, shall be made in writing at least ten (10) days in advance of the beginning date, or as designated, to the immediate supervisor except for sick leave or injury leave requests.
- D. It is the obligation of each employee to report to work on time on a regular basis. The City will not tolerate excessive abuse of leaves with or without pay. The City has defined excessive absences as four (4) or more days within a 60 day period in which the absence has not been authorized and approved by the Department Head and City Manager or there appears to be a pattern of abuse occurring with a particular employee.

602 Earned Vacation (CBA Article 4)

- A. Each full-time or regular employee in the classified City service shall receive vacation credit annually as follows: *(CBA 4.0)*

0-5 years	80 working hours
6-10 years	120 working hours
11 years or more	160 working hours

- B. No accumulation will be credited during the first six months of continuous service, however, forty (40) hours of vacation leave will be credited at the end of the first six (6) months of continuous service. *(CBA 4.1)*
- C. Persons holding regular appointments and working less than a forty (40) hour work week shall earn vacation credit based on their budgeted work week compared to a forty (40) hour work week. *(CBA 4.0)*
- D. No vacation leave may be taken by an employee until said employee has been in the service of the City continuously for a period of six (6) full months unless approved by the Department Head and City Manager. *(CBA 4.0)*
- E. Vacation should be scheduled at least two weeks in advance. The City will attempt to grant vacation at the time requested by the employee unless, in the judgment of management, operation necessity requires staffing. The City reserves the right to limit the number of employees on vacation at the same time and to limit the number of successive days of vacation taken by an employee. If the City determines it necessary to limit the number of employees on vacation at the same time, the first submitted request shall prevail. *(CBA 4.4)*
- F. In the event of any conflict over simultaneous requests for vacation periods, the employee with the greater seniority shall be given his/her choice of vacation period.
- G. Vacations may only be used as earned and must be taken in at least fifteen (15) minute increments. Reporting of vacation leave may not cause more than the standard equivalent workday to be reported on the time card. *(CBA 4.2 and 4.4)*
- H. Employees will accrue vacation with each pay period. Vacation hours not used during the calendar year in which they are earned may be carried over into successive years.

- I. The maximum allowable accrued vacation shall be two (2) times the amount of vacation earned in a year based on the employee's hire date. Any hours above the maximum accrual allowed, will be lost. *(CBA 4.3)*
- J. Any regular employee leaving the municipal service shall be compensated for vacation accrued to the date of the employee's separation or resignation provided said employee had been in the service of the City for at least six (6) full months. However, the maximum compensation paid shall be for two (2) times the amount of vacation earned in a year based on the employee's date of hire. *(CBA 4.5)*
- K. Reimbursement for vacation leave will be at the employee's salary rate per their last day of employment. In the event of the employee's death, the earned unused vacation is owed to his/her estate. *(CBA 4.5)*
- L. As vacation leave is granted to employees for the purpose of job relief, no employee shall be permitted to waive such leave. Each employee is encouraged to take a minimum of five (5) days of continuous vacation per calendar year after the first year of employment. Holidays and compensatory time may be included in the calculation of five (5) days.
- M. Any official holiday set forth in this article which shall occur during an employee's scheduled vacation shall be counted as a holiday, not as a day of vacation. *(CBA 4.6)*

603 Family and Medical Leave *(CBA Article 14)*

- A. The City complies with the provisions of the Family and Medical Leave Act (FMLA) in granting up to twelve (12) weeks leave of absence during any twelve (12) month period.
- B. Employees should contact the Human Resources Department for FMLA eligibility and provision details. A copy of FMLA provisions will be made available to employees upon request.

604 Accrued Sick Leave *(CBA Article 5)*

- A. Sick leave benefits are granted on the basis of: *(CBA 5.0)*
 - 1) Eight (8) working hours per month of service on a forty (40) hour work week.
 - 2) Sick leave with pay may be accumulated to a maximum of 960 hours.
 - 3) Persons holding regular appointment with a standard work week of less than forty (40) hours shall earn sick leave credits and have a maximum accrual of sick leave credits based on their budgeted work week compared to a forty (40) hour work week.
- B. Sick leave may be authorized on any scheduled work day other than holiday or other authorized absence for the following: *(CBA 5.1)*
 - 1) Personal illness or off the job injury.
 - 2) Enforced quarantine of the employee in accordance with community health regulations.
 - 3) Illness in the immediate family when it can be clearly shown that an employee's presence is required. Immediate family shall mean the employee's spouse, children (A child is defined as a natural child, adopted child, foster child, or stepchild),

parents, stepparents, brothers, sisters, grandparents, grandchildren and the same relatives of the spouse.) Such use must be approved by the Department Head.

- C. Reporting of sick leave may not cause more than the standard equivalent workday to be reported on the time card. *(CBA 5.1)*
- D. When a person accumulates the maximum sick leave allowed, additional sick leave will continue to accrue until the end of the calendar year. However, this additional sick leave may not be used and will not carry over into the next calendar year. Each employee, who accrues this additional leave, shall be paid based on one (1) hour pay for every two (2) hours additional sick leave accrued. A review of all employees' sick leave records shall be made on the last working day in December with payment the first payday in January. *(CBA 5.2)*
- E. Paid maternity leave will be granted to the extent of the accrued sick leave available to the employee. After the accrued sick leave has been exhausted, any further maternity leave granted shall be compensatory time off, vacation leave or leave without pay. Sick leave will not be granted for child rearing. Maternity leave shall begin upon determination by a medical doctor that the employee should leave work for medical reasons. Maternity leave will be terminated upon a written determination by a medical doctor that the employee is able to return to work. Maternity leave shall be treated as any other eligible item for sick leave. All benefits and conditions which apply to sick leave would apply to maternity leave as well, unless specifically changed by this paragraph. *(CBA 5.3)*
- F. A Sick Leave Report (See Appendices) must be completed for all sick leave used and submitted with the time card reporting sick leave taken. After approval by the Department Head and City Manager, the report will be placed in the employee's personnel medical file. *(CBA 5.4)*
- G. Sick leave with pay is authorized only if the employee notifies their Department Head or supervisor of the necessity for absence. An employee whose work requires a substitute for a particular shift assignment is required to give reasonable notification in advance of the employee's assigned time to start work. *(CBA 5.5)*
- H. If an employee is absent from work and has not notified the Department Head or supervisor of an illness, sick leave will not be granted for the absence and the absence will be recorded as an unauthorized leave. *(CBA 5.5)*
- I. A medical certificate or other substantiating evidence of illness may be required for any sick leave absence. Abuses of sick leave benefits shall be sufficient cause for an employee to be dismissed from City service. *(CBA 5.5)*
- J. A physician's report section of the sick leave report form must be submitted when the leave extends beyond three (3) continuous work days and at the end of each succeeding pay period. For an extended period of sick leave, a doctor's report of expected duration shall be sufficient. *(CBA 5.5)*
- K. Before an employee can be permitted to perform assigned duties after having sustained an injury or having been ill beyond seven (7) continuous work days, said employee must present the Department Head with a physician's report stating that the employee is fit for work. This report must be forwarded to the payroll clerk. *(CBA 5.5)*

605 Funeral Leave (CBA Article 9)

- A. Employees shall be granted up to 24 hours paid absence to attend or plan for a funeral of a member of the immediate family which shall include: spouse, children (a child is defined as a natural child, adopted child, foster child, or stepchild), parents, stepparents, brothers, sisters, grandparents, grandchildren and the same relatives of the spouse.
- B. Employees may take up to 56 additional hours for the death of a spouse and up to 16 additional hours for the death of other members of immediate family as defined above. Additional hours of funeral leave shall be deducted from the employees' accumulated sick or vacation leave.

606 On the Job Injury (CBA Article 5)

- A. Employees injured on the job are covered by the South Dakota Worker's Compensation Act. This law provides specific benefits. In order to qualify for these benefits specific procedures shall be followed. (CBA 5.6)
- B. The employee shall immediately report any injury, regardless of extent, to said employee's immediate supervisor. The employee shall be responsible for providing the necessary information to the Human Resources office for the completion of all accident reports within 72 hours of the injury. If the employee is unable to comply due to the injury, the Department Head shall be responsible for this report. (CBA 5.61)
- C. The supervisor shall immediately inform the Department Head of the action taken and shall notify the employee of the requirement to complete an accident report within 72 hours of the injury. (CBA 6.2)
- D. The Department Head will be responsible for orally forwarding any information concerning accidents to the City Manager as soon as possible. The Department Head shall be responsible for providing the necessary information to the Human Resources office for the completion of all accident reports within 72 hours of the injury if the employee is unable to do so. Upon the employee's return to work, the Department Head will inform the City Manager's office by memorandum. (CBA 5.63)
- E. Medical and hospital expenses incurred due to on the job injuries shall be paid for in accordance with City policy and the applicable provisions of the Worker's Compensation Act. (CBA 5.6)
- F. A regular employee on injury leave shall be compensated, up to a maximum of ninety (90) calendar days at a rate that when added to the employee's worker's compensation benefits shall equal the employee's previous net pay not including any voluntary deductions. The employee shall present evidence to the Finance Officer of the amount of any worker's compensation benefits received prior to any payment being made by the City. After the ninety (90) day period, the employee may elect to use accumulated compensatory time, sick leave and/or vacation credits to continue receiving full pay. Should the employee not elect such action or should the employee exhaust all such accumulated credits, the employee may apply for disability under the provisions of the Worker's Compensation Act or the Retirement Fund. A temporary or seasonal employee injured on the job shall receive only those benefits provided by the Workers Compensation Act. (CBA 5.7)

- G. All vacation, sick leave and holiday leave earned while on injury leave shall accrue at the employee's regular rate during the initial ninety (90) day period. Throughout the remainder of the leave, additional vacation, sick and holiday leave accrual shall be prorated relative to the sick, vacation and/or compensatory time being reported. *(CBA 5.8)*

607 Civil Duty (CBA Article 11)

- A. It is the civic obligation of each City employee to serve on a jury if he or she is called. An employee may not be discharged or suspended for serving on a jury. While on jury duty or while appearing as a legally required witness, an employee shall turn over to the City Finance Officer any payments received for such duty during scheduled work days, except payments received for mileage, meals or expenses for out-of-town jury duty and be paid in full for their normal work schedule. Or, the employee may keep the payments received and use vacation or compensatory time for their normal scheduled workdays. *(CBA 11.2)*
- B. An employee, who is required to make a court appearance in an official capacity in connection with the City of Yankton or as an expert witness, shall be deemed to be on duty and no charge will be made against leave. Any compensation received for the appearance shall be turned in to the Finance Officer. However, if an employee is involved in a personal case, either as a plaintiff or as a defendant, the employee may be granted leave, but the time the employee takes off will be charged either to accrued vacation leave, compensatory time off, or leave of absence without pay.
- C. An employee who is entitled to vote in a public election shall be given two (2) hours of consecutive time off with pay to vote, unless he/she has two consecutive non-working hours in which to vote while the polls are open. The City may designate the particular hours of absence.

608 Holidays (CBA Article 3)

- A. All full-time employees shall receive holiday pay for all holidays observed by the City based upon normal pay for a forty (40) hour work week without consideration for bonuses or other supplemental compensation. *(CBA 3.0)*
- B. All regular part-time employees of the City shall receive holiday pay based upon a prorated basis equal to their standard equivalent workday. *(CBA 3.0)*
- C. The following holidays will be observed by the City: *(CBA 3.0)*
 - 1. New Year's Day – January 1
 - 2. Presidents' Day – 3rd Monday in February
 - 3. Memorial Day – Last Monday in May
 - 4. Independence Day – July 4
 - 5. Labor Day – 1st Monday in September
 - 6. Veterans' Day – November 11
 - 7. Thanksgiving – the 4th Thursday and Friday in November
 - 8. Christmas Day – December 25
 - 9. Two personal days (to be used at any time through the year pending their Department Head or the Department Head's designee's approval)

- D. When an employee is required to work on a holiday, the City will pay regular employees time and one-half (1 ½) for the number of hours actually worked, plus the holiday pay. (CBA 3.2)
- E. Shift workers will receive time and one-half (1 ½) for the number of hours actually worked plus the eight hours holiday pay. (CBA 3.2)
- F. Holiday pay is not allowed when an employee does not comply with the request to work on a holiday. (CBA 3.5)
- G. Employees shall be eligible for pay for the holiday falling within a pay period for which they have received compensation, provided, however, that they have worked the day before and the day after the holiday unless otherwise excused or unless the time is credited to either accrued vacation leave, sick leave or workers compensation leave. (CBA 3.3)
- H. Holidays, which occur during an approved leave of absence with pay, are not charged as days of leave taken. (CBA 3.4)
- I. When any of the above holidays fall on a Sunday, the following Monday is observed as the holiday; if any holidays fall on a Saturday, the preceding Friday shall be observed as the holiday. The City's policy shall be to observe Veteran's Day on November 11th of each year. (CBA 3.1)

609 Leaves of Absence Without Pay (CBA Article 11)

- A. A leave of absence without pay may be requested by following the rules below. No sick or vacation leave shall accrue during a leave of absence without pay. (CBA 11.0)
- B. Sick Leave Without Pay Eligibility. An employee is eligible for sick leave without pay if all regular sick leave, accrued vacation leave, and compensatory time has been exhausted.
- C. Duration. Sick leave without pay may not exceed forty-five (45) days unless approved by the City Manager. During the forty-five (45) calendar days, the City will continue to pay its portion of the employee's health and life insurance policies at the same rate as prior to the employee's request for sick leave without pay. At the end of the forty-five (45) day period, the City will have the option to terminate the employee's employment with the City and cease making any contribution to the health and life insurance policies of the employee. If applicable, the Family and Medical Leave Act shall take precedence over any conflicting provisions of this section.
- D. Educational Leave Eligibility. Educational leave of absence without pay may be granted to an employee not to exceed twelve (12) months. Course work shall be related to the employee's career field. The leave must be recommended by the Department Head and approved by the City Manager. If, upon investigation of responsible authorities, it is found that educational leave will be beneficial to the City as well as to the employee, and it is practical to allow the employee's position to remain vacant or to be filled by a temporary employee, educational leave without pay may be granted.
- E. Requesting Educational Leave Without Pay. Requests shall be submitted in writing to the Department Head two (2) months in advance of the starting leave date stating the reasons for the requested leave, the date the leave will begin and the probable date of return.

- F. Other Leave Without Pay Duration and Benefits. A Department Head or the City Manager may grant leaves of absence without pay up to forty-five (45) calendar days. During the forty-five (45) days the City will continue to pay its portion of the employee's life and health insurance. The City Manager may at his or her discretion extend the leave of absence without pay beyond forty-five (45) days.
- G. Eligibility. Any leave of absence without pay shall not be permitted until all vacation leave and compensatory time has been exhausted.
- H. Request. Any request for leave of absence for personal reasons shall be submitted in writing to the Department Head two (2) weeks prior to the starting leave date stating reasons for the request, the date the leave shall begin, and the probably date of return.
- I. An exception to the notice period may be made under special circumstances.

610 Military Leave (CBA Article 11)

- A. Active Duty. Any regular employee of the City of Yankton who involuntarily enters extended active duty in any branch of the military service, including all guard and reserve units of the Armed Forces of the United States, shall be placed on a military leave of absence.
- B. Reserve Duty. Any employee who is a member of any component of the military reserve may be granted a leave of absence, with or without pay, to meet said employee's military obligation. This leave shall be granted for a period of time to allow completion of a short tour of active duty. As a minimum, this period of time shall be no less than fifteen (15) days. An employee may be eligible to receive the difference between their military pay received and their authorized salary, provided that the military pay is less than the authorized City salary. This difference may not be paid to exceed ten (10) regular working days in any one (1) calendar year. The difference of pay between military pay and authorized City salary shall be reduced by one (1) day's pay for each vacation day earned in excess of ten (10) vacation days per year by the employee. In order to receive compensation, the employee must file a statement of earnings from the military with the Finance Department payroll clerk. (CBA 11.3A)
- C. Drills. Employees shall be permitted to attend required monthly military weekend drills. Said employees shall be responsible for notifying their supervisor in advance of the scheduled drill so as to allow proper time to adjust City work schedules to provide adequate manpower for required City functions. The advanced notification by the employee may be given in writing to the supervisor.
- D. Active Duty Request. The Department Head shall approve a military leave of absence upon the request of an employee. The employee must present a copy of active duty orders to the Department Head as soon as possible after receipt of such orders.
- E. Short Tour Request. The employee shall present copies of orders, specifying inclusive dates of the short tour, as soon as possible after notification to said employee's Department Head who shall then approve the military leave.
- F. Military leave reinstatement procedures are as follows:
 - 1. Limitation. The employee must apply for reinstatement within ninety (90) days after release from extended military service or within 90 days after hospitalization.

2. Proof of Discharge. The employee must present a copy of said employee's release for discharge from active military duty or a notarized copy thereof as proof to be eligible for reinstatement.
 3. Physical Examination. The employee must have a physical examination prior to reinstatement.
 4. Honorable Discharge. The employee must be released or discharged under honorable conditions to be eligible for reinstatement.
- G. Position. An employee who entered the Armed Forces of the United States shall be reinstated to said employee's former position or to a comparable position, and if such position is not available, then to a position of like seniority, status and pay. Such right shall be subject to three limitations:
1. Mental or Physical Disqualification. Reinstatement of employee cannot be required in position, which said employee is mentally or physically unqualified to fill.
 2. Abolished Positions. If a position formerly held by an employee applying for reinstatement has been abolished, said employee shall be offered the opportunity of reinstatement in a position of like status and pay.
 3. Lack of Seniority. Reinstatement of such employee must not make it necessary to lay off an employee of greater seniority.
- H. Seniority. When there are more applications for reinstatement than there are positions available, the position shall be filled according to seniority. Seniority shall accrue to the first person called to report to duty or perform duty of the armed forces, and thereafter to any similar employee next nearest to first person's employment in point of time if such first person shall not within the period set out to apply for reinstatement.
- I. Duties. Reinstated employees must actually perform the duties characteristic of their class, as do other employees.
- J. Other Classes. If there is no appropriate vacancy in the class of positions left by the former employee when said employee entered the Armed Forces, said employee may be placed in the appropriate vacancy in any other classes specified by said employee and deemed proper by the City Manager.
- K. Declining of Position Offered. If a former employee declined a proper reinstatement for a comparable position, said employee forfeits all reinstatement rights, except that said employee may request to be placed on the re-employment eligibility list.
- L. Employee on Probation. An employee who entered the Armed Forces while serving during said employee's probationary period on a regular appointment shall have said employee's name placed on the re-employment list according to seniority. However, employees must apply for reinstatement in accordance with the prescribed procedure.
- M. Benefits for reinstated employees will be based upon the following policies.
1. Classification. The employee will be reinstated to a position in the current classification plan.
 2. Entrance Examinations. No new entrance test shall be required before reinstatement.

3. Seniority. A reinstated employee shall be entitled to full reinstatement of seniority, including time served in the Armed Forces, following the date of reinstatement to the job. However, this policy shall not be construed as allowing sick leave, vacation leave, or retirement benefits to accrue for the time served in the Armed Forces.
4. Sick Leave. Sick leave accrued prior to active duty shall be retained while the employee serves on active duty.
5. Salary Adjustment. If a former employee who entered the Armed Services of the United States is reinstated or re-employed in the same position said employee held prior to entry in the Armed Forces, or in some other position of the same class, said employee's salary will be adjusted to the salary provided under the position classification and compensation plan prevailing at the time of reinstatement or employment.

611 Voluntary Transfer of Vacation Time Policy

- A. The voluntary transfer of vacation leave to other employees may take place in order to help those employees who have exhausted their leave accruals and are unable to work because of either extended personal illness or family crisis which requires a Leave of Absence.
- B. The guidelines for transfer are:
 1. Each request will be reviewed on a case-by-case basis and approved by the City Manager.
 2. A donor may authorize the transfer of up to 24 hours of vacation leave. A donor may transfer no more than 24 hours in a twelve-month period.
 3. The vacation leave balance of the employee donating hours may not drop below 40 hours due to the transfer.
 4. A special authorization form available in the Human Resources Office must be completed. The donor's names and donations will be kept confidential; however, individual donors may personally inform the recipient of their transfer if they so desire.
 5. Transfers will only be permitted for a specified individual and during a specified time period to be announced by memorandum upon administrative approval. Donations will be taken in the order they are received and, in the event that all hours are not needed, the remainder will return to the donor's credit. Leave shall be transferred in order to grant full pay to the extent the donations allow. Partial pay shall not be allowed in order to extend the leave time.
 6. All vacation leave, sick leave (where allowed), and/or compensatory time must be exhausted before granting administrative leave of absence.
 7. If the recipient is on leave of absence status, he/she will not accrue sick or vacation and will not be eligible for holiday pay. He/she will be responsible for his/her share of their health and life insurance premiums. If he/she defaults due to insufficient pay for payroll deduction and no direct payment to the City, his/her health and life insurance shall not be continued except where applicable.

8. The hours donated shall be transferred on an hour for hour basis. The recipient will be paid at his/her normal hourly rate and will not be obligated to repay the leave donated.
9. Recipients receiving workers compensation benefits shall not be eligible for administrative leave of absence.
10. Administrative leave of absence may be authorized in conjunction with Family and Medical Leave.

612 Volunteers – City Disaster

- A. A City employee who is a member of an established volunteer organization (i.e. Red Cross) and who is called out to duty in the event of a disaster may be granted a leave of absence with pay.
- B. The leave of absence may be granted for a period not to exceed the designated number of days established by the City Manager. The request shall be submitted in writing to the Department Head as soon as possible stating reasons for the request, the date/time the leave shall begin and the probable return date.

700 DISCIPLINARY AND GRIEVANCE PROCEDURES (CBA ARTICLES 19 AND 20)

701 Disciplinary Procedures

- A. The City's disciplinary and grievance procedures explain the normal corrective and disciplinary process that may be used, and identifies a way for employees to grieve certain decisions made.
- B. The City reserves the right to discipline any employee for performance, conduct, business or other job-related reasons, but not for any factors related to age, race, color, religion, gender, national origin, disability status, genetic information and testing, family and medical leave, sexual orientation, gender identity or express, protected veteran status or any other characteristic protected by law.
- C. The City Commission has the authority to discipline the City Manager and Finance Officer.
- D. The City Manager has the authority to discipline all Department Heads and employees, with the exception of the Finance Officer. Department Heads, with the approval of the City Manager, have the authority to discipline employees within their department.

702 Forms of Discipline

- A. Disciplinary actions shall be applied when the proper authority determines such actions are necessary. A disciplinary action may be in the form of a written reprimand, suspension, reduction in pay, denial or delay of step increase, probation, or dismissal as defined below. The City may, but is not required to, apply these actions progressively. Depending on the frequency and severity of the violation, the City Manager shall have the right to skip or repeat certain steps in the progression of the disciplinary action.

- B. Infraction, violation of, or noncompliance with any provision, requirement, policy or regulation set forth in this manual or as later amended, may be cause for any of the forms of discipline.
- C. Infraction, violation of, or noncompliance with any provision, requirement, policy or regulation of the employee's department may be cause for any of the forms of discipline.

703 Written Reprimand

- A. Supervisors and/or Department Heads and the City Manager may reprimand employees for violation of municipal or department rules. Reprimands shall be made in a civil, constructive, businesslike manner. Note of the reprimand will be added to the employee's personnel file. When placed in the employee's file, a copy of the reprimand shall be provided to the employee by the Department Head. Department Heads are subject to the same action by the City Manager.
- B. Written reprimands for violation of municipal or department rules shall be forwarded to the City Manager to be made a part of the employee's personnel file. A copy will be provided to Human Resources and a copy to the Union, if applicable.
- C. Supervisors and/or Department Heads utilizing a reprimand as a disciplinary tool shall endeavor to do so with reason and with an attitude of not only admonishing or warning the employee, but also to lead, guide, direct and instruct the employee in how to correct and avoid repeating the behavior.
- D. The employee may submit a written statement of response, which shall be attached to the reprimand in the personnel file.

704 Suspension

- A. When circumstances warrant, a Department Head or the City Manager may initiate the immediate suspension of an employee. If issued by a Department Head, a written notification will be sent to the City Manager for his/her concurrence.
- B. A written report on all such suspensions shall be promptly forwarded to the City Manager by the Department Head to be filed in the employee's personnel file.
- C. An employee who is suspended shall be advised of the action in writing the reason for it and the duration of it within twenty-four (24) hours.
- D. Suspension may be with or without pay. Suspension without pay may not exceed ten (10) consecutive working days.
- E. Department Heads are subject to the same action by the City Manager.

705 Reduction in Pay

- A. An employee may receive a reduction in pay in an amount commensurate with the severity of the violation as a form of disciplinary action.
- B. This form of disciplinary action shall be exercised by the City Manager or by recommendation of the Department Head and approval of the City Manager.

706 Denial or Delay of Step Increase

- A. The City Manager may in writing, delay a step increase for an indefinite period of time, or deny a step increase when in his/her opinion it is not warranted. A report on the reason for delay or denial of a step increase shall be filed in the employee's personnel file.

707 Probation

- A. An employee who has successfully completed their introductory period for the position held may be placed on Administrative Probation when general work performance shows a deterioration.
- B. The maximum amount of time the employee will spend on Administrative Probation will be six (6) months.
- C. The number of times that an employee can be placed on Administrative Probation will not be limited during their employment. During Administrative Probation, the employee may, with the approval of the City Manager, be terminated from employment with the City.

708 Dismissal

- A. Any employee may be dismissed with notice by the City Manager or by the Department Head with written approval of the City Manager. Such action shall be taken only when other forms of disciplinary action or penalties are deemed to be inappropriate by the City Manager or have proven unwarranted or ineffective in dealing with the particular employee.
- B. Unless exercised by the City Manager, this form of disciplinary action shall be exercised by written recommendation of the Department Head and approval of the City Manager. Each employee having completed a six (6) month introductory period shall be entitled to a hearing before the City Manager and shall be notified of the schedule for the hearing, as outlined in Section 803.

709 Grounds for Disciplinary Action

- A. This section contains examples of both expected behavior and grounds, which warrant disciplinary action for any employee in the service of the City of Yankton. However, disciplinary action may be taken for reasons other than those herein outlined.
- B. Appearance. All municipal personnel are encouraged to maintain a clean and well-groomed appearance in keeping with their job and conducive to good public relations. They shall comply with the policy and requirements of the respective department (including, but not limited to) wearing apparel, personal appearance, hygiene, and safety. Refusal or failure to comply with departmental policies may result in disciplinary action.
- C. Behavior. Employees shall maintain a constructive, businesslike attitude which strives to promote harmony among coworkers and respect for positions of authority at all times. Employees who are unable or unwilling to get along with superiors, coworkers or the public, or who persist in exhibiting a negative or uncooperative attitude toward the job may be subject to disciplinary action.
- D. Conduct. Employees shall conduct themselves in a manner appropriate to their position as public servants and not reflect discredit upon the City.

1. All municipal employees and volunteer staff are expected to maintain high standards of conduct and cooperation in their relationships with their fellow employees, Department Heads, City officials and the general public.
 2. In accepting a position with the City of Yankton an employee also accepts a position of trust and responsibility. Employees shall not be permitted to engage in off-duty conduct that detracts from the public's confidence in the City or in the employee's ability to perform his or her job-related duties well. Any information to which employees may have access because of their position with the City and which may be detrimental to the City shall be kept in strictest confidence.
- E. No equipment, material or supplies, being the property of the City of Yankton, shall be removed from its location or used without proper authority. The Supervisor, Department Head or City Manager shall be the only persons with jurisdiction and authority to grant such permission. Vehicles and other equipment assigned to individual personnel shall be utilized for City work or business, unless otherwise authorized by the City Manager.
- F. The use of City property for any personal use, whatsoever, is prohibited.
- G. Equipment or Property. Any employee who causes damage to or is negligent in the care or operation of City owned equipment or property may be subject to disciplinary action.
- H. Insubordination. All employees are expected to carry out any lawful, just and legitimate instruction or order of their superiors including compliance with these personnel rules and policies. Failure to do so may result in disciplinary action up to and including dismissal.
- I. Job Performance. As job performance is the basis for reaching all goals, completing all projects and maintaining the standards expected by the public, all employees will strive for the highest level of performance in their position. The types of behavior listed below and other inappropriate behaviors not listed below may result in disciplinary action.
1. Tardy: Unexcused tardiness or absenteeism.
 2. Procrastination: Has deliberately or negligently delayed, prolonged, slowed down or procrastinated in the performance of their own duties.
 3. Influence Others: Has influenced or attempted to influence any employee to delay, undermine, slow down, procrastinate or in any way failed to properly carry out their duties.
 4. Theft of property or removal of records from City files.
 5. Other: Is unreliable, neglectful, unfit, incompetent, unwilling or incapable of fulfilling or carrying out their assigned duties and responsibilities.

710 Voluntary Separations and Grievances

- A. Except when protected activity is being grieved, employees who voluntarily terminate their employment will have any outstanding or unresolved grievances immediately dismissed.

711 Non-Grievable Actions

- A. Written reprimands, suspensions, and termination of employees during their employee-in-training period may not be grieved except on the basis of a prohibited form of discrimination.

712 Signing Requirements

- A. In all cases of disciplinary action, the employee will be required to sign the written documentation of discipline and such documentation shall be dated and placed in the employee's personnel file. If the employee refuses to sign the documentation, a notation to that effect shall be made by the decision making authority with another City employee or official as a witness.
- B. The employee may submit a written statement of response to the disciplinary action which shall be attached to and remain with the disciplinary action in his/her personnel file.
- C. In all instances, in this policy, where an employee is required to sign, signing does not imply agreement with the action, only that the contents have been made known to or discussed with the employee on that date.

713 Grievance Procedure (CBA Article 19)

- A. Definitions:
 - 1. Grievance: A complaint by an employee, or a group of employees, based on an alleged violation, misinterpretation or inequitable application of any existing agreement, contract, ordinance, resolution, policy, rule, regulation or law.
 - 2. Employee: An employee of the City may include an individual or group of employees who are similarly affected by a grievance.
 - 3. Days: All days referred to shall be working days. *(CBA 19.0)*
- B. Any grievance or dispute which may arise between the parties including the application, meaning or interpretation of an agreement, contract, ordinance, resolution, policy, rules, regulations and laws, may be processed during working hours without loss of pay upon notification and permission from their supervisor and shall be settled as hereinafter set forth. An employee may bring a grievance claim during working hours without loss of pay pursuant to the following procedure:
 - 1. Step One: The employee, and/or his representative, who feels that he has a dispute or grievance shall discuss the matter with the supervisor within ten (10) days of the event leading to the dispute or grievance, or the employee's knowledge of its occurrence. The Supervisor shall attempt to resolve the matter and give the employee an answer within three (3) days. *(CBA 19.1A)*
 - 2. Step Two: If the matter is not resolved at Step One, the representative or designee, with or without the employee, shall present in writing the grievance or dispute to the Department Head within fourteen (14) days of the event leading to the dispute or grievance. The Department Head shall attempt to adjust the matter and shall respond, in writing to the representative and employee within ten (10) days. *(CBA 19.1B)*
 - 3. Step Three: If the matter is not resolved at Step Two, it shall be presented to the City Manager within ten (10) days from the date of the written response of the Department Head. The City Manager shall hold a hearing to investigate and resolve

the matter within ten (10) days of receipt of the grievance. The City Manager shall respond in writing, to the employee within ten (10) days of the hearing. *(CBA 19.1C)*

4. Step Four: If the matter is still unsettled, either party may, within thirty (30) days after the reply of the City Manager, submit the matter to the South Dakota Department of Labor, Division of Labor and Management for resolution. *(CBA 19.1D)*
- C. Either party may appeal the decision of the Department of Labor as prescribed by law. *(CBA 19.1E)*
- D. An employee who has been dismissed or suspended may submit a grievance starting at Step Three of the grievance procedure. *(CBA 19.1F)*
- E. A copy of all grievances shall be submitted to the Human Resources Coordinator. *(CBA 19.2)*
- F. In the event the employee filing the grievance, or alleging and asserting that a dispute exists, fails to comply with any time limitation herein such failure shall constitute a withdrawal of the grievance or claimed dispute. The failure of the City to comply with any time limitation shall constitute a settlement of the grievance in accordance with the requested remedy. Time limitation may be extended by mutual agreement of the parties in writing. *(CBA 19.3)*
- G. In reducing the grievance to writing, the following must be stated with reasonable clarity:
 1. The nature of the grievance.
 2. The date or approximate date of the alleged grievance.
 3. The provisions of the agreement or the rule or regulation that is alleged to have been violated.
 4. The remedy which is sought. *(CBA 19.4)*
 5. The date of grievance submitted.
- H. No employees or group of employees shall be reprimanded, disciplined, or discriminated against for exercising their rights. *(CBA 19.5)*

800 SEPARATIONS

801 Types of Separation

All separations from the classified City service shall be designated as one of the following types and shall be accomplished in the manner indicated:

- A. Dismissal. At any time during an introductory period a Department Head, with the approval of the City Manager, may separate any employee whose performance does not meet with required standards. Further, an employee under an introductory period is not entitled to a hearing related to the termination.
- B. Resignation. An employee who desires leaving the City's classified service, shall file with the immediate Department Head at least two (2) weeks before leaving the service, a written resignation stating the effective date and the reasons for leaving. The Department Head may permit a shorter period of notice because of extenuating circumstances.
- C. Reorganization, reclassification and reduction in force. Management possesses the sole right to operate the City and to carry out its statutory mandates.

802 Exit Interview

- A. It is a policy of the City of Yankton for the Department Head to conduct an exit interview prior to the employee's voluntary termination from employment. The exit interview is conducted for several purposes, including:
 - 1. To resolve all outstanding matters between the City and the employee;
 - 2. To advise the employee of the affect their separation will have upon all benefits and what benefits they have coming upon separation; and
 - 3. To aid the City in gathering information to help improve the City's working environment and other employment relationships.
- B. Each employee shall fill out and complete an Exit Interview form and forward it to their Department Head who will forward the form to the City Manager for review.
- C. Failure to comply with this requirement may be cause for denying future employment with the City.

803 Dismissal (CBA 20.1-4)

- A. Dismissal shall be handled as a disciplinary action as provided in Section 700.
- B. The City shall not be permitted to dismiss an employee without just cause unless the employee is in his/her in-training period. A dismissed employee shall be suspended with pay for a period of three (3) working days. The employee shall have the right to receive a written statement of the reasons for dismissal which shall be provided to the employee at the time of the dismissal. A copy of the statement will be placed in the employee's personnel file.

804 Layoff (CBA 18.1)

- A. Seniority shall mean an employee's length of continuous service with the City since their last date of hire. Seniority shall be a consideration in all conditions of employment.
- B. In the event the City determines that it is necessary to decrease the workforce, they shall notify the affected employees and the Union thirty (30) days prior to the intended action. Seasonal, part-time and probationary employees shall be laid off first. Regular employees shall be laid off in reverse order of their seniority provided the remaining employees can do the available work.
- C. Employees laid off shall be returned to work according to their seniority provided they can perform the available work.
- D. No new employees shall be hired in the department until all the employees on layoff status who have the ability to perform the work and after a trial period of thirty (30) calendar days have been returned to work.
- E. When a job opening is posted, present City employees who apply and other applicants will be considered.
- F. The employer shall keep the seniority list up to date at all times and will post an up to date seniority list on the bulletin board. A copy of the seniority list shall be furnished to the Union when it is posted.

- G. Full seniority rights shall be maintained until one of the following events occurs at which point the person will lose employee status:
1. Voluntary quit.
 2. Discharge for just cause.
 3. Retirement.
 4. If an employee has been out of active employment for the City, for any reason, except military leave for a period of twelve (12) months.
 5. An employee on lay-off fails to reply to an offer of reinstatement within five (5) business days after receipt of a recall notice by certified mail or by a person-to-person request from a management representative subsequent to a lay-off or reduction in force, or to return to work within fifteen (15) business days after receipt of such notice. The City Manager may, but is not required to, extend the period if, in his/her sole judgment, sufficient extenuating circumstances are presented.

805 Disability

- A. An employee may be separated for disability when said employee cannot perform the required duties, with or without accommodation, because of a physical or mental impairment.
- B. Action may be initiated by the employee, the employee's legal representative or the City. But in all cases it must be supported by medical evidence acceptable to the City Manager.
- C. The City may require an examination at City expense and performed by a physician of the City's choice.
- D. Any employee separated because of disability shall be entitled to those benefits provided by law under Worker's Compensation, retirement fund and/or Social Security.

806 Death

- A. Separation shall be effective as the date of death. All compensation in accordance with City policies shall be paid to the estate of the employee.

807 Retirement Age

- A. There is no mandatory retirement age for municipal employees. However, all employees must continue to meet the performance requirements for their position.

808 Conditions of Separation

- A. An employee's final paycheck may be withheld until any City property is returned in working order.
- B. Separation Pay. Employees who leave the City service shall receive payment for all earned salary, accrued vacation and accrued compensatory time. They shall also receive any shift pay accrual, and sick leave pay-out which may be due them. However, all such payments shall be subject to deduction for any indebtedness pursuant to 808A. These payments will be received in the final payment issued on the normal payment date for the last pay period

worked. (Note: SDCL 6-11-10 provides that final payment shall be within five days of termination if the employee is terminated.)

900 DRUG-FREE WORKPLACE

901 City's Commitment to Drug and Alcohol Free Workplace

- A. The City has a strong commitment to its employees to provide a safe, healthy and productive work environment and to promote high standards of employee health. Consistent with the spirit and intent of this objective, the City will act to eliminate any substance abuse which could impair an employee's ability to safely and effectively perform a particular job and which increases the potential for accidents, absenteeism, substandard performance, and tends to undermine public confidence in the City's work force.
- B. The City's goals are to establish and maintain a work environment that is free from the effects of alcohol and drug abuse and to maintain the reputation and integrity of the City by preventing unacceptable behavior by its employees that discredits the City and its employees.
- C. While the City has no intention of unreasonably intruding into the private lives of its employees, the City does expect employees to report for work in a condition to perform their duties, make the work environment safe for other employees, and represent a proper image to the citizens. It is clear that employee off-the-job, as well as on-the-job, involvement with drugs and alcohol can have an impact on the City's goals.
- D. The Appendices contain an explanation of City drug policies.

902 Drug and Alcohol Abuse

- A. The unlawful manufacture, distribution, dispensing, possession or use of controlled drugs or substances or the use of alcohol while on duty, on or off business property owned or leased by the City is proper cause for disciplinary action.
- B. Any illegal controlled drug or substance possessed while on duty by employees will be turned over to the appropriate criminal justice agencies and may result in criminal prosecution. This does not apply to public safety officers who are in possession of an illegal controlled drug or substance while acting in the line of duty.
- C. It is not permitted for an employee to be under the influence of controlled or prescription drugs or substances or alcohol on the job, except that the legal use of controlled or prescription drugs or substances prescribed by a licensed physician is not prohibited, but employees in positions where side effects of the prescribed medication could affect performance and safety on the job are required to make such use known to their Department Head.
- D. The illegal use, sale, and possession of controlled substances or prescription drugs while off duty and off municipal premises which results in a criminal conviction is unacceptable. Off-duty, alcohol-related, criminal convictions are also unacceptable. They may affect the job performance and the confidence of the public in the City's ability to meet its responsibilities. Such off-the-job conduct may be proper cause for disciplinary action.

- E. It is not permitted for an employee to intentionally ingest, inhale, or otherwise take into the body any substance other than alcoholic beverages for the purpose of being intoxicated, unless such substance is prescribed by a licensed physician.

903 Testing for Drugs or Alcohol

- A. The City may require drug and alcohol testing in the following instances:
 - 1. Pre-Employment – as a condition of hiring
 - 2. Random – periodically throughout employment
 - 3. Post-Accident or Injury – following a workplace accident or injury that causes personal injury or property damage
 - 4. Reasonable Suspicion – when cause exists to believe someone has violated this drug-free policy or is under the influence of drugs or alcohol during working hours
 - 5. When Prescribed by Law – such as Department of Transportation (DOT) requirements for individuals with a Commercial Driver’s License (CDL).
- B. Circumstances which constitute a basis for determining reasonable suspicion may include, but are not limited to:
 - 1. Abnormal or erratic behavior that is so unusual that it warrants summoning an immediate supervisor, Department Head or other individual for assistance
 - 2. Information provided by a reliable and credible source with personal knowledge
 - 3. Direct observation of drug or alcohol use
 - 4. Presence of the physical symptoms of drug or alcohol use (i.e. glossy or blood-shot eyes, alcohol odor on breath, slurred speech, poor coordination and/or reflexes)
 - 5. Possession of substances in violation of the City’s drug and alcohol policy.
- C. The employee, when testing is required, may be asked to submit to urine and/or breath alcohol testing by qualified medical personnel at the City’s expense. Prior to testing, the proper authority shall secure a signed release from the employee to have the clinic/medical provider release medical information to the City.
- D. An employee who refuses to consent to a required drug and/or alcohol test, or who refuses to sign an authorization releasing test results to the City, will be subject to disciplinary action, up to and including termination. A positive result from a drug and/or alcohol test will result in disciplinary action up to and including termination.
- E. When testing is required because of reasonable suspicion the proper authority is required to detail in writing the specific facts, symptoms, or observations that led to the reasonable suspicion. This documentation, which includes the results of the drug or alcohol test as confirmation of the use of drugs or alcohol on the job, shall be given to the City Manager and placed in the employees personnel file only if confirmed by the drug and/or alcohol test.
- F. Drug and/or alcohol test results are confidential, and only those with a need to know are to be informed of the results. Disclosure of test results to any other person, agency, or organization is prohibited unless written authorization is obtained from the employee.

904 Drugs Selected for Testing

- A. Drug and/or alcohol testing will be performed by a clinic/medical provider selected by the City. Drugs selected for testing will be drugs or drug groups that are classified as “controlled substances” under state law, and which adversely affect physical and/or mental performance. Drug testing may include, but is not limited to, testing for the controlled substance listed here:
 - 1. Alcohol, ethyl
 - 2. Amphetamines/Methamphetamines (i.e. speed)
 - 3. Cocaine, Cocaine Metabolites
 - 4. Opiates (i.e. to include but not limited to Codeine, Heroin, Morphine, Hydromorphone, Hydrocodone)
 - 5. Phencyclidine (PCP)
 - 6. THC (Marijuana) Metabolite

905 Employee Responsibilities

- A. An employee must not report to work while his/her ability to perform his/her job duties is impaired due to on-duty or off-duty alcohol or drug use. Employees called in for emergency duty to work outside their regular work schedule must not report to work impaired by off-duty alcohol or drug use.
- B. An employee must not possess or use alcohol or illegal drugs or prescription drugs without a prescription during working hours or while subject to duty (such as when scheduled to be on-call), on breaks, or during meal periods.
- C. An employee must notify his/her immediate supervisor, before beginning work, when taking any medication or drugs, prescription or nonprescription, which may interfere with the safe and effective performance of duties or operation of municipal equipment.
- D. An employee must notify his/her immediate supervisor of any drug or alcohol related criminal conviction for a violation occurring in the workplace or off-duty no later than five (5) days after such conviction.
- E. Any violations of the above stated policies may result in immediate disciplinary action, up to and including termination.

906 Management Responsibilities and Guidelines

- A. Immediate supervisors and Department Heads shall not physically search the persons of employees nor shall they search the personal possessions of employees without the freely given consent of, and in the presence of, the employee.
- B. Immediate supervisors and Department Heads shall notify the appropriate law enforcement agency when they have reasonable suspicion to believe that an employee may have illegal drugs in his or her possession or in an area jointly or fully controlled by the City.
- C. Any immediate supervisor or Department Head encountering an employee who refuses to consent to a required drug and/or alcohol test shall remind the employee of the requirements of the policy and that he or she may be subject to disciplinary action. The reason(s) for the refusal shall be considered in determining the appropriate disciplinary

- action. Where there is reasonable suspicion that the employee is under the influence of alcohol or drugs, the Department Head or immediate supervisor should direct the employee to remain at work for a reasonable time until the employee can be safely transported home.
- D. Nothing in this policy shall be interpreted as waiving or limiting the City’s responsibility to maintain discipline, the City’s right to invoke disciplinary measures, or the employee’s right to follow the grievance procedure set forth in Section 700.
 - E. Each employee will be given a copy of the City’s policy on Drug and Alcohol Substance Abuse, which is included in the City’s Personnel Manual. The employee will sign a receipt of a copy of the Personnel Manual, which will be placed in the employee’s personnel file.
 - F. The City will follow applicable state and/or federal regulations associated with “safety-sensitive employees,” which are:
 - 1. All regular full-time employees in positions requiring possession of a commercial driver’s license (CDL); or
 - 2. Applicants for hire or promotion to the above mentioned category who are subject to pre-employment drug testing.
 - G. Safety-sensitive activities involve any time used for inspecting, conditioning, servicing, driving, testing, loading, riding in, repairing, assisting with any commercial motor vehicle or when the selected employee is not scheduled to perform a safety sensitive function, but may be called upon to do so at any time during the work shift.

1000 WORKPLACE VIOLENCE POLICY AND GENERAL PROCEDURES

1001 Policy Statement

- A. The City of Yankton maintains a zero tolerance policy toward workplace violence, or the threat of violence, by any of its employees, customers, the general public, and/or anyone who conducts business with the City.
- B. It is the intent of the City, (each department) to provide a workplace which is free from intimidation, threats, or violent acts. Each department has procedures specific to the work unit(s) for dealing with incidents of violence, and exercise reasonable efforts to conduct training for unit employees in the department procedures related to dealing with workplace violence.

1002 Definitions

- A. Workplace violence includes, but is not limited to, verbal abuse, harassment, threats, physical attack, or property damage.
- B. A threat is the expression of an intent to cause physical or mental harm regardless of whether the person communicating the threat has the present ability to carry out the threat and regardless of whether the threat is contingent, conditional, or future.
- C. Physical attack is unwanted or hostile physical contact with another person such as hitting, fighting, pushing, shoving, or throwing objects.

- D. Property damage is intentional damage to property, which includes property owned by the City, employees, or others.

1003 Reporting Threats – Internal and External

- A. Each incident of violent behavior, whether the incident is committed by another employee or an external individual such as a customer, vendor, or citizen, should be reported to the Department Head.
- B. The Department Head will assess and investigate the incident and determine the appropriate action to be taken.
- C. The Department Head will inform the Human Resources Department of all reported incidents of workplace violence.
- D. In critical incidents in which serious threat or injury occurs, emergency responders such as Police, Fire, and/or Ambulance personnel must be immediately notified.
- E. As necessitated by the seriousness of the incident, the Human Resources Department may assemble a Threat Management Team in consultation with the City Manager.
- F. The Threat Management Team is responsible for establishing the protocol in the event of a threat or violent incident that may include, but is not limited to:
 - 1. Evaluating potential violence problems,
 - 2. Assessing an employee’s fitness for duty,
 - 3. Selecting intervention techniques,
 - 4. Establishing a plan for the protection of co-workers, and other potential targets,
 - 5. Coordinating with affected parties such as victims, families, employees, media, or law enforcement personnel.
- G. Any employee who acts in good faith by reporting real or implied violent behavior will not be subjected to any form of retaliation or harassment. Any action of this type resulting from a report of violence should be reported to the appropriate management staff and proper action will be taken.

1004 Prohibited Actions and Sanctions

- A. It is a violation of this policy to engage in any act of workplace violence.
- B. Any employee who has been determined to be in violation will be subject to disciplinary action up to and including termination and, depending upon the violent act, may be subject to criminal prosecution.

1005 Department Security Audit and Training

- A. On an annual basis or whenever the physical layout of the workspace is significantly altered, the Department Head will examine the escape routes of the work area and communicate any changes to the department employees.
- B. On an as needed basis, the Department Head may request a security audit from the Police Department to determine whether any security measures, such as panic alarms, are necessary and effective.

- C. All employees should communicate with each other to be aware of any unusual activity that may identify the potential or actual occurrence of a violent incident.
- D. The Department Head, or his/her designee, will orient all new employees to departmental procedures regarding reporting incidents of violence, what to do if the employee is threatened and/or if an incident of violence actually takes place, and dealing with the after effects of an act of violence.

1100 Miscellaneous

1101 Political Activity

- A. Employees are encouraged to exercise their right to vote in City elections, but shall not engage or participate in any other way in said elections except in an official capacity as part of their assigned duties.
- B. Any employee who intends to give testimony in a legislative process (including testimony to the City Commission) involving issues relevant to the City or the employee's position with the City, must get permission from his/her Supervisor and the City Manager prior to providing testimony. This policy does not prohibit the employee from taking leave and testifying for themselves or exercising their rights as citizens, in which case the employee shall make clear they are not speaking on behalf of the City.
- C. Employees should not have direct or indirect conversations with state or federal legislators or their staff involving policies relating to the City without knowledge of their Supervisor and the City Manager.
- D. No employee shall use in any way any building, space, facility, machine, other City property, or on-duty employee connected to the City for the purposes of solicitation, promotion, election or defeat of any candidate for public office. This shall not prevent, however, the rental of any facility for the normal fee charged.
- E. Employees are not permitted to hold a seat on the Board of City Commissioners.
- F. Nothing in this section shall be construed to prevent employees from becoming or continuing to be members of any lawful political organization, for attending lawful political meetings, from expressing their view on political matters or from voting with complete freedom in any election.
- G. Employees may sign a petition provided that such an activity is in an off-duty status.

1102 Rest Periods (Coffee Breaks) (CBA Article 12)

- A. Coffee breaks or rest periods shall be arranged so as not to interfere with City business as determined by each department's needs and services. *(CBA 12.3)*
- B. During each eight (8) hour shift, two fifteen (15) minute breaks shall be permitted, and may be taken back to back, or otherwise scheduled with the approval of the department head. Breaks shall be taken during normal scheduled hours. Shift workers shall take their lunch breaks when able during their shift. *(CBA 12.3)*
- C. During each twelve (12) hour shift, three (3), fifteen (15) minute breaks are permitted.

1103 Gifts and Gratuities

- A. No employee of the City shall accept any fee, reward, gift or gratuity that has any connection whatsoever with said employee's municipal employment or the performance of an employee's official duties.
- B. It is expressly prohibited for any employee, in any way, to use their position or influence for private gain for themselves or others.
- C. A business gift of an advertising nature valued at \$25.00 or less, or a meal, will not be considered as having influence on the performance of an employee's duties.

1104 Workweek (CBA Article 12)

- A. It is the City's intent to create a standard work week within which an employee is expected to perform municipal services. The City also realizes that from time to time circumstances may arise in which an employee is required to work variable hours.
- B. Nothing within this policy is meant as a guarantee to the number of hours, either daily or weekly, that an employee may be required to work. However, it is the City's policy that every employee be treated equally and fairly when expected to work odd or extended hours.
- C. Most full-time employees normally work five eight-hour days per seven-day workweek and are subject to the overtime provisions set forth in this handbook.
- D. Since some departments require 24-hour staffing, the Department Head may establish a workweek different than the foregoing schedule but in compliance with the FLSA.
- E. City Department Heads and exempt positions shall work the number of hours necessary to ensure the satisfactory performance of their duties.
- F. The standard 40 hour work week for the purpose of calculating pay and overtime shall begin at 12:01 a.m. Saturday and end at midnight Friday. *(CBA 12.0)*
- G. Certified law enforcement personnel who are on patrol duty shall work a twelve (12) hour shift. Law enforcement personnel are subject to overtime provisions set forth in this handbook and the compensatory time off provisions set forth in this handbook. Law enforcement staff personnel shall work a workweek consisting of 40 hours.
- H. When the activities of a particular department require some other schedule to meet work needs, the City Manager may authorize a deviation from the normal schedule.

1105 Recording Time

- A. Non-exempt employees must maintain a record of their regular hours worked, overtime worked, holidays, and vacation or sick leave used for the purpose of calculating and issuing pay checks.
- B. Exempt employees are not required to keep a record of their time, however must track their sick and vacation time used.
- C. Supervisors are required to review and approve time records. The method of tracking time will be uniform throughout the organization.

1106 Personnel Records Maintenance

- A. The City Manager shall maintain such personnel records as are necessary for the proper administration of the personnel system. The City shall maintain in personnel records only information that is relevant to accomplishing personnel administration objectives.
- B. The following information on each employee shall be maintained in the employee's personnel file and shall be open to public inspection:

- 1. Name
- 2. Age
- 3. Date of original employment or appointment to City service
- 4. Current position title
- 5. Current salary
- 6. Date and amount of most recent change in salary
- 7. Date of most recent promotion, demotion, transfer, suspension, separation, or other change in status
- 8. Office/Department to which the employee is currently assigned
- 9. Immigration I-9 form

Other information maintained in an employee's personnel file are not considered public records and may be made available only in accordance with applicable open records laws, and provisions of this manual.

- C. Any person may have access to the public information listed above for the purpose of inspection, examination, and copying during the regular business hours, subject only to such rules and regulations for the safekeeping of public records as the City Commission may adopt. Access to such information shall be governed by the following provisions:
 - 1. All disclosures of records shall be accounted for by keeping a written record (except for authorized persons processing personnel actions) of the following information:
Name of employee; information disclosed; date information was requested; name and address of the person to whom the disclosure is made; purpose for which information is requested. This information must be retained for a period of two years.
 - 2. Upon request, records of disclosure shall be made available to the employee to whom it pertains.
 - 3. An individual examining a personnel record may copy the information.
 - 4. Any person denied access to any record shall have a right to compel compliance with these provisions and applicable law to a court for a writ of mandamus or other appropriate relief.
- D. All information contained in a City employee's personnel file other than the information previously listed shall be kept confidential and shall be open to inspection only as provided in this section.
 - 1. The employee or his/her duly authorized agent may examine all portions of their personnel file except (I) letters of reference solicited prior to employment, and (II) information concerning a medical disability, mental or physical condition, that a

prudent physician would not divulge to his patient. However, a licensed physician designated in writing by the employee to examine the employee's medical record may examine this portion of the file.

2. A City employee having supervisory authority over the employee may examine all material in the employee's personnel file.
 3. By order of a court of competent jurisdiction or by valid subpoena, any person may examine all materials in the employee's personnel file.
 4. An official of an agency of the state or federal government or any political subdivision of the state may inspect any portion of a personnel file when such information is deemed by the City Manager to be necessary and essential to the pursuance of a proper function of the inspecting agency, but no information shall be divulged for the purpose of assisting in a criminal prosecution of the employee or for the purpose of assisting in an investigation of the employee's tax liability.
 5. Each individual requesting access to confidential information will be required to submit satisfactory proof of identity.
 6. A record shall be made of each disclosure and placed in the employee's file (except of disclosures to the employee and supervisor).
- E. Records relating to internal investigations into the conduct of employees shall be kept separate from personnel files. Such records shall be kept strictly confidential and no person may have access to such records or disclose any information contained therein without explicit approval of the City Manager.
- F. If an internal investigation is undertaken in response to a complaint by a citizen, then the City may disclose to the complainant that an investigation was made and whether the City determined that the charge was founded or unfounded. The City may not disclose the nature of any disciplinary action taken.

1107 Executive Session – Personnel Discussion

- A. It is the policy of the Board of City Commissioners to move into executive session to discuss personnel issues such as employee qualifications, competence, performance, and character or fitness.
- B. In accordance with South Dakota's open meeting law, no official action will be taken except in an open official meeting. Such sessions are called to protect the employer/employee relationship.

1108 Hazardous Weather and Early Closing Policies

- A. The City of Yankton offices are open and operate normally throughout the year with the exception of approved holidays. The City has established a procedure by which variation in office openings and/or closings may occur as a result of hazardous weather. The City Manager and Department Heads will develop and distribute hazardous weather policies.
- B. The City of Yankton will be open and all employees will be expected to make reasonable efforts to get to work. Employees unable to arrive for work on any such day will be charged one day of vacation. If no vacation time is available, the employee will not be paid for the

- day. All employees who are unable to report to work should call their department supervisor and report their absence prior to the start of their work day.
- C. In extreme weather conditions, the City Manager may close City facilities, with the exemption of emergency services.
 - D. In the event of an early closing, employees have the following options:
 - 1. Non-Emergency – change of schedule (mutually agreed upon between supervisor, employee, & union).
 - 2. Utilize compensation time
 - 3. Utilize vacation time
 - 4. Continue to work with supervisor approval
 - 5. The City Manager may grant admin leave with or without pay for closings/late starts on a case by case basis.

1109 Technology Usage Policy

- A. Employees of the City of Yankton are provided access to a variety of technological equipment, software and resources, including, but not limited to, a computer network (which includes network resources, email, and the Internet), software, electronic information and files, cellular phones, cameras, tablets, and video cameras.
- B. All users must adhere to the same code of professional ethics that governs all other aspects of City communication. This policy does not purport to address every technology related situation or scenario. It is the employee's responsibility to use sound judgment. Should an employee identify an issue or situation that they are uncertain how to deal with, they should inquire with management.
- C. The following policies outline the acceptable uses of the City technology resources:
 - 1. The City's technology resources and all data stored on or transmitted with such resources is the exclusive property of the City. Employees who use City technology resources have no expectation of privacy for any data or materials stored or transmitted using these resources.
 - 2. The City may monitor or block access to internet sites, monitor or block email, inspect any and all files or data stored on or transmitted with or using City technology related resources.
 - 3. End users are prohibited from downloading, installing and/or operating unauthorized programs applications and devices.
 - 4. Employees may download software directly related to conducting City business after obtaining from Information and Technology Services approval. Employees must arrange to have such software properly licensed and registered. Downloaded software must be used only under the terms of the license.
 - 5. Each employee is responsible for reading, understanding and following all applicable licenses, notices, contract, and agreements for software that he or she uses on City technology related equipment.
 - 6. Employees are prohibited from installing City software on personal equipment without prior authorization.

7. No employee may probe, bypass or attempt to bypass any security measure or procedure. Employees are prohibited from distributing viruses, spyware, malware, spam or participating in other questionable activities.
8. Employees shall not permit any unauthorized individuals use of City technology resources, computers, networks or internet connections.
9. Employees shall protect passwords and sensitive data from disclosure.
10. Outside technology equipment, devices or media may not be connected to City resources. This restriction includes electronic media, 3rd party computers or devices and other technology related equipment.
11. The use of technology resources for harassment or other inappropriate behavior regarding age, race, color, religion, gender, national origin, disability status, genetic information and testing, family and medical leave, sexual orientation, gender identity or express, protected veteran status or any other characteristic protected by law is prohibited.
12. Sexually explicit material may not be accessed, displayed, archived, stored, distributed, edited or recorded using City technology resources. An exception may be made for official police/investigative purposes.

1110 Social Media Policy

- A. Some employees may be requested to use social media as part of their regular duties. Social media is defined as media to be disseminated through social interaction, created using highly accessible and scalable publishing techniques. Examples include but are not limited to LinkedIn, Twitter, Facebook, YouTube, and Snapchat.
- B. Both in professional and personal roles, employees are required to follow the same behavioral standards online as they would in real life. The same laws, professional expectations, and guidelines for interacting with citizens, co-workers, supervisors, media and others apply online as in the real world. Employees are liable for anything they post to social media sites.
- C. It is the City's policy that employees:
 1. Protect confidential and proprietary information: Do not post confidential or proprietary information about the City of Yankton or other employees.
 2. Respect copyright and fair use: When posting, be mindful of the copyright and intellectual property rights of others and of the City.
 3. Do not use the City of Yankton's name or logos for endorsements: Do not use the City logo or any other City images or iconography on personal social media sites. Do not use the City of Yankton's name to promote a product, cause, or political party or candidate.
 4. Respect City time and property: City computers and time on the job are reserved for City related business as approved by supervisors and in accordance with the Technology Use Policy.
 5. Obey the Terms of Service of any social media platform employed.

- D. City Employees posting on behalf of an official City unit shall adhere to the following policies:
1. Notify the City Manager and Information and Technology Service: Departments that have a social media page or would like to start one should contact the City Manager's office to ensure all City social media sites coordinate with other City of Yankton sites and their content.
 2. All institutional pages must have a full-time appointed employee who is identified as being responsible for content.
 3. Acknowledge who you are: If you are representing a department of the City of Yankton when posting on a social media platform, acknowledge this and disclaim this if you are not.
 4. Have a plan: Departments should consider their messages, audiences, and goals, as well as a strategy for keeping information on social media sites up-to-date.
 5. Link back to the City: Whenever possible, link back to the City of Yankton website. Ideally, posts should be very brief; redirecting a visitor to content that resides within the City of Yankton web environment as necessary.
 6. Protect the institutional voice: Posts on social media sites should protect the City's public voice by remaining professional in tone and in good taste. No individual department should construe its social media site as representing the City as a whole. Consider this when naming pages or accounts, selecting a profile picture or icon, and selecting content to post – names, profile images, and posts should all be clearly linked to the particular department or unit rather than to the City as a whole.
 7. Administrative rights for all social media outlets associated with the City of Yankton shall be granted to the Director of Information & Technology Services.

1111 Clothing and Appearance Policies

- A. Each employee's dress, grooming and personal hygiene should be appropriate to the work situation. Cleanliness and good grooming are expected.
- B. Employees are expected at all times to present a professional, business-like image to the public.
 1. The appearance of employees that do not regularly meet the public is to be governed by the requirements of safety and comfort, but should be as neat as working conditions permit.
 2. The appearance of office workers and employees who have regular contact with the public shall follow normally accepted standards for similar situations.
- C. The wearing of suggestive attire, soiled clothing, or a radical departure from conventional dress is not permitted.
- D. The wearing of clothing exhibiting offensive language, images or logos from other units of government are prohibited.

APPENDICES

1. Organizational Chart
2. Personnel Responsibilities
3. Drug and Alcohol Free Workplace Policies
4. Employee Benefit Information
5. Sick Leave/Funeral Leave Form
6. Travel Request/Travel Advance Requisition Form
7. Yankton Vicinity Map

Memorandum #16-282

To: Amy Nelson, City Manager
From: Bradley Moser, Civil Engineer
Subject: Change Order Number 1, Final Project Acceptance and Final Payment for the Douglas Avenue Project from Anna Street to 31st Street
Date: November 18, 2016

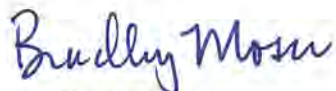
The long awaited reconstruction of Douglas Avenue has been completed and is ready to be accepted. A total replacement was completed with the installation of new curb & gutter, 8" PCC pavement and 6" driveway approach pavement. By replacing the ditch drainage with storm sewer and drop inlets, what was once a two lane rural section has been transformed into a 3 lane urban section. Not only is the new section capable of handling the vehicular traffic, but the new sidewalks and ADA compliant ramps provide pedestrians a safe route to reach their destinations.

As you can see from the attached Change Order Number 1, there were many changes to quantities that resulted in a net decrease to the project cost of \$8,928.25. This changed the construction cost from \$1,191,020.40 to \$1,182,092.15. Although there were setbacks that we experienced, the contractor was still able to meet the contract completion date.

One of the major increases was in the 8" PCCP Fillet Section bid item quantity. This additional cost was offset by a decrease in the quantity of Concrete Curb and Gutter for the same areas. Other substantial changes in the contract were decreases in Geotextile Fabric and Silt Fence bid items. The decrease in geotextile fabric was dictated by the condition of the sub-base under the existing roadway. With conditions favorable for construction the need for the stabilization fabric was eliminated. To aide in sediment control, the natural vegetation was left in place where possible which reduced the amount of silt fence required. The remaining items on the change order adjust the quantities for each bid item to the quantities actually constructed.

City staff has reviewed the project the change order and the final pay request. We recommend that Change Order Number 1 be approved, that the project be accepted and that the City Finance Officer be authorized to issue a manual check in the amount of \$128,496.84 to Masonry Components, Inc., based on the attached final pay request.

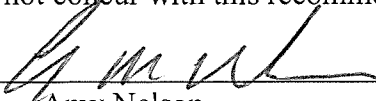
Respectfully submitted,



Bradley Moser
Civil Engineer

Recommendation: It is recommended that the City Commission approve Change Order Number 1, accept the completed reconstruction on Douglas Avenue, and authorize the Finance Officer to issue a manual check to Masonry Components, Inc., in the amount of \$128,496.84, as detailed in Memorandum #16-282.

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



Amy Nelson
City Manager

cc: Adam Habeman (electronic)
file

**CITY OF YANKTON
PROGRESS ESTIMATE**

CONTRACTOR: **Masonry Components**
 PROJECT NO: 2015-033
 DESCRIPTION: Douglas Avenue (Anna to 31th)

PROGRESS EST. NO: Final
 PERIOD: 9-24-16 TO 10-31-16

DATE OF CONTRACT: 01/15/2015	CONTRACT PERIOD: November 1st completion	PREVIOUS PAYMENTS AUTHORIZED: EST. PAYMENTS AUTH.
AMOUNT OF CONTRACT AS AWARDED: \$1,191,020.40	% OF TIME USED: 100%	#1 \$143,103.42
CHANGE ORDERS: #1 (\$8,928.25)	% COMPLETED: 100%	#2 \$199,723.82
		#3 \$231,896.34
		#4 \$94,991.80
		#5 \$305,693.33
		#6 \$78,186.60

TOTAL CHANGE ORDERS: \$1,182,092.15 TOTAL PREVIOUS PAYMENTS AUTHORIZED \$1,053,595.31

BID ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	QUANTITY COMPLETED	TOTAL AMOUNT
REMOVALS AND GRADING						
1	MOBILIZATION	1	LS	\$56,000.00	1.0	\$56,000.00
2	SAW EXISTING CONCRETE	220	LF	\$5.25	252.0	\$1,323.00
3	SAW EXISTING ASPHALT	270	LF	\$3.15	306.0	\$963.90
4	REMOVAL OF CONCRETE PAVEMENT	901	SY	\$3.15	1067.0	\$3,361.05
5	REMOVAL OF ASPHALT PAVEMENT	8370	SY	\$2.10	8390.0	\$17,619.00
6	REMOVAL OF CURB & GUTTER	523	LF	\$3.15	535.0	\$1,685.25
7	INCIDENTAL	1	LS	\$2,500.00	0.2	\$550.00
8	UNCLASSIFIED EXCAVATION	1	LS	\$36,750.00	1.0	\$36,750.00
9	UNDERCUTTING	750	CY	\$4.55	231.0	\$1,051.05
10	TOPSOIL	1	LS	\$5,775.00	1.0	\$5,775.00
11	WATER FOR EMBANKMENT OR GRANULAR MATERIAL	250	KGAL	\$15.75	12.0	\$189.00
12	REMOVE TREE	3	EA	\$1,287.00	3.0	\$3,861.00
13	REMOVE & REPLACE MAILBOX EROSION CONTROL	2	EA	\$250.00	1.0	\$250.00
14	SEEDING, MULCHING, FERTILIZER	1	LS	\$4,750.00	1.0	\$4,750.00
15	VEHICLE TRACKING CONTROL	2	EA	\$300.00	0.0	\$0.00
16	INLET SEDIMENT CONTROL	6	EA	\$150.00	3.0	\$450.00
17	SILT FENCE	1500	LF	\$3.30	520.0	\$1,716.00
18	GEOTEXTILE FABRIC	2000	SY	\$3.00	0.0	\$0.00
SANITARY SEWER						
19	8" PVC SANITARY SEWER PIPE	80	LF	\$31.50	80.0	\$2,520.00
20	ADJUST SAN. SEWER MH FRAME & LID	2	EA	\$131.25	2.0	\$262.50
21	REMOVE & REPLACE MH FRAME & LID WATER MAIN	1	EA	\$436.00	1.0	\$436.00
22	12" PVC WATER MAIN C-900	60	LF	\$43.00	50.0	\$2,150.00
23	8" PVC WATER MAIN C-900	2740	LF	\$30.50	2740.0	\$83,570.00
24	6" PVC WATER MAIN C-900	340	LF	\$29.50	323.0	\$9,528.50
25	1" COPPER SERVICE LINE	100	LF	\$29.50	102.0	\$3,009.00
26	8" MJ GATE VALVE W/BOX	12	EA	\$1,345.00	12.0	\$16,140.00
27	6" MJ GATE VALVE W/BOX	14	EA	\$965.00	14.0	\$13,510.00
28	12" MEGALUG	4	EA	\$120.00	4.0	\$480.00
29	8" MEGALUG	68	EA	\$60.00	68.0	\$4,080.00
30	6" MEGALUG	69	EA	\$37.50	64.0	\$2,400.00
31	8" MJ 45 DEGREE BEND	6	EA	\$360.00	6.0	\$2,160.00
32	8"X8"X8" TEE	2	EA	\$500.00	2.0	\$1,000.00
33	12"X12"X6" TEE	1	EA	\$525.00	1.0	\$525.00
34	8"X8"X6" TEE	13	EA	\$395.00	13.0	\$5,135.00
35	8" MJ SLEEVE	3	EA	\$305.00	1.0	\$305.00
36	6" MJ SLEEVE	9	EA	\$255.00	5.0	\$1,275.00
37	12" MJ CAP	1	EA	\$330.00	1.0	\$330.00
38	6" MJ CAP	1	EA	\$180.00	2.0	\$360.00
39	6" FIRE HYDRANT	7	EA	\$2,730.00	6.0	\$16,380.00
40	CUT & TIE TO EXISTING MAIN	8	EA	\$1,050.00	8.0	\$8,400.00
41	1" CURB STOP	3	EA	\$335.00	3.0	\$1,005.00
42	WATER SERVICE LINE RECONNECT	3	EA	\$310.00	4.0	\$1,240.00
43	REMOVE FIRE HYDRANT	7	EA	\$265.00	7.0	\$1,855.00
44	REMOVE EXISTING WATER MAIN	170	LF	\$3.15	100.0	\$315.00
45	REMOVE EXISTING VALVE	12	EA	\$53.00	11.0	\$583.00
45A	12"X8" REDUCER	1	EA	\$385.00	1.0	\$385.00
STORM SEWER						
46	3'X10' TYPE S STORM INLET	4	EA	\$3,700.00	4.0	\$14,800.00
47	3'X5' TYPE S STORM INLET	12	EA	\$2,550.00	12.0	\$30,600.00
48	5'X5' STORM SEWER JUNCTION BOX	1	EA	\$3,585.00	1.0	\$3,585.00
49	4'X4' STORM SEWER JUNCTION BOX	2	EA	\$2,580.00	2.0	\$5,160.00
50	2'X2' CONCRETE STORM SEWER AREA DRAIN	1	EA	\$1,350.00	1.0	\$1,350.00
51	F&I 30" RCP - CL II (ROUND)	180	LF	\$63.00	164.0	\$10,332.00
52	F&I 24" RCP - CL II (ROUND)	552	LF	\$48.00	552.0	\$26,496.00
53	F&I 18" RCP - CL II (ROUND)	1008	LF	\$41.00	1008.0	\$41,328.00
54	F&I 18" RCP - CL II (ARCH)	16	LF	\$53.00	16.0	\$848.00
55	F&I 12" PVC STORM SEWER PIPE	60	LF	\$28.00	20.0	\$560.00
56	STORM SEWER PIPE BEDDING MATERIAL	1756	LF	\$3.90	1756.0	\$6,848.40
57	RECONNECT 12" STORM SEWER	3	EA	\$580.00	3.0	\$1,740.00
58	REMOVE EXISTING 30" STORM SEWER PIPE	30	LF	\$12.00	70.0	\$840.00
59	REMOVE EXISTING 18" RCP	72	LF	\$11.00	72.0	\$792.00
60	REMOVE 3'X15' STORM INLET	1	EA	\$1,000.00	1.0	\$1,000.00
61	REMOVE 3'X5' STORM INLET	1	EA	\$300.00	1.0	\$300.00
62	REMOVE TYPE B INLET	1	EA	\$265.00	1.0	\$265.00
63	REMOVE 3'X2'X32' CONCRETE BOX CULVERT	1	EA	\$1,600.00	1.0	\$1,600.00
64	REMOVE EXISTING CULVERT	112	LF	\$9.50	152.0	\$1,444.00
TRAFFIC CONTROL						
65	TRAFFIC CONTROL	1046	UNITS	\$3.00	1046.0	\$3,138.00
66	TRAFFIC CONTROL MISCELLANEOUS SURFACING	1	LS	\$1,500.00	1.0	\$1,500.00
67	8" PCC PAVEMENT	10983	SY	\$39.00	11042.0	\$430,638.00
68	INSERT STEEL BARS IN PCC PAVEMENT	113	EA	\$12.00	88.0	\$1,056.00
69	8" PCCP FILLET SECTION	1856	SF	\$10.00	2303.0	\$23,030.00
70	8" VALLEY GUTTER SECTION	216	SF	\$10.00	402.0	\$4,020.00
71	6" APPROACH PAVEMENT	6044	SF	\$5.10	5942.0	\$30,304.20
72	6" SIDEWALK	2347	SF	\$6.00	2554.0	\$15,324.00
73	4" SIDEWALK	20500	SF	\$4.25	20380.0	\$86,615.00

74	CONCRETE CURB & GUTTER (B68)	5075	LF	\$16.00	4814.0	\$77,024.00
75	6" AGGREGATE BASE COURSE	13214	SY	\$2.50	14595.0	\$36,487.50
CHANGE ORDERS						
76	SANITARY SEWER MANHOLE	1	EA	\$3,300.00	1.0	\$3,300.00
77	16" MANHOLE RISER SECTION	1	EA	\$440.00	1.0	\$440.00
78	4" SANITARY SEWER PIPE	58	LF	\$30.80	58.0	\$1,786.40
79	6" SANITARY SEWER PIPE	26	LF	\$31.90	26.0	\$829.40
80	4" WATER MAIN	5	LF	\$29.70	5.0	\$148.50
81	6"x4" WATER MAIN REDUCER	1	EA	\$269.50	1.0	\$269.50
82	6" MJ 45 DEGREE BEND	2	EA	\$330.00	2.0	\$660.00

TOTAL **\$1,182,092.15**

GRAND TOTAL **\$1,182,092.15**

LESS RETAINED 0% **\$0.00**

NET TOTAL **\$1,182,092.15**

LESS PAYMENTS AUTHORIZED **\$1,053,595.31**

AMOUNT DUE
CONTRACTOR THIS ESTIMATE **\$128,496.84**

CERTIFICATION OF CONTRACTOR

I HEREBY CERTIFY THAT THE WORK PERFORMED AND THE MATERIALS SUPPLIED TO DATE AS SHOWN ON THIS PERIODIC COST ESTIMATE, REPRESENT THE ACTUAL VALUE OF ACCOMPLISHMENT UNDER THE TERMS OF THIS CONTRACT IN CONFORMITY WITH APPROVED PLANS AND SPECIFICATION; THAT THE QUANTITIES SHOWN WERE PROPERLY DETERMINED AND ARE CORRECT; AND THAT THERE HAS BEEN FULL COMPLIANCE WITH ALL LABOR PROVISION INCLUDED IN THE CONTRACT IDENTIFIED ABOVE.

Masonry Components CONTRACTOR BY Camela Z. Demoris SIGNATURE DATE 11/17/16

ACKNOWLEDGEMENT AND CONCURRENCE OF ENGINEER

I HAVE EXAMINED THIS PERIODIC COST ESTIMATE AND CONCUR IN THE CERTIFICATE OF THE CONTRACTOR.

DATE _____
ENGINEER'S SIGNATURE _____

REPRESENT THE ACTUAL VALUE OF ACCOMPLISHMENT UNDER THE TERMS OF THIS CONTRACT IN CONFORMITY WITH APPROVED PLANS AND SPECIFICATION; THAT THE QUANTITIES SHOWN WERE PROPERLY DETERMINED AND ARE CORRECT; AND THAT THERE HAS BEEN FULL COMPLIANCE WITH ALL LABOR PROVISION INCLUDED IN THE CONTRACT IDENTIFIED ABOVE.

CITY OF YANKTON
CHANGE ORDER #1

CONTRACTOR: MASONRY COMP
PROJECT NO. 2015-033
DESCRIPTION: NORTH DOUGLAS PROJECT
CONCRETE PAVING, WATER MAIN & STORM SEWER

THE FOLLOWING CHANGES ARE HEREBY MADE TO THE CONTRACT DOCUMENTS

BID ITEM	ORIGINAL QUANTITY	FINAL QUANTITY	CHANGE IN QUANTITY	UNIT PRICE	TOTAL AMOUNT
2. SAW EXISTING CONCRETE	220	252	32.00	5.25	168
3. SAW EXISTING ASPHALT	270	306	36.00	3.15	113.4
4. REMOVAL OF CONCRETE PAVEMENT (SY)	901	1067	166.00	\$3.15	\$522.90
5. REMOVAL OF ASPHALT PAVEMENT (SY)	8370	8390	20.00	\$2.10	\$42.00
6. REMOVAL OF CURB & GUTTER (LF)	523	535	12.00	\$3.15	\$37.80
7. INCIDENTAL	1	0.22	-0.78	\$2,500.00	(\$1,950.00)
9. UNDERCUTTING (CY)	750	231	-519.00	\$4.55	(\$2,361.45)
11. WATER FOR EMBK. OR GRANULAR MATERIAL (K GAL)	250	12	-238.00	\$15.75	(\$3,748.50)
13. REMOVE AND REPLACE MAILBOX	2	1	-1.00	\$250.00	(\$250.00)
15. VEHICLE TRACKING CONTROL	2	0	-2.00	\$300.00	(\$600.00)
16. INLET SEDIMENT CONTROL	6	3	-3.00	\$150.00	(\$450.00)
17. SILT FENCE	1500	520	-980.00	\$3.30	(\$3,234.00)
18. GEOTEXTILE FABRIC	2000	0	-2000.00	\$3.00	(\$6,000.00)
22. 12" PVC WATER MAIN C-900	60	50	-10.00	\$43.00	(\$430.00)
24. 6" PVC WATER MAIN C-900	340	323	-17.00	\$29.50	(\$501.50)
25. 1" COPPER SERVICE LINE	100	102	2.00	\$29.50	\$59.00
30. 6" MEGALUG	69	64	-5.00	\$37.50	(\$187.50)
35. 8" MJ SLEEVE	3	1	-2.00	\$305.00	(\$610.00)
36. 6" MJ SLEEVE	9	5	-4.00	\$255.00	(\$1,020.00)
38. 6" MJ CAP	1	2	1.00	\$180.00	\$180.00
39. 6" FIRE HYDRANT	7	6	-1.00	\$2,730.00	(\$2,730.00)
42. WATER SERVICE LINE RECONNECT	3	4	1.00	\$310.00	\$310.00
44. REMOVE EXISTING WATER MAIN	170	100	-70.00	\$3.15	(\$220.50)
45. REMOVE EXISTING VALVE	12	11	-1.00	\$53.00	(\$53.00)
51. F&I 30" RCP - CL II (ROUND)	180	164	-16.00	\$63.00	(\$1,008.00)
55. F&I 12" PVC STORM SEWER PIPE	60	20	-40.00	\$28.00	(\$1,120.00)
58. REMOVE EXISTING 30" STORM SEWER PIPE	30	70	40.00	\$12.00	\$480.00
64. REMOVE EXISTING CULVERT	112	152	40.00	\$9.50	\$380.00
67. 8" PCC PAVEMENT (SY)	10983	11042	59.00	\$39.00	\$2,301.00
68. INSERT STEEL BARS INTO PAVEMENT (EA)	113	88	-25.00	\$12.00	(\$300.00)
69. 8" P.C.C.P. FILLET SECTION (SF)	1856	2303	447.00	\$10.00	\$4,470.00
70. 8" P.C.C.P. VALLEY GUTTER (SF)	216	402	186.00	\$10.00	\$1,860.00
71. 6" APPROACH P.C.C. PAVEMENT (SF)	6044	5942	-102.00	\$5.10	(\$520.20)
72. 6" SIDEWALK (SF)	2347	2554	207.00	\$6.00	\$1,242.00
73. 4" SIDEWALK (SF)	20500	20380	-120.00	\$4.25	(\$510.00)
74. CONCRETE CURB & GUTTER (B68) (LF)	5075	4814	-261.00	\$16.00	(\$4,176.00)
75. 6" AGGREGATE BASE COURSE (SY)	13214	14595	1381.00	\$2.50	\$3,452.50
76. SANITARY SEWER MANHOLE	0	1	1.00	\$3,300.00	\$3,300.00
77. 16" MANHOLE RISER SECTION	0	1	1.00	\$440.00	\$440.00
78. 4" SANITARY SEWER PIPE	0	58	58.00	\$30.80	\$1,785.40

79. 6" SANITARY SEWER PIPE	0	26	26.00	\$31.90	\$829.40
80. 4" WATER MAIN	0	5	5.00	\$29.70	\$148.50
81. 6"X4" WATER MAIN REDUCER	0	1	1.00	\$269.50	\$269.50
82. 6" MJ 45 DEGREE BEND	0	2	2.00	\$330.00	\$660.00
TOTALS FOR CHANGE ORDER #1					(\$8,928.25)

JUSTIFICATION: SEE ATTACHED

ORIGINAL CONTRACT AMOUNT: \$ 1,191,020.40

THE CONTRACT AMOUNT DUE TO THIS CHANGE ORDER WILL BE DECREASED/ BY: (\$8,928.25)

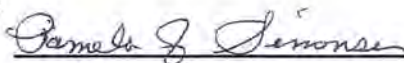
THE NEW CONTRACT AMOUNT INCLUDING THIS CHANGE ORDER WILL BE: \$ 1,182,092.15

ORIGINAL COMPLETION DATE: NOVEMBER 1ST 2016

ADJUSTED COMPLETION DATE: 0 DAYS

APPROVALS REQUIRED:

ACCEPTED BY:



 CONTRACTOR

ORDERED BY:

 CITY OF YANKTON

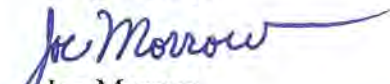
Memorandum 16-280

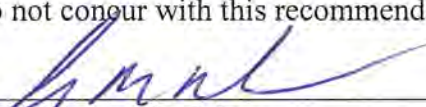
To: Amy Nelson, City Manager
From: Joe Morrow, Building Official
Subject: Lease Agreement with Yankton Area Senior Citizen's Center
Date: November 17, 2016

Attached is the renewal of the annual lease with the Yankton Area Senior Citizen Center Board for the use of the Senior Citizen Center Building located at 900 Whiting Drive. The terms and conditions of the lease are identical to the 2016 agreement.

Recommendation: It is recommended by staff that the attached 2017 Lease Agreement be approved by the City Board of Commissioners.

Respectfully,


Joe Morrow
Building Official

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


Amy Nelson, City Manager

____ Roll call

**LEASE AGREEMENT
YANKTON AREA SENIOR CITIZEN'S CENTER**

This lease agreement, made and entered into this 21 day of November 2016, by and between the City of Yankton, South Dakota, a Municipal Corporation, herein referred to as the "Lessor", and the Yankton Area Senior Citizens' Center, Inc., of Yankton, South Dakota, hereinafter referred to as the "Lessee", witnesseth;

WHEREAS, the City of Yankton, South Dakota, owns Lot 12 of the County Auditor's Outlot 130 within the City of Yankton, upon which real property is located the Yankton Area Senior Citizens' center and garage;

WHEREAS, the parties hereto desire to enter into a lease pertaining to the buildings and the premises mentioned above;

NOW, THEREFORE, it is agreed between the Lessor and the Lessee herein as follows:

1. Lease term:

That the terms of this Agreement shall be from January 1, 2017 through December 31, 2017.

2. Rental:

The rental to be paid by the Lessee for the use of said premises is in the sum of one dollar (\$1.00) per year;

3. Non-discrimination covenants:

The Lessor requires, and the Lessee specifically agrees to comply with all Federal non-discrimination rules and regulations.

4. Laws, rules and regulations:

The Lessee agrees to comply with all laws, rules and regulations of the Federal, State, and City Governments that are applicable to the operation of the Yankton Area Senior Citizens' Center, and upon notice to amend the terms of this lease to comply with any change in said laws, rules or regulations.

5. Hold harmless clause:

In regard to any use, services, or other programs performed by or may be entered into by the Lessee, such operations shall be deemed the operations of the Lessee as an independent corporation, and the Lessor shall not, to any degree or extent, or manner whatsoever be considered as having any interest herein either as a joint enterprise or upon an employer or agency relationship; and all liability arising from such operations shall be that of the Lessee, and

Lessee agrees to buy and maintain liability insurance covering all such operations in a minimum of \$1,000,000 single limit of liability.

6. Use of premises:

The Lessee has rented the Yankton Area Senior Citizens' Center solely for the purpose of conducting programs for Senior Citizens and will not be used for any other purpose without the express written consent of the Lessor. No improvements may be constructed or the premises modified without prior written consent of the Lessor. The City Manager shall have the right to establish standards of operation, maintenance of the facilities, and general managements of the Senior Citizens' Center and the Lessee shall cooperate and do all within Lessee's power to promote the general development and increase general usage of the Senior Citizens' Center, and will cooperate, generally speaking, in every effort or program, which will improve the Senior Citizens' programs and facilities.

7. Possession:

The Lessee accepts the rented City buildings in their present condition. The Lessee will not make or suffer any waste or destruction to said City premises during the term of the lease, not permit the accumulation of any trash, debris, or other substance on said premises that might cause extra hazard on account of fire in said premises. That upon termination of this lease, the tenant will return peaceful possession of premises to the Lessor in as good a condition as it was at the time of the commencement of this lease, usual wear, tear, and loss by fire or storm excepted.

8. Assignment for sub-lease:

Tenant shall neither assign this lease nor sub-lease the use of these premises to another party without the written approval of the Lessor.

9. Utilities:

The Lessor shall pay the fuel, heat, electricity, and water/sewer utility costs for the Senior Citizen's building and maintenance costs associated with the heating, ventilating, air conditioning, mechanical and electrical systems. The Lessor shall be responsible for all outside maintenance of the buildings and grounds.

10. Janitorial/Operating/Cleaning supplies:

The Lessor shall be responsible for providing janitorial, operating, and cleaning supplies in an amount not to exceed \$2,200 per year for the term of this agreement. Any such costs incurred beyond this amount shall be provided by the Lessee.

11. Replacement of capital items:

Lessor in conjunction with the Lessee, may from time to time agree to make certain capital improvements to the building. The Lessee is encouraged to obtain from other sources the funds necessary to make these improvements. In the event the Lessor participates in the cost for a capital improvement, prior approval

through the City's purchasing ordering system is required by the Lessee prior to completing the desired capital improvement.

12. Cancellation:

Either party may cancel this lease upon giving the other party ninety (90) days or more written notice in advance. The Lessor may additionally cancel in the event the Lessee shall breach any of the terms of this lease, in such case the Lessor shall have the right to immediately re-enter and retake possession of said facilities identified herein.

IN TESTIMONY WHEREOF, both parties have hereunto set their hands and seals the date and year first above written.

**CITY OF YANKTON, SOUTH DAKOTA
A Municipal Corporation, Lessor**

By: _____
Charlie Gross
Mayor of the City of Yankton

ATTEST:

By: _____
Al Viereck
Finance Officer

**YANKTON AREA SENIOR CITIZENS' CENTER, INC.
A Non-profit Corporation, Lessee**

By: Christy Hauer
Christy Hauer
Executive Director

ATTEST:

By: Joleen Smith
Joleen Smith
President of the Yankton Area Senior Citizens' Board

Memorandum #16-277

To: Amy Nelson, City Manager
From: Taylor Peters, Communications & IT System Analyst
Subject: Vehicle Purchase from the State Bid List for the Yankton Police Department, Patrol Division, Two 2017 Ford Interceptor SUVs
Date: November 17, 2016

The adopted 2017 vehicle replacement budget provides funding for the purchase of two replacement marked patrol vehicles. The vehicles to be replaced are both 2013 Chevrolet Caprices, one has 106,940 miles and the other has 104,312. Both vehicles meet the mileage requirement according to the vehicle replacement plan of 100,000 or 10 years. After arrival of the new vehicles, the Caprices will be placed on surplus.

Lamb Motor Company of Onida, South Dakota has the State bid contract for the proposed vehicles which allows the City to purchase the new vehicles from Lamb Motor Company at the State bid price. Lewis & Clark Ford was contacted and stated they do not deal with fleet programs. The vehicles to be purchased are two 2017 Ford Interceptor SUVs in the total amount of \$81,601 including equipment. The 2017 vehicle replacement budget is \$75,000. The difference of \$6,601 will be funded from the remaining balance of the 2016 vehicle replacement budget.

Therefore, it is recommended the vehicles be purchased from Lamb Motor Company of Onida, South Dakota based on the State bid amount. Delivery of the vehicles will be after January 1, 2017 (approximately 60-120 days) and will require unexpended 2016 funds to be carried over to the 2017 budget.

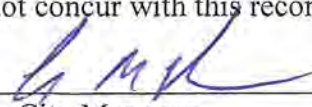
Respectfully submitted,



Taylor Peters
 Communications & IT System Analyst

Recommendation: It is recommended that the City Commission approve Memorandum # for the purchase of two 2017 Ford Interceptor SUVs in the amount of \$81,601 for the Yankton Police Department, Patrol Division, from Lamb Motor Company of Onida, South Dakota from the State bid contract.

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


 Amy Nelson, City Manager

_____ Roll call

29. CLASS: BT FULL SIZE UTILITY 112 INCH WB MIN. ALLWHEEL DRIVE PURSUIT RATED

**LAMB MOTORS
FORD INTERCEPTOR SUV
CONTRACT# 16997**

- Engine, 3.5 liter V-6 with eco-boost equipped engine, 364HP
- All-wheel drive
- Transmission, Automatic 6 speed, with cooler heavy duty Police type
- Alternator, 220 Amp with integral regulator
- Front controled heat and air conditioning
- Locks, Power deck release
- Rear Door In-operable
- Rear Power Door Lock Switch
- Rear Power Door Lock In-operable
- Back-up camera (package 21B) (customer specifies mirror or center screen)
- Rear Window In-operable
- Power Door Locks
- Brakes - ABS
- Power Steering with oil cooler
- Power Windows
- Radio, Heavy duty suppression kit, electro-magnetic interference suppression kit to minimize interference between the electronic ignition control system and two way radio equipment to be installed in the vehicle by state.
- Axle, power train shall be geared to produce maximum power and top speed no less than 119 mph (pursuit rated)
- Battery, 84 Amp 690 C.C.A.
- Cooling, winterized to -35 degrees.
- Cruise control
- Defroster, Rear Window
- Floor Covering Vinyl
- Floor Covering Trunk
- Dark tinted glass
- Horns, Dual
- Ignition, Electronic
- Headlights
- Dome Light, Center (front headliner), Police style with Red and White illumination.
- AM/FM Radio with auxiliary audio/usb port
- Light, Under Hood (Dealer Installation)
- Light, Map light windshield header mount
- Light, Spotlight 6" diameter Halogen, (driver's side A-pillar mounted). "Unity" brand with black housing.
- Light, Trunk
- Lighting, deactivate door light switches. **Deactivate all courtesy lighting interior and exterior and courtesy horn.**
- Locks, single key system, 3 keys. (Minimum 3 keys provided). Keyless entry. Standard keyless entry and other function should remain.
- Side air bags
- Factory installed Police power supply points with required connector (package)
- Manual, factory owner manual
- Mirror, inside day & night adjustable
- Mirrors, remote control left and right side
- Seats upholstery heavy duty cloth in harmonizing colors.
- Factory Freight

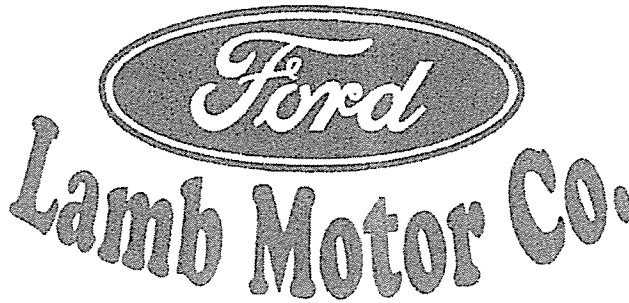
Delivery 60-120 days

Base Cost \$31422

- | | |
|--|-------|
| • Lights, Spot Lights (Dual) | \$350 |
| • Rear Heat and Air conditioning | \$610 |
| • Wig-Wag headlight flasher (controller not included) | \$950 |
| • Rear light flasher | \$555 |

• Headlamp pre-wire (wig-wag prep) (60A)	\$150
• Bluetooth Capability	
Satellite Radio should be left operational if standard or no charges apply with Bluetooth package (hands free).	\$295
• Factory USB and Aux stereo input if available	\$295
• Dome light - Red and White cargo area (Package 17T)	\$50
• Enhanced PTU cooler (Package 52B)	\$2925
• Full wheel cover (64B)	\$160
• Painted 18" wheels (package 64E)	\$575
• Floor Covering Carpet with floor mats front and rear	\$225
• Heater, Engine Block, (package 441H)	\$95
• Paint upgrade charge, dealer must specify which colors have an upgrade charge	\$890
• LED Spotlight bulb (Unity brand 51R)	\$395
• Rear park sensing (package 76R)	\$295
• Rear blind spot alert (package 55B)	\$745
• 3.7L V-6 engine (Eco-boost delete) E-85	\$(-2065)
• Light Spotlight (Delete)	\$(-100)
• CD Player	\$25
• Noise Suppression Bonds	\$100
• Heated Exterior Mirrors	\$90
• Ballistic door panel driver's door level 3 ballistics (90D)	\$1585
• Ballistic door panel passenger's door level 3 ballistics (90E)	\$3170
• Ballistic door panel driver's door level 4 ballistics (90F)	\$2415
• Ballistic door panel passenger's door level 4 ballistics (90G)	\$4830
• Front center plate delete (67C)	NC
• Heated exterior mirrors (549)	\$90
• Police Engine Idle feature (47A)	\$275
• Front Interior visor light bar. Red Driver's side, Blue passenger's side	\$1215
• Police Silent Mode (No buzzers, no chimes)	\$165

Lamb Motor Co.
109 Main Street Box 48
Onida, SD 57564
1-800-952-2222
605-258-2627
Fax 605-258-2275



Lamb Motor Co.
210 N. Exene
Gettysburg, SD 57442
1-800-952-FORD(3673)
605-765-2300
Fax 605-765-2808

State Bid Price:

2017 Police Interceptor Utility SUV

Base Cost: \$31,422

Rear Heat and AC - \$610

Rear Light Flasher - \$555

LED Spotlight- \$395

Rear Park Sensing - \$295

Rear Blind Spot Alert - \$745

3.7 V-6 Engine (Non-Ecoboost) - \$2,065

CD Player - \$25

Noise Suppression Bonds - \$100

Heated Exterior Mirrors- \$90

Police Engine Idle Feature - \$275

Police Silent Mode - \$165

Total Price: \$32,612

Joy Paul
Lamb Motor Co.

Memorandum #16-278

To: Amy Nelson, City Manager
From: Taylor Peters, Communications & IT System Analyst
Subject: Vehicle Purchase from the State Bid List for the Yankton Police Department, Criminal Investigation Division, 2017 Ford Taurus
Date: November 17, 2016

The adopted 2016 budget provides funding for the purchase of a replacement unmarked criminal investigations vehicle. The vehicle to be replaced is a 2005 Chevrolet Impala, which has 158,638 miles and is more than 10 years old, meeting both of the vehicle replacement requirements of 100,000 miles or 10 years. After arrival of the new vehicle, the Impala will be placed on surplus.

Lamb Motor Company of Onida, South Dakota has the State bid contract for the proposed vehicle which allows the City to purchase the new vehicle from Lamb Motor Company at the State bid price. Lewis & Clark Ford was contacted and did not provide a matching bid. The vehicle to be purchased is a 2017 Ford Taurus in the amount of \$23,776 with add-ons. There is currently \$43,590 existing in the vehicle replacement capital.

It is recommended the vehicle be purchased from Lamb Motor Company of Onida, South Dakota based on the State bid amount. Delivery of the vehicle will be approximately 60-90 days. Delivery timing will likely require the funds to be carried over to the 2017 budget.

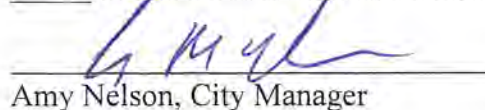
Respectfully submitted,



Taylor Peters
 Communications & IT System Analyst

Recommendation: It is recommended that the City Commission approve Memorandum #16-278 for the purchase of a 2017 Ford Taurus in the amount of \$23,776 for the Yankton Police Department, Criminal Investigations Division, from Lamb Motor Company of Onida, South Dakota off of the State bid contract.

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



Amy Nelson, City Manager

2. CLASS: AG/A1J, EPA LARGE SEDAN: FWD, V-6 Cyl., Gas Engine

LAMB MOTORS
FORD TAURUS
CONTRACT# 16997

- Engine 3.5 liter V-6
- Wheelbase 112.9"
- Passengers 5
- Cargo Volume: 20.1 Cubic Feet
- Passenger Volume: 102.2 Cubic Feet
- Transmission, Automatic, O/D, 6-Sp
- Power Door Locks
- Brakes – ABS
- Power Windows
- Radio, AM/FM
- Bluetooth Capability
- Backup Camera
- Tinted Windows
- Air Conditioning
- Air Bags, Side Impact
- Body 4 Door Sedan
- Cruise Control
- Floor Covering, Carpet
- Floor Mats, Front & Rear
- Engine Block Heater
- Outside power adjustable mirrors
- Rear Window Defroster
- Seats, Cloth
- Seats, Bucket Front
- Steering Wheel. Tilt
- Wipers, Multiple Speed
- Remote Keyless Entry
- 2 sets of keys w/Remotes
- **Daytime Running Lights**
- Stability Control System
- Power Drivers Seat
- Spare tire, jack, and accessories
- Factory Freight

Additional request:
Color = Grey
Rims = Aluminum - cost?

Can these be removed? - cost?

Delivery Date 60-90 days

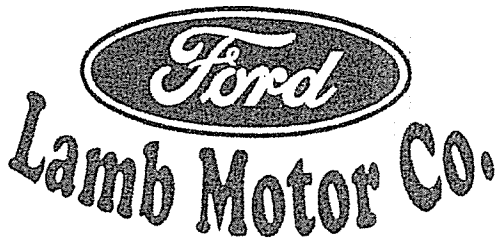
Base Cost

\$21076

• ~~GD-Player~~

~~\$25~~

Lamb Motor Co.
 109 Main Street Box 48
 Onida, SD 57564
 1-800-952-2222
 605-258-2627
 Fax 605-258-2279



Lamb Motor Co.
 210 N. Exene
 Gettysburg, SD 57442
 1-800-952-FORD(3673)
 605-765-2300
 Fax 605-765-2808

2. CLASS: AG/AU, EPA LARGE SEDAN: FWD, V-6 Cyl., Gas Engine

LAMB MOTORS
 FORD TAURUS
 CONTRACT# 16997

- Engine 3.5 liter V-6
- Wheelbase 112.9"
- Passengers 5
- Cargo Volume: 20.1 Cubic Feet
- Passenger Volume: 102.2 Cubic Feet
- Transmission, Automatic, O/D, 6-Sp
- Power Door Locks
- Brakes - ABS
- Power Windows
- Radio, AM/FM
- Bluetooth Capability
- Backup Camera
- Tinted Windows
- Air Conditioning
- Air Bags, Side Impact
- Body 4 Door Sedan
- Cruise Control
- Floor Covering, Carpet
- Floor Mats, front & Rear
- Engine Block Heater
- Outside power adjustable mirrors
- Rear Window Defroster
- Seats, Cloth
- Seats, Bucket Front
- Steering Wheel, Tilt
- Wipers, Multiple Speed
- Remote Keyless Entry
- 2 sets of keys w/Remotes
- Daytime Running Lights
- Stability Control System
- Power Drivers Seat
- Spare tire, jack, and accessories
- Factory Freight

Additional request:
 Color = Grey
 Rims = Aluminum - cost?

Can these be removed? - cost?

Delivery Date 60-90 days

Base Cost \$21076

• CD Player	\$25	- \$25
Remove Daytime Running Lights	N/C	
Aluminum wheels are not available	N/A	
Delivery to Yankton	\$200	

\$21,301 total due

\$21,276

Memorandum #16-279

To: Amy Nelson, City Manager
From: Taylor Peters, Communications & IT System Analyst
Subject: Vehicle Purchase from the State Bid List for the Yankton Police Department, Criminal Investigation Division, 2017 Dodge Durango
Date: November 17, 2016

The awarded \$25,000 drug control fund money received from the state provides funding for the purchase of a replacement unmarked criminal investigations vehicle for the sole purpose of controlling drugs. The vehicle to be replaced was previously a seized vehicle and has been used only for drug control. The vehicle is a 2004 Ford Escape, which has 100,174 miles and is more than 10 years old, meeting both of the vehicle replacement requirements of 100,000 miles or 10 years. After arrival of the new vehicle, the Escape will be returned to the State.

Wegner Auto Company of Pierre, South Dakota has the State bid contract for the proposed vehicle which allows the City to purchase the new vehicle from Wegner Auto Company at the State bid price. Broadway Chrysler Jeep Dodge was contacted and did not provide a matching bid. The vehicle to be purchased is a 2017 Dodge Durango in the amount of \$32,270 with add-ons. The awarded drug control fund check received is in the amount of \$25,000. The difference of \$7,270 will be funded from the remaining 2016 capital vehicle replacement budget of \$43,590. The vehicle at the end of service will be required to be returned to the State.

It is recommended the vehicle be purchased from Wegner Auto Company of Pierre, South Dakota based on the State bid amount and utilizing the drug control fund check. Delivery of the vehicle will be approximately 120-150 days and will require unexpended 2016 capital vehicle replacement budget funds to be carried over to the 2017 budget.

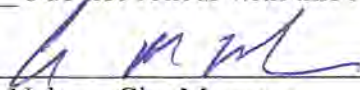
Respectfully submitted,



Taylor Peters
 Communications & IT System Analyst

Recommendation: It is recommended that the City Commission approve Memorandum #16-279 for the purchase of a 2017 Dodge Durango in the amount of \$32,270 for the Yankton Police Department, Criminal Investigations Division, from Wegner Auto Company of Pierre, South Dakota from the State bid contract.

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


 Amy Nelson, City Manager

____ Roll call

27. CLASS BJ TRUCK UTILITY ALL WHEEL DRIVE: 4 DOOR. WHEELBASE 119 INCH MIN.

**WEGNER AUTO
DODGE DURANGO SPECIAL SERVICE
CONTRACT# 16998**

- Engine, 5.7 Liter V-8 355 HP
- Seating Capacity 5 Passengers
- Cargo Volume 70 Cubic Feet
- Overall Length 202"
- Transmission, Automatic, OD
- Police engine cooling package
- 220 Amp Alternator
- 750 CCA Heavy duty battery
- Interior center mounted Police dome light with red and white illumination
- Backup Camera
- Power Door Locks
- Power Windows
- Power locks
- Radio, AM/FM with auxiliary audio port/usb
- Air Bags, Side Impact
- Rear Heat and Air Conditioning
- Police wiring and interior power supply for lighting/police equipment
- Cruise Control/Tilt
- Floor Covering, Carpet
- Guard, Skid Plate Package – Manufacturer's Standard (includes skid plates for the fuel tank, transfer case and front suspension)
- Towing Capacity 5000 pounds
- Heavy duty suspension, police rated (PPV)
- Brakes – ABS, 4-wheel disc brakes
- Trailer Tow pkg., Cooler, Engine Oil Cooler, Cooler, Transmission
- Mirrors, Right & Left Outside
- Rear Window Defroster
- Seats, Front, Bucket, Cloth
- Power adjustable driver's seat
- Seat Covering heavy duty cloth
- Wipers, Multiple Speed
- Wiper, Rear Window
- Dark tinted glass
- Factory Freight

Delivery 120-150 days

Base Cost \$29220

- Bluetooth-Capability
- Satellite radio not disconnected if standard with Bluetooth \$595
- Light, Spot Light, Post Mounted 6" (black housing) \$690
- Light, Spot Light, Roof Mounted 6" \$690
- Engine block heater \$195
- Daytime Running Lights \$240
- Full-Size Spare \$395
- Push Bar \$990
- Fog Lights \$290
- CD Player \$595
- Full Center Console \$350
- Paint upgrade charge, dealer must specify which colors have an upgrade charge \$595

Additional Items
 Color = BLACK
 No carpet - cost ?
 Remote start - cost ?
 Aluminum rims - cost ?

REMINDER

*****RECEIPTS NEEDED FOR THIS AWARD*****

Receipts need to equal or exceed the amount of the award so that all has been spent

In response to Government Operations and Audit Committee (GOAC) comments, once you have utilized the award money as indicated above, you will need to send a copy of the paid invoices and receipts for your purchase within 30 days of the expenditure.

Please mail to:

Lynel Erickson
Office of Attorney General
1302 E. Highway 14, Suite 101
Pierre, SD 57501

Or Email to:

LynelErickson@state.sd.us

→ DON'T FORGET!

P.O. Box 176
Yankton, SD 57078-0176

RE: **\$25,000 Award Check toward the Purchase of Vehicle for Narcotics Enforcement**

Dear Chief Paulsen,

Enclosed please find the award check from the Drug Control Fund to purchase a vehicle for narcotics enforcement in the amount of \$25,000.

As a reminder, we are providing these funds to you pursuant to SDCL 34-20B-64, which requires that these funds or assets be used for drug apprehension purposes. Should you not need the funds for the vehicle, the funds will need to be returned to this office and deposited into the Drug Control Fund. Or should you no longer need the vehicle, you will need to return it to us where it will be re-utilized or sold. Your Department will have to assume responsibility for the upkeep, insurance and any other related expenses upon the vehicle, until it is returned to us.

In response to Government Operations and Audit Committee (GOAC) comments, once you have utilized the award money as indicated above, you will need to send me the paid invoices and receipts for your purchase within 30 days of the expenditure.

I look forward to continue working with your agency. Please don't hesitate to contact us for assistance. Keep up the good work in drug enforcement!

Sincerely,


Marty J. Jackley
ATTORNEY GENERAL

MJJ/lde

Memorandum #16-281

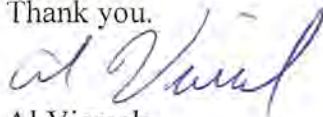
To: City Commissioner
From: Finance Officer
Date: November 18, 2016
Subject: Recommendation for Life Insurance Bid for City Employees

The bids for life insurance for City employees were received at the City Finance Office on November 17, 2016. Attached for your review is the bid tabulation reflecting these bids. The bid specifications called for \$15,000 group term life insurance for all regular employees and an option for Accidental Death and Dismemberment, with a premium guarantee of three years. The City is responsible for 50% of the premium and the employee is responsible for the other 50%. The City asked for alternate bids to provide an option for City employees to purchase, totally at their own cost, additional life insurance in amounts of \$15,000 or \$30,000. *(The monthly life insurance bill for October of 2016 is a typical bill with a total rate of \$709.12 with the City Share being \$144.79 and the employee share being \$564.33. That reflects 60 employees who have chosen the additional insurance amounts of \$15,000 or \$30,000 and who are solely responsible for that extra premium.)*

We received eight bids from seven different agents. The bid from agent Nicole Murphy, Ochs Inc., representing the Municipal Pool, is the low bid at \$0.115 per thousand with a 36 month rate guarantee and the option for Accidental Death and Dismemberment (AD&D) at an additional cost of \$0.02 per thousand. That brings the total rate to \$0.135 per thousand. This bid is the same as our current life insurance coverage which has been in effect from January of 2014 through December of 2016, with Minnesota Life.

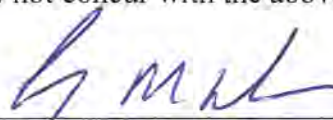
It is recommended that the bid from the Municipal Pool be accepted and that the supplemental coverage also be offered to employees, at their own cost.

Thank you.



Al Viereck
Finance Officer

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



Amy Nelson, City Manager

____ Roll call

Life Insurance Bids, effective 1-1-17
 Monday, November 17, 2016 3:00 p.m.
 Meeting Room A, City Hall

In attendance:
 Sue Berke-Hanson
 Ann Clough

Agent	Company	Premium Rate Guarantee	Cost per 1000 (\$15,000)	AD&D	Total Premium	Supplemental Coverage (age rated or \$/thousand)
Nicole Murphy Ochs Inc	Municipal Pool	3 yrs	\$0.115	\$0.020	\$0.135	age rated
W. D. Metheny Thrivent Financial	Mutual of Omaha	3 yrs	\$0.12	\$0.02	\$0.140	age rated
Ken Bertsch Northwestern Mutual	Midwest Employee Benefits	3 yrs	\$0.150	\$0.02	\$0.170	age rated
Rod Colvin CorInsurance	EMC Nat'l Life Work Place Life	3 yrs	\$0.185	\$0.030	\$0.215	age rated
Brad Zomer 1St National	EMC Nat'l Life Work Place Life	3 yrs	\$0.19	\$0.03	\$0.220	age rated
Julie Auch New York Life	Principal Life	3 yrs	\$0.206	\$0.025	\$0.231	age rated
Brad Zomer 1St National	Principal Life	3 yrs	\$0.251	\$0.025	\$0.276	age rated
Julie Fischer New York Life	Principal Life	2 yrs	0.259	0.039	\$0.298	age rated

Memorandum #16-283

To: Amy Nelson, City Manager
From: Dave Mingo, AICP Community and Economic Development Director
Subject: Planning Commission Action #16-53 / Resolution #16-84
Date: November 21, 2016



PLAT REVIEW

ACTION NUMBER: 16-53

E.T.J. MEMBER ACTION REQUIRED: No

APPLICANT / OWNER: KN Construction, Inc.

ADDRESS / LOCATION: 2521, 2523, 2525 and 2527 Dorian Drive

PROPERTY DESCRIPTION: Plat of Lots 1A, 1B, 2A and 2B, Block 3, Westbrook Estates Addition to the City of Yankton, South Dakota.

ZONING DISTRICT: R-4 Multiple Family.

PREVIOUS ACTION: Approved area final plats, Subdivider's Agreement and public infrastructure construction in 2015.

COMMENTS: The attached plat divides two existing lots in a way that allows individual ownership of separate units in the form of duplexes. The structures will be constructed with the code requirements associated with a common wall in mind.

All adjacent public infrastructure is accounted for. Of primary focus in this type of plat review is the design of the utility connections. Each unit will have a separate water and sanitary sewer connection which meets City requirements related to this type of subdivision.

Staff recommends approval of the proposed plat.

MEETING SCHEDULE:

November 14, 2016: Planning Commission reviews the plat and makes a recommendation to the City Commission.

November 28, 2016: City Commission reviews the plat and takes action.

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

RESOLUTION #16-84

WHEREAS, it appears from an examination of the plat of Lots 1A, 1B, 2A and 2B, Block 3, Westbrook Estates Addition to the City of Yankton, South Dakota prepared by Nicholas J Johannsen, a registered land surveyor in the State of South Dakota, and

WHEREAS, such plat has been prepared according to law and is consistent with the City's overall Comprehensive Development Plan.

NOW, THEREFORE BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota, that the plat for the above described property and the associated Developer's Agreement is hereby approved.

Adopted:

C. N. Gross, Mayor

ATTEST:

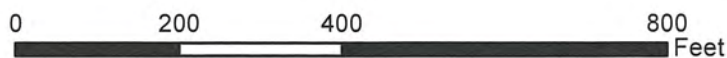
Al Viereck, Finance Officer



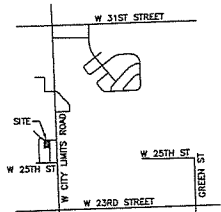
City of Yankton

Plat Location Map

Plat of Lots 1A, 1B, 2A, and 2B, in Block 3,
Westbrook Estates Addition,
in the City of Yankton, Yankton County, South Dakota



PLAT OF LOTS 1A, 1B, 2A AND 2B, BLOCK 3, WESTBROOK ESTATES ADDITION TO THE CITY OF YANKTON, YANKTON COUNTY, SOUTH DAKOTA



VICINITY MAP
NOT TO SCALE

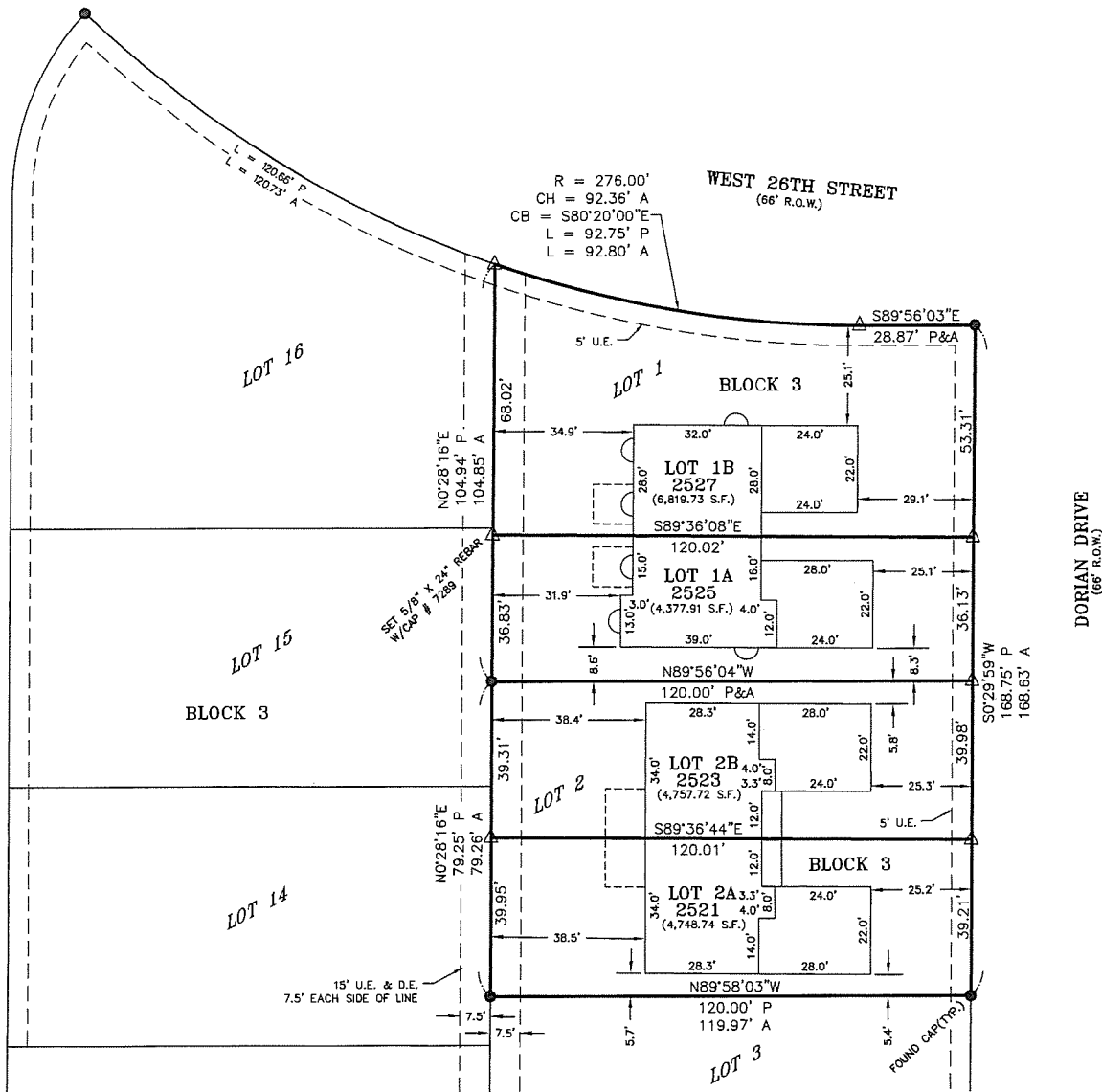
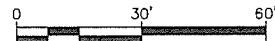
LEGEND

- P - PLAT DISTANCE
- A - SURVEYED DISTANCE
- - FOUND SURVEY POINT
- △ - SET SURVEY POINT, 5/8" X 24" REBAR WITH CAP #7289
- U.E. - UTILITY EASEMENT
- D.E. - DRAINAGE EASEMENT
- S.S.E. - SANITARY SEWER EASEMENT
- S.A.E. - SUMP ACCESS EASEMENT



NORTH

SCALE 1" = 30'

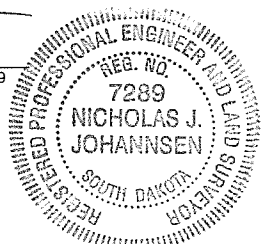


SURVEYOR'S CERTIFICATE

I, Nicholas J. Johannsen, a Registered Land Surveyor of the State of South Dakota, do hereby certify that I did on or before October 15th, 2016, survey a parcel of land described as the Lots 1 and 2, Block 3, Westbrook Estates Addition to the City of Yankton, Yankton County, South Dakota, and divided the same into "LOTS 1A, 1B, 2A AND 2B, BLOCK 3, WESTBROOK ESTATES ADDITION TO THE CITY OF YANKTON, YANKTON COUNTY, SOUTH DAKOTA", containing areas as shown on the above plat.

I further certify that the above parcel was surveyed by me or under my direct personal supervision and that the plat as shown is a true and accurate representation of that survey.

Nicholas J. Johannsen, L.S. 7289



NOTES:

1. ALL DIMENSIONS ON CURVES ARE ARC DISTANCES.
2. THE AREA OF THE PLAT IS 20,703.10 S.F. OR 0.48 ACRES ±.
3. THE BEARING SYSTEM IS AN ASSUMED LOCAL BEARING SYSTEM.
4. ALL PROPERTY CORNERS AND CURVE POINTS ARE SET WITH 5/8" X 24" REBAR WITH CAP #7289.

	Project No. SD161288	PAGE 1 OF 2	
	ENGINEERING	PLANNING	LAND SURVEYING
	300 N. Dakota Ave., Ste. 114 • Sioux Falls, South Dakota 57104 • 605/339-7215		

Memorandum #16-284

To: Amy Nelson, City Manager
From: Dave Mingo, AICP Community and Economic Development Director
Subject: Planning Commission Action #16-54 / Resolution #16-85
Date: November 21, 2016



PLAT REVIEW

ACTION NUMBER: 16-54

E.T.J. MEMBER ACTION REQUIRED: No

APPLICANT / OWNER: KN Construction, Inc.

ADDRESS / LOCATION: 1417, 1419, 1421 and 1423W. 25th Street

PROPERTY DESCRIPTION: Plat of Lots 3A, 3B, 3C and 3D, Block 5, Westbrook Estates Addition to the City of Yankton, South Dakota.

ZONING DISTRICT: R-4 Multiple Family.

PREVIOUS ACTION: Approved area final plats, Subdivider's Agreement and public infrastructure construction in 2015.

COMMENTS: The attached plat divides an existing lot in a way that allows individual ownership of separate units in a four-plex. The structures will be constructed with the code requirements associated with a common wall in mind.

All adjacent public infrastructure is accounted for. Of primary focus in this type of plat review is the design of the utility connections. Each unit will have a separate water and sanitary sewer connection which meets City requirements related to this type of subdivision.

Staff recommends approval of the proposed plat.

MEETING SCHEDULE:

November 14, 2016: Planning Commission reviews the plat and makes a recommendation to the City Commission.

November 28, 2016: City Commission reviews the plat and takes action.

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

_____ Roll Call

RESOLUTION #16-85

WHEREAS, it appears from an examination of the plat of Lots 3A, 3B, 3C and 3D, Block 5, Westbrook Estates Addition to the City of Yankton, South Dakota, and

WHEREAS, such plat has been prepared according to law and is consistent with the City's overall Comprehensive Development Plan.

NOW, THEREFORE BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota, that the plat for the above described property and the associated Developer's Agreement is hereby approved.

Adopted:

C. N. Gross, Mayor

ATTEST:

Al Viereck, Finance Officer



City of Yankton

Plat Location Map

Plat of Lots 3A, 3B, 3C, and 3D, in Block 5,
Westbrook Estates Addition,
in the City of Yankton, Yankton County, South Dakota

