



**CITY OF YANKTON**

**2018\_06\_25**

**COMMISSION MEETING**



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

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## **YANKTON BOARD OF CITY COMMISSIONERS**

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

**Monday, June 25, 2018**

**City of Yankton Community Meeting Room**

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

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

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### **I. ROUTINE BUSINESS**

**1. Roll Call**

**2. Approve Minutes of regular meeting of June 11, 2018**

**Attachment I-2**

**3. City Manager's Report**

**Attachment I-3**

**4. Public Appearances**

*Public appearances is a time for persons to address the City Commission on items not listed on the agenda. No action may be taken on a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken. Each person has up to three minutes to speak. Comments made during the Public Appearance Comment period of the agenda may be on any subject. There shall be no personal attacks against the Mayor, members of the City Commission, City Staff, or any other individual.*

### **II. CONSENT ITEMS**

*Matters appearing on the Consent Agenda are expected to be non-controversial and will be acted upon by the City Commission at one time, without discussion. Approval constitutes following the recommendation of the City Manager on each item.*

**1. Establish public hearing for sale of alcoholic beverages**

Establish July 9, 2018, as the date for the public hearing on the request for a Special Events RETAIL (on-sale) Malt Beverage License for 1 day, September 15, 2018 for Heritage Home Inc. (Rachel Cure, President), 509 Pine Street (yard party), Yankton, S.D.

**Attachment II-1**

**2. Peddler's License Application**

Consideration of Memorandum #18-135 recommending approval of an application for a Peddler's License for Southwestern Advantage for 1 person to go house-to-house to sell Educational Books.

**Attachment II-2**

**3. Possible Quorum Event**

June 27, 2018, for Meet & Greet Reception for Library Director Candidates, no official commission action

**III. OLD BUSINESS**

*Old business includes items that have previously appeared on the City Commission's agenda and require further consideration or action by the board.*

**1. Public Hearing - 2018 Assessment Roll–Noxious Vegetation & Tree Trimming**

Public hearing - 2018 Assessment Roll–Noxious Vegetation & Tree Trimming, Consideration of Memorandum #18-131 and Resolution #18-29, for the public hearing on the special assessment roll for Noxious Vegetation and Tree Trimming

**Attachment III-1**

**2. Public hearing for sale of alcoholic beverages**

Consideration of Memorandum #18-128 regarding the request for a Special Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for one day, July 21, 2018, from the Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota.

**Attachment III-2**

**3. Public hearing for sale of alcoholic beverages**

Consideration of Memorandum #18-129 regarding the request for a Special Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for one day, July 28, 2018, from the Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota.

**Attachment III-3**

**4. Public hearing - Sales Tax**

Public hearing and second reading regarding the Sales Tax Amendment Ordinance #1009

**Attachment III-4**

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

**IV. NEW BUSINESS**

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

**1. Bid Award – Petroleum and Transport Tankwagon Petroleum Products**

Consideration of Memorandum #18-133 regarding the 2018-19 Annual Supply of Petroleum & Transport Tankwagon Petroleum Products

**Attachment IV-1**

**2. Bid Award – Highway 50 Sidewalk – Paddlewheel Point**

Consideration of Memorandum #18-134 regarding Bid Award for the Highway 50 Sidewalk Project from Paddlewheel Drive to Ferdig Avenue

**Attachment IV-2**

3. **Introduction and First Reading – Vehicles for Hire Regulation**  
Introduction, first reading of Ordinance #1010, the first reading and establishing July 9, 2018, as the date for the second reading and public hearing regarding Amending the Vehicles for Hire Regulation Ordinance  
**Attachment IV-3**
4. **Funding Request – Cramer Kenyon Heritage Home**  
Consideration of Memorandum #18-130 regarding Funding Request from Cramer Kenyon Heritage Home  
**Attachment IV-4**
5. **Bid Award – Heated Joint Seal Machine**  
Consideration of Memorandum #18-132 and Resolution #18-39 regarding Bid Award for Heated Joint Seal Machine  
**Attachment IV-5**
6. **Crazy Days - Special Events Parking Request**  
Consideration of Memorandum #18-137 and Resolution #18-40 regarding request by Meridian District for Special Events Parking Ordinance #933 to be in place during Crazy Days on July 14, 2018  
**Attachment IV-6**
7. **Pathways - Special Events Parking Request**  
Consideration of Memorandum #18-136 and Resolution #18-41 regarding request by Pathways for Special Events Parking Ordinance #933 to be in place during Pathways .5K on July 13, 2018  
**Attachment IV-7**
8. **Request for camping to be held in Riverside Park**  
Consideration of Memorandum #18-138, regarding Camping in Riverside Park during Pathways Shelter for the Homeless on August 11-12, 2018  
**Attachment IV-8**
9. **Commission Orientation / Refresher**  
Consideration of Memorandum #18-139 regarding commission orientation / refresher information  
**Attachment IV-9**
10. **Discussion – Conflict of Interest**  
Consideration of Memorandum #18-140 regarding “Conflict of Interest”  
**Attachment IV-10**
11. **Employment Agreement – Interim Police Chief**  
Consideration of Memorandum #18-142 regarding Employment Agreement for Interim Police Chief  
**Attachment IV-11**
- V. **OTHER BUSINESS**

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

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

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

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

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

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

1. Roll Call

**VIII. ADJOURN THE MEETING OF JUNE 25, 2018**

*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  
June 11, 2018**

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

**Roll Call:** Present: Commissioners Carda, Benson, Ferdig, Gross, Hoffner, Maibaum, Miner and Moser. City Attorney Den Herder and City Manager Nelson were also present. Absent: None. Quorum present.

Action 18-168

Moved by Commissioner Gross, seconded by Commissioner Miner, to approve the Minutes of the regular meeting of May 29, 2018 and Work Session of May 29, 2018.

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

Motion adopted.

Action 18-169

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

Ace Hardware-Equipment-\$8.59; Adams/Brent-Refund-\$317.37; Alert Magazine-Advertisement-\$195.00; All Star Pro Golf-Recreation Supplies-\$79.27; AM&E-Golf Towels-\$301.68; Applied Concepts-Radar-\$275.00; Auto Value Parts-Filters-\$1,362.62; Avera Education-CPR Training-\$240.00; Avera Sacred Heart Hospital-Dot CDL Drug/Alcohol Tests-\$58.00; Bartlett & West-Gravity Sewer Construct-\$25,387.66; Bierschbach Equip & Supply-Concrete Materials-\$3,490.70; Brock White Company-Concrete Cold Patch-\$1,116.90; Brunken/Jeff-Sand Volleyball Refund-\$200.00; Buhls Laundry Cleaners-Uniform Alteration-\$12.00; Callaway Golf-Golf Equipment-\$3,116.20; CashWa Distributing-Snacks-\$745.82; Cedar County Veterinary-Vet Services-\$15.00; Cedar Knox Public Power-Elect-\$915.89; Centurylink-Phone-\$1,282.35; Chesterman Company-Pop-\$1,035.15; Christensen Radiator & Repair-Plow Edge-\$169.35; City Of Sioux Falls-Lab Tests-\$14.50; City Of Vermillion-Jt Power Cash Trans-\$72,958.90; City Of Yankton-Landfill Charges-\$201.00; City Utilities-Water/Waste Water Charge-\$5,439.31; Clarks Rental-Equipment Rental-\$25.00; Cleveland Golf-Golf Equipment-\$418.50; Cole Papers Inc-Stationary/Cups-\$529.32; Concrete Material-Concrete Supplies-\$1,889.00; Conduent Enterprises Solutions-Maint Program Support-\$2,138.00; Conkling Dist/John A-Beer-\$2,650.25; Core & Main-Parts-\$677.56; Country Pride Cooperative-Oil-\$46.48; Credit Collection Service-Utility Collections-\$38.52; D&G Concrete Const-WCLR From 9th St To 31st-\$274,101.40; Dakota Beverage-Beer-\$5,060.20; Danko Emergency Equipment-Rope-\$91.43; Davis/Dan-Sidewalk Oversizing-\$1,064.70; Dept Of Corrections-Doc Program-\$559.73; Dept Of Revenue-Lab Tests-\$356.00; Ehresmann Engineering-Cutting Edge-\$338.60; Ethanol Products-Carbon Dioxide-\$1,370.40; Fejfar Plumbing-Irrigation-\$1,332.43; Ferguson Water Works Supply-Water Meters-\$4,567.53; Finance, Dept Of-Restaurant License-\$15.00; Flannery/Kirt-Officer Stipend-\$25.00; Frick/Adam-Officer Stipend-\$25.00; Frick/Brian-Officer Stipend-\$65.00; Frontier Mills-Grass Seed-\$134.20; Geotek Eng & Testing Serv-H2O Purification-\$9,330.60; Gerstner Oil-Jet Fuel-\$27,101.54; Good Land Pump-Repairs-\$9,601.48; Goodin/Chalee-Lifeguard Reimbursement-\$149.10; Graymont Capital-Lime-\$18,884.32; Hanson Briggs Advertising-Water Bottles-\$648.76; Hawkins-Chlorine-\$19,729.15; HDR Engineering-Water Plant Construction-\$67,227.64; Heiman Fire Equipment-Bunker Gear-\$18,871.74; Huber/Marlon-Sidewalk Reimbursement-\$682.50; HyVee-Conference-\$2,449.00; Inland Truck Parts-Brake Kits-\$40.73; J&H Care & Cleaning Company-

Janitorial Services-\$2,800.00; Johnson Bros Of South Dakota-Wine-\$36.00; Johnson Controls-Boiler Repair-\$5,960.74; Johnson Roofing Inc/Roy-Roof Repair Supplies-\$9.85; Jones Construction/John T-Water Plant Construction-\$885,134.91; Kaiser Heating & Cooling-New Coil For Ac-\$2,551.45; Kaiser Refrigeration-Equipment-\$3,884.00; Kepplinger/Kerry-Conference-\$800.00; Kleins Tree Service-Labor-\$4,650.00; Larrys Heating & Cooling-Ac Repairs-\$332.23; Lewis & Clark Bhs-Employment Screening-\$630.00; Locators & Supplies-Streets Equipment-\$20,477.20; Longs Propane-Propane-\$500.00; Mcgrath North Mullin & Kratz-Professional Services-\$3,900.00; Menards-Survey Materials-\$131.98; Merkel Electric-Service-\$66.33; Metropolitan Compounds-Weed Killer-\$572.69; MidAmerican Energy-Fuel-\$4,931.87; MidAmerican Energy-Fuel-\$4,031.50; Midwest Alarm Company-Professional Services-\$126.00; Midwest Tape-Audiobooks-\$327.92; Millenium Recycling-Single Stream Fee-\$1,796.50; Mine Safety Appliances-Repair Parts-\$8,862.54; Moser/Brad-Officer Stipend-\$25.00; Mueller/Pete-Safety Glasses-\$55.00; Municipal Code Corp-Annual Web Hosting-\$550.00; Mw Auto & Towing-Police Tow-\$294.00; Neumayer/Brian-Boot Allowance-\$110.65; Northwestern Energy-Elect-\$62,273.97; Observer-Advertisement-\$48.00; Oil Price Information Service-Report-\$1,656.00; Pepsi-Cola-Pop-\$564.30; Pilger Sand And Gravel-Sand-\$695.01; Ping-Golf Equipment-\$134.08; Pockets Full Of Fun-SRP Performer-\$270.00; Press Dakota Mstar Solutions-Publish Ordinance-\$115.94; Racom Corporation-Radio Access-\$932.41; Reinhart Foods Inc-Entree-\$5,455.29; Riverfront Broadcasting-Advertising-\$575.28; Royal Sports Shop-Years Of Service Plaque-\$53.70; SD Office Of Weights-Scale Test-\$103.00; Sdpra-Midwest Parks Payment-\$6,259.18; Sherwin Williams-Traffic Paint-\$3,629.17; Sioux Falls Two Way Radio Svs-Police Camera Install-\$267.22; Sioux Links-Advertising-\$250.00; Slowey Construction-Construction-\$347,029.82; South Dakota Amateur Softball-Softball Registration-\$1,040.00; South Dakota One Call-Message Fee-\$219.45; Stern Oil-Fuel-\$1,433.82; Stevens Construction Inc/David-Concrete Repairs-\$26,521.00; Stockwell Engineers Inc-8th St Construction-\$26,000.15; Superior Tech Products-Freight-\$200.00; Terrys Welding Service-Repairs-\$303.45; Tifosi Optics-Golf Merchandise-\$851.74; Titleist-Golf Balls-\$122.00; Top Notch Window Cleaning-Professional Services-\$50.00; Tour Edge Golf Group-Golf Clubs-\$384.00; Tre Environmental Strategies-Wet Test-\$650.00; Tri-State Turf-Sprinkler Heads-\$694.00; Truck Trailer Sales-Freight Charges-\$35.30; Tuff-Go-Recycling-\$8,717.00; Turfwerks-Service-\$857.03; U.S. Post Office-Postage-\$1,400.00; United Parcel Service-Postage-\$108.00; United States Postal Service-Postage Meter-\$842.00; Us Bank Equipment Finance-Copier Contract-\$296.69; Us Bank Spa Lockbox-Clean H2o-\$563,595.85; Villanueva/Mike-Travel Expense-\$47.47; Wage Works-FSA Flex Service-\$135.00; Walts Homestyle Foods-Candy-\$110.00; Welfl Construction-Temp Wall Shoring-\$400.00; Wholesale Supply-Candy-\$326.20; Woehl/Toby-Officer Stipend-\$25.00; Xerox Corporation-Sac Copier Lease-\$180.06; Xtreme Car Wash-Police Car Washes-\$518.40; Yankton Ag Service-Chemicals-\$130.00; Yankton Co 4-H-Babysitting Clinic-\$589.86; Yankton County Auditor-YC Cap Improve Cost Comp-\$15,740.81; Yankton County Director Of-Aerial Imagery-\$10,883.33; Yankton Janitor Supply-Janitorial Supplies-\$97.50; Yankton School District-Sac Shared Expense-\$38,476.25; Ziegler/William-Officer Stipend-\$65.00; A League Of Your Own-Book-\$21.29; AOx Welding Supply-Mig Wire-\$176.87; Acushnet Billtrust-Balls/Golf Equipment-\$2,697.59; Adobe Creative Cloud-Software Program-\$53.24; Amazon Mktplace Pmts-Shower Curtains-\$1,017.32; Amazon Mktplace Pmts-Program Supplies-\$1,135.09; Amazon.Com-Lock For Pool-\$19.12; Amazon.Com-Gloves-\$426.86; American Library Assn-SRP Prizes-\$17.98; American Red Cross-School-\$201.28; Animal Health Clinic-K9 Reno Medical-\$93.59; Anthony's Pizza-Training-Meals-\$80.73; Itunes.Com-Pdf Software-\$10.64; Appera-Towels-\$381.61; Applebees-Training-Meal-\$16.31; Applebees-Training-Meal-\$10.29; Arbys-Meal Expense-\$9.87; Arc Services-Lifeguard Certification-\$540.00; Associated Supply-Pool Repair-\$490.34; AT&T Bill Payment-Cell Phone-\$365.35; AT&T Premier-Cellular Data-\$918.83; Auto Value Yankton-Lift Station Repair Part-

\$45.77; Autozone-Brake Pads And Rotors-\$298.12; Baker/Taylor-Books-\$4,629.29; Battery Exchange-Fire Alarm Batteries-\$59.90; Berkeysuppl-Agricultural Supplies-\$122.56; Best Western Hotels-Midwest Reg Parks Conf-\$368.00; Omaha World Herald-Book-\$34.95; Bohlmann-Dual Ada Drinking Founta-\$4,020.00; Boller Printing-Office Supplies-\$46.00; Bomgaars-Fertilizer-\$2,383.32; Border States Electric-Wire-\$2,019.73; Coffee Cup-Travel Expense-\$20.39; Broadway Chrysler-Garage Parts-\$146.75; Buffalo Wild Wings-Training-Meals-\$28.93; Burger King-Training-Meal-\$13.45; Butler Machinery-Hose Assembly-\$348.15; Carus Corporation-Phosphate-\$1,324.35; Caseys Gen Store-Employee Appreciation-\$186.12; Caseys Gen Store-Meeting-\$115.87; Caseys Gen Store-Training Expenses-\$48.06; Caseys Gen Store-Travel Expense-\$31.87; Chops Fine Meats-Meal Expense-\$8.89; Clarks Rentals Custom-Rental Equipment-\$131.00; Coffee Terrace-Training-Meal-\$19.96; Comfort Inn-Training-Lodging-\$224.98; Conoco-Travel Expense-\$42.66; Core & Main-Pump Supplies-\$195.00; Corner Stop-Fuel Training-\$31.01; Cornhusker International-Filters-\$613.72; Cornwell Tools-Tools-\$426.34; Cox Auto Supply-Blower Belt-\$612.47; Crescent Electric-Runway Lights-\$1,297.94; Crowne Plaza Denver-Training-Lodging Expense-\$727.25; Culvers-Training-Meal-\$12.02; Dakota Archery-Gun Cleaning Supplies-\$140.61; Dayhuff Enterprises-Supplies-\$542.44; Delta-Conference Airfare-\$685.60; Demco-Office Supplies-\$457.34; Dianas Greenhouse-Flowers-\$2,397.13; Dropbox-Dropbox-\$99.00; Echo Electric Supply-Electrical Supplies-\$116.84; Eddies North Sincla-Travel Fuel-\$45.00; Ehresmann Engineering-Horseshoe Pit Repair-\$91.02; Facebook-Advertisement-\$19.39; Facebook-Advertisement-\$1.91; Facebook-Programming-\$10.31; Fastenal Company-Repairs-\$586.42; Fensels Flower Shop-Flowers-\$97.84; Fred Haar Company-Mower Repair-\$967.83; Girton Adams-Sludge Heater Valve-\$265.44; Grainger-Janitorial Supplies-\$211.80; Hach Company-Lab Reagents-\$648.08; Hardees-Travel Expense-\$14.62; Harding Glass-Screen Repair-\$41.50; Holiday Inn-GOSCMA-Conf Expense-\$307.38; Holiday Inn-Conference Hotel-\$2,775.03; Holiday Inn-Lodging For Training-\$1,175.12; HyVee Gas-Travel Expense-\$23.15; Hy Vee-Flowers-\$658.45; In The Swim-Pool Vac-\$500.94; Independence Waste-Porta Potty-\$617.85; Indiana Cc Concess-Training-Meal-\$7.09; Int L Code Council-Study Materials-\$185.95; International-Membership Dues ICMA-\$878.00; Midwest Alarm-Alarm Line Monitoring-\$63.00; J.J Benji-City Commission Polos-\$86.63; J.J. Benji-Uniform-\$43.00; Jacks Uniforms-Uniforms-\$344.73; JCL Solutions-Cleaning Supplies-\$1,575.97; Kaiser Refrigeration-Equipment Repair-\$1,067.63; KFC/AW-Meal-\$21.96; Kinsman Garden-Plants-\$174.34; Koletzky Implement-Damper And Blades-\$335.00; Kopetskys Ace-Downtown Flowers-\$2,449.47; Kwik Stop Oasis-Fuel Training-\$52.00; Lewis And Clark Ford-Patrol Car Repairs-\$1,497.63; Locators And Supplies-Locate Supplies-\$623.51; Longs Propane Service-Propane-\$65.00; Loves Travel-Travel Expense-\$47.33; Marks Machinery-Mower Repair-\$253.55; McDonalds-Travel Expense-\$3.86; Mead Lumber-Pool Repair-\$60.46; Med-Vet-Containers-\$379.95; Menards-Pool Repairs-\$2,163.16; Mexico Viejo-Staff Appreciation-\$50.10; Michael Todd-Safety City Supplies-\$109.55; Midwest Laboratories-Monthly Nutrients-\$107.56; Midwest Turf-Equipment Maintenance-\$2,231.00; Myers Tire Supply-Tire Repair Supplies-\$381.02; NBS Calibrations-Balance Calibration-\$186.00; Old Ebbitt Grill-Conference Meal-\$40.28; Olsons Pest-Contracted Services-\$78.00; One Office Solution-Office Chair-\$780.34; OReilly Auto-Mower Parts-\$68.39; OTC Brands-SRP Prizes-\$137.94; Overdrive Dist-Downloadable Books-\$2,745.58; Paypal-Repair Pagers-\$111.00; PGA Member Info-Membership Dues-\$549.00; Phillips 66-Travel Expense-\$17.59; Pizza Hut-Meal-\$12.94; Postage Refill-Postage-\$200.00; Disabled Veterans-Book-\$65.98; Prandomhouse-Audiobooks-\$697.50; Pressing Matters-Story Walk-\$37.28; Qdoba-Meal Expense-\$10.96; Quality Flow Systems-Tsp Stator And Backup-\$1,869.49; Raymond Geddes-SRP Prizes-\$53.56; Recorded Books-Cd Book-\$86.62; Richiezs Brickhouse-Meal Expense-\$19.05; Riverside Hydraulics-Hydraulic Hose-\$217.53; Rivistas-Magazine Subscription-\$36.79; The Golfworks-Golf Equipment-\$57.00; Rons Auto Glass-New Windshield-\$210.00; Royal Sport Shop-



Uniform-\$154.51; Scheels-Uniform Allowance-\$297.96; SD Property Management-Parks Supplies-\$92.20; Sf Regional Airport-Meeting-\$24.00; Shell Oil-Fuel Training-\$16.01; Shell Oil-Fuel Training-\$29.00; Shell Oil-Gas/Fuel-\$47.30; Sherwin Williams-Paint/Brushes-\$242.02; Shoes.Com-Boot Allowance-\$111.81; Software-Bill.Com-Pdf Editor Program-\$35.00; Sonic Drive-Meal-\$12.07; Elm USA-Disc Cleaning Supplies-\$137.20; Superior Tech-Fertilizer-\$5,920.00; Hanson Briggs-Publishing-\$211.00; The Riverfront-Midwest Conf Expenses-\$1,906.20; Stan Houston Equipment-Pool Repair-\$612.00; Sturdevants-Mower Repair-\$97.29; Subway-Training Meal-\$4.85; Subway-Travel Expense-\$16.73; Swimoutlet.Com-Water Aerobics Bands-\$80.46; Tavern Downtown-Training Meal-\$22.28; Techsoup-Library Expense-\$16.00; Tessman Company Sioux-Chemicals-\$4,001.79; The Alley Exchange-Meal Expense-\$6.98; The Lodge At Deadwood-Travel Expense-\$12.36; The Ups Store-Wet Test Shipping-\$671.12; TMA-Tires-\$6,769.77; A1 Vacuum-Service Work-\$75.00; Transource Truck-Thermostat-\$76.99; Truck Trailer Sales-Hitch-\$282.30; Turfwerks-Mower Supplies-\$86.72; USA Blue Book-Repair Parts-\$558.23; USPS-Postage-\$49.24; Viddler-Video Hosting-\$40.00; Vistaprint.Com-SRP Clings-\$217.77; Vitality Medical-Medical Safety Supplies-\$97.75; Vzwrlls-Internet Access-\$516.15; Walmart-Safety City Supply-\$785.48; Walmart-Programming-\$35.96; Walgreens-Office Supplies-\$19.27; WEF Main-Membership Dues-\$90.00; Wendys-Training Meal-\$7.12; West Marine-Cabinet-\$449.98; Wise Heavy-Pulley, Bearing-\$170.50; Wm Supercenter-Potting Soil-\$1,096.50; Wm Supercenter-Event Supplies-\$117.93; WW Grainger-Janitorial Supplies-\$211.35; Xtreme Car Wash-K9 Reno Wash-\$13.00; Xact Xpressions Inc-Junior Golf Summer Prog.-\$537.47; Yankton Area Chamber-Chamber Luncheon-\$30.00; Pizza Ranch-Program Supplies-Teens-\$31.00; Winnelson Co-Park Repairs-\$530.06; Yanktonmediainc-Subscription-\$139.64; Zimco Supply-Chemicals-\$2,100.96; M&S Dc K Street-Conference Meals-\$436.30

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

Administration \$39,480.72; Finance \$32,325.84; Community Development \$23,331.54; Police/AC/Dispatch \$151,462.03; Fire \$13,008.77; Engineering/Sr. Citizens \$43,279.28; Streets \$44,102.77; Snow & Ice \$5,548.56; Traffic Control \$3,537.98; Library \$28,693.94; Parks/SAC \$66,525.20; Marne Creek \$3,644.84; Water \$37,168.69; Wastewater \$37,044.50; Cemetery \$4,213.13; Solid Waste \$22,328.22; Landfill/Recycle \$16,468.27; Golf Course \$22,887.56; Central Garage \$7,361.70

#### New Hires:

Brianna Benjamin \$9.50 hr. Golf Division; Bridget Benson \$455.94 mo. Commission; Jeremiah Braxton \$11.00 hr. Streets; Jennica Delvaux \$9.50 hr. Rec. Division; Hanna Eide \$9.50 hr. Rec. Division; Megan Fejfar \$9.50 hr. Library; Payton Hejna \$9.75hr. Trails Division; Bradley Hento \$10.25 hr. Parks Division; Cameron Jueden \$9.50 hr. Parks Division; Chandler Lee \$11.00 hr. Solid Waste; Elsie Marquardt \$9.50 hr. Rec. Division; Benjamin Morrison \$9.50 hr. Golf Division; Mitch Mueller \$10.50 hr. Parks Division; Cody Papesch \$1,260.23 bi-wk. Jt. Powers; Azachary Rohde \$9.65 hr. Rec. Division; Diane Schramm \$9.50 hr. Rec. Division; Isaac Schulz \$10.50 hr. Engineering; Ashley Schweitzer \$10.50 hr. Engineering; Madelynn Smith \$9.50 hr. Rec. Division; Miranda Winterringer \$9.50 hr. Golf Division; Francisco Wuestewald \$9.50 hr. Golf Division

#### Wage Change:

Neal Anderson \$10.00 hr. Golf Division; Katlyn Arens \$9.75 hr. Golf Division; Virgil Brasel \$1,642.70 bi-wk. Dispatch; Kellie Geige \$10.15 hr. Rec. Division; Lance Haak \$10.00 hr. Rec.

Division; Logan Haak \$10.75 hr. Rec. Division; Maddie Husman \$10.75 hr. Golf Division; Keith Jensen Jr. \$10.25 hr. Golf Division; Mark Jensen \$10.50 hr. Golf Division; Amanda LaCroix \$11.00 hr. Library; Kayla Loecker \$13.25 hr. Rec. Division; Dalton Maibaum \$9.75 hr. Golf Division; Alexandra Max \$11.00 hr. Library; Kellen Moser \$9.75 hr. Golf Division; Elizabeth Nedved \$12.26 hr. Library; Marche Noecker \$9.75 hr. Golf Division; Lucas Rockne \$10.50 hr. Rec. Division; Kris Rutledge \$12.75 hr. Park Division; Zane Schumaker \$11.00 hr. Library; Brett Sime \$14.50 hr. Golf Division; Robert Simonsen \$12.50 hr. Airport; Mandi Sorensen \$9.75 hr. Golf Division; Twila Stibral \$12.50 hr. Rec. Division; Elizabeth Suing \$9.75 hr. Park Division; Larry Wagner \$10.25 hr. Rec. Division; Maggie Wallis \$10.75 hr. Rec. Division

Status Change:

Jake Hoffner \$455.94 mo. Mayor to Commissioner; Nathan Johnson \$626.93mo. Commissioner to Mayor

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

There were no public appearances.

Action 18-170

Moved by Commissioner Gross, seconded by Commissioner Carda, that the following items on the Consent Agenda be approved.

1. **CIP Budget Workshop Meeting Dates**  
Consideration of Memorandum 18-119 regarding setting CIP Budget workshop meeting dates on June 18 & June 19 if necessary
2. **Transient Merchant License**  
Consideration of Memorandum 18-112 recommending approval of the application from Martha's Crafts for a Transient Merchant License from June 12, 2018 – July 11, 2018
3. **Transient Merchant License**  
Consideration of Memorandum 18-113 recommending approval of the application from Martha's Crafts for a Transient Merchant License from August 1, 2018 – August 31, 2018
4. **Possible Quorum Event**  
June 25, 2018, for Environmental Assessment Hearing for Chan Gurney Airport Apron and Hangar Relocation Project, no official commission action
5. **Transient Merchant License**  
Consideration of Memorandum 18-122 recommending approval of the application from Meridian District for a Transient Merchant License from July 28, 2018
6. **Establish public hearing for sale of alcoholic beverages**  
Establish June 25, 2018, as the date for the public hearing on the request for a Special Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for

one day, July 21, 2018, from the Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota.

7. **Establish public hearing for sale of alcoholic beverages**

Establish June 25, 2018, as the date for the public hearing on the request for a Special Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for one day, July 28, 2018, from the Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota.

8. **Possible Quorum Event**

June 19, 2018, for Ag Gala, no official commission action

9. **Possible Quorum Event**

June 14, 2018, for Governor McMaster Memorial Plaque unveiling ceremony, no official commission action

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

Motion adopted.

**Action 18-171**

This was the time and place for the public hearing on the application for a Special Events Malt Beverage (on-sale) Retailers License for 1 day, July 3, 2018, from Capitol Street Pub (Garrett Horn, President), 3<sup>rd</sup> Street Between Walnut and Douglas, Yankton, SD. (Memorandum 18-107) No one was present to speak for or against approval of the license.

Moved by Commissioner Miner, seconded by Commissioner Ferdig, to approve the license.

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

Motion adopted.

**Action 18-172**

This was the time and place for the public hearing on the application for a Special Events (on-sale) Liquor License for 1 day, June 19, 2018, from Drotzmann & Portillo, LLC (Steve Drotzmann, Partner), d/b/a Rounding 3<sup>rd</sup> Bar & Casino, Yankton Ice Arena, 901 Whiting Drive, Yankton, SD. (Memorandum 18-108) No one was present to speak for or against approval of the license.

Moved by Commissioner Ferdig, seconded by Commissioner Gross, to approve the license.

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

Motion adopted.

**Action 18-173**

This was the time and place for the public hearing on the application for a Special Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for 1 day, October 20, 2018, from The Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, SD. (Memorandum 18-109) No one was present to speak for or against approval of the license.

Moved by Commissioner Gross, seconded by Commissioner Miner, to approve the license.

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

Motion adopted.

**Action 18-174**

This was the time and place for the public hearing on the application for the transfer of ownership of a

Retail (on-off sale) Malt Beverage License for July 1, 2018, to June 30, 2019, from Xtreme, Inc. (Jeff Koster, President), d/b/a Gramps to Arrowhead Holdings, LLC (Rick Daugherty, Member), d/b/a Gramps, 700 E. 4<sup>th</sup> Street, Yankton, SD. (Memorandum 18-110) No one was present to speak for or against approval of the license.

Moved by Commissioner Carda, seconded by Commissioner Ferdig, to approve transfer of the license.

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

Motion adopted.

Action 18-175

This was the time and place for the second reading and public hearing of Ordinance No. 1008, AN ORDINANCE TO PERMIT ADMINISTRATIVE INSPECTIONS OF PRIVATE PROPERTY AND TO AUTHORIZE ADMINISTRATIVE INSPECTION WARRANTS TO ENTER UPON PRIVATE PROPERTY IN THE ABSENCE OF CONSENT. Citizens, Paul Harens and Dan Klimisch were present to speak against the ordinance.

Moved by Commissioner Carda, seconded by Commissioner Hoffner, to adopt Ordinance No. 1008.

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

Motion adopted.

Action 18-176

Moved by Commissioner Gross, seconded by Commissioner Carda, to adopt Resolution 18-36 for a special event with the special event parking ordinance in force and the City Manager suspend the open container law for the area of 3<sup>rd</sup> Street between Walnut and Douglas for the 3<sup>rd</sup> on 3<sup>rd</sup> event on July 3, 2018. (Memorandum 18-118)

**Resolution 18-36**

Special Events Parking Request

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

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

WHEREAS, the Meridian District has made a request to enact this no parking zone for their event on July 3, 2018.

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 3<sup>rd</sup> Street between Walnut and Douglas, to be in effect from 8:00 AM on July 3, 2018 until 2:00 AM on July 4, 2018.

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

Motion adopted.

Action 18-177

Moved by Commissioner Carda, seconded by Commissioner Ferdig, to approve the application of a Special Events Dance License from the Meridian District for a street dance located on 3<sup>rd</sup> Street between Walnut & Douglas, Yankton, SD on July 3, 2018. (Memorandum 18-116)

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

Motion adopted.

Action 18-178

Moved by Commissioner Miner, seconded by Commissioner Hoffner, to adopt Resolution 18-37 authorizing the no parking zone for Meet in the Street held by the Harvest Halloween committee on 3<sup>rd</sup> Street from Broadway to Douglas, keeping all intersections open. The no parking zone shall be in effect on July 28, 2018 from 7:00 AM to 4:00 PM. (Memorandum 18-117)

**Resolution 18-37**

Special Events Parking Request

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

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

WHEREAS, the Harvest Halloween Committee has made a request to enact this no parking zone for their event on July 28, 2018.

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 3<sup>rd</sup> Street from Broadway to Douglas, keeping all intersections open. The closure will be in effect on July 28, 2018 from 7:00 AM to 4:00 PM.

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

Action 18-179

Moved by Commissioner Gross, seconded by Commissioner Hoffner, to approve the agreement between Monica Iverson and the City of Yankton. (Memorandum 18-121)

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

Action 18-180

Moved by Commissioner Hoffner, seconded by Commissioner Gross, to approve the Business Improvement District No. 1 Board of Director’s Expenditure recommendation, final expenditure for the National Field Archery Association Building Expansion Project. (Memorandum 18-100) Dan Specht, President of the BID Board, was present to answer questions and support the expenditure.

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

Action 18-181

Moved by Commissioner Hoffner, seconded by Commissioner Benson, to approve the Business Improvement District No.1 Board of Director’s Expenditure recommendation for the Mount Marty College Fieldhouse and to adopt Resolution 18-32. (Memorandum 18-101) Dan Specht, President of the BID Board, and Chris Kassin, Mount Marty Athletic Director, were present to answer questions and support the expenditure.

**Resolution 18-32**

WHEREAS Yankton Business Improvement District 1 was created in conformance with South Dakota Codified Law and defined in City Ordinance No. 953, and

WHEREAS, The Business Improvement District No. 1 Board of Directors is therein authorized to make recommendations to the Yankton Board of City Commissioners regarding governance of the District including its revenues and expenditures, and

WHEREAS, at their meeting on May 10, 2018, the Yankton Business Improvement District No. 1 approved a recommendation that the City Commission provide funding to Mount Marty College for a defined portion of their Fieldhouse Project as described at the meeting, and

WHEREAS said funding shall be in the amount of 80 percent of the previous year's gross District receipts payable in February of each year, and

WHEREAS, the first of said payments shall occur at the time of groundbreaking for the project and shall continue each year until such time that \$1,800,000 has been provided to Mount Marty College for the Fieldhouse project, and

WHEREAS, because the first payment is based on the time of groundbreaking, it is possible that the first two payments will be less than 12 months apart, and

WHEREAS, the Business Improvement District No. 1 Board of Directors also recommends that the City oversees the payments and structures them as needed to document legal debt for the District, and

WHEREAS, the described payments shall be made through the local economic development corporation (Yankton Area Progressive Growth).

NOW THEREFORE, BE IT RESOLVED that the Yankton Board of City Commissioners, upon the recommendation of the Business Improvement District No. 1 Board of Directors does hereby authorize the above described disbursement of funds, and

BE IT FURTHER RESOLVED that the Yankton City Manager be authorized to execute any documents associated with said disbursement.

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

Commissioner Gross introduced and Mayor Johnson read the title of Ordinance No. 1009, AN ORDINANCE AMENDING THE PERMISSIBLE USES OF REVENUE FROM THE "SECOND PENNY" SALES TAX, and set the date of the second reading and public hearing as June 25<sup>th</sup>, 2018.

Action 18-182

Moved by Commissioner Miner, seconded by Commissioner Moser, to approve the funding request for Heartland Humane Society. (Memorandum 18-114) Kerry Hacecky, Director of the Heartland Humane Society, was present to answer questions.

After discussion, Commissioner Miner amended her original motion to include the addition of a city commissioner to serve on the Heartland Humane Society Board and volunteered to fill that role. Commissioner Moser seconded the amendment.

**Roll Call:** Commissioners voting “Aye” were Commissioners Carda, Benson, Ferdig, Gross, Maibaum, Miner and Moser. voting “Nay:” None. Abstain: Commissioner Hoffner  
Motion adopted.

Action 18-183

Approved the amended funding request for Heartland Humane Society with the addition of a City Commissioner appointed to Heartland Humane Society Board.

**Roll Call:** Commissioners voting “Aye” were Commissioners Carda, Benson, Ferdig, Gross, Maibaum, Miner and Moser; Voting “Nay:” None. Abstain: Commissioner Hoffner. Motion adopted.

Action 18-184

Moved by Commissioner Carda, seconded by Commissioner Hoffner, to approve the Mayor’s appointments of City Commissioners to City Advisory Boards and Commissions.  
(Memorandum 18-111)

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

Action 18-185

Moved by Commissioner Ferdig, seconded by Commissioner Moser, to adopt Resolution 18-38.  
(Memorandum 18-123)

**Resolution 18-38**

Permissive Use of Right-of-Way

WHEREAS, During the design process for the Walnut Street – 2<sup>nd</sup> Street to 4<sup>th</sup> Street Reconstruction Project a number of underground rooms and coal chutes that are connected to the adjacent buildings were discovered encroaching into the Walnut Street right of way; and

WHEREAS, City Attorney, Ross DenHerder, has drafted a Hold Harmless and License Agreement in regards to the right of way encroachments for each property owner consideration. The agreements between the City of Yankton and the property owners with encroachments gives two options; the first option electing for the property owner to continue to utilize their underground structure and the second option allows the City to remove/backfill the underground structure; and

WHEREAS, Three of the property owners, Marlow Real Estate LLC, Bernard Properties LLC, and Riverfront Partners LLC have chosen Option 1 within the agreement, electing to keep their underground rooms; and

WHEREAS, Three of the property owners, Lewis and Clark Theater Company Inc., Lisa J. Błaalid, and Wortmann Properties & Leasing LLC have chosen Option 2 within the agreement allowing the City to close and backfill their underground structures/coal chutes.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Yankton, South Dakota hereby approves the permissive use of Right-of-Way as described above.

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

Motion adopted.

Action 18-186

Moved by Commissioner Gross, seconded by Commissioner Miner, to approve the Fox Run Golf Course to enter into the Swing King Hole-in-One game-of-chance agreement. (Memorandum 18-115)

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

Motion adopted.

Action 18-187

Moved by Commissioner Moser, seconded by Commissioner Carda, to adopt the attached Vision Document. (Memorandum 18-120)

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

Motion adopted.

Action 18-188

Moved by Commissioner Gross, seconded by Commissioner Miner, to approve the Bicycle/Pedestrian Walkway Agreement and authorize the City Manager to enter into the Agreement with BNSF. (Memorandum 18-125)

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

Motion adopted.

Action 18-189

Moved by Commissioner Gross, seconded by Commissioner Carda, to approve the change order No. 1 for the Pine Street Bridge Replacement Project in the amount of \$3,823.10 and recommended that the City Manager be authorized to sign any documents for the Pine Street Bridge Replacement Project and to adopt Resolution 18-31. (Memorandum 18-126)

**Resolution 18-31**

WHEREAS, Yankton Business Improvement District 1 was created in conformance with South Dakota Codified Law and defined in City Ordinance No. 953, and

WHEREAS, The Business Improvement District No. 1 Board of Directors is therein authorized to make recommendations to the Yankton Board of City Commissioners regarding governance of the District including its revenues and expenditures, and

WHEREAS, at their meeting on May 10, 2018, the Yankton Business Improvement District No. 1 approved a recommendation that the City Commission provide funding in the amount of \$200,000 from the District account to the National Field Archery Association (NFAA) to complete the previously agreed upon commitment in advance to the originally scheduled distribution of funds. Said funds to be used for the reimbursement of expenses associated with a substantial addition to the facility in 2017.

NOW THEREFORE, BE IT RESOLVED that the Yankton Board of City Commissioners, upon the recommendation of the Business Improvement District No. 1 Board of Directors does hereby authorize the immediate distribution of \$200,000 of Business Improvement District No. 1 generated funds to the NFAA to complete the previously approved \$400,000 commitment early, and



BE IT FURTHER RESOLVED that the Yankton City Manager be authorized to execute any documents associated with said disbursement.

**Roll Call:** Commissioners voting “Aye” were Carda, Benson, Ferdig, Gross, Miner and Moser; Commissioners voting “Nay” were Hoffner and Maibaum.  
Motion adopted.

Action 18-190

Moved by Commissioner Carda, seconded by Commissioner Benson, to adjourn into Executive Session at 8:18 p.m. to discuss **contractual litigation** matters under SDCL 1-25-2.

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

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

**Roll Call:** Present: Commissioners Carda, Benson, Ferdig, Gross, Maibaum, Miner and Moser. City Attorney Den Herder and City Manager Nelson were also present. Absent: Commissioner Hoffner.  
Quorum present.

Action 18-191

Moved by Commissioner Gross, seconded by Commissioner Miner, to adjourn at 9:45 p.m.

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

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Nathan Johnson  
Mayor

ATTEST:

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Al Viereck  
Finance Officer



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## OFFICE OF THE CITY MANAGER

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

VOL. 53, NUMBER 12

### Commission Information Memorandum

The Yankton City Commission meeting on Monday, June 25, 2018, will begin at 7:00 pm.

#### Non-Agenda Items of Interest

##### 1) Community Development Update

We are approaching the sunset of the Morgen Square Tax Increment District (TID). The creation of the district has been a success on many levels. You may remember what the property looked like prior to the current development. It was the former Morgen Manufacturing site with tall, industrial looking block walled buildings right up against the sidewalk. Now it is a modern looking commercial development with green space and aesthetically pleasing structures. The creation of the TID allowed us to put together a public / private partnership that ensured the successful redevelopment of an underutilized property on our main commercial corridor.

The TID Agreement was structured in a manner that reimbursed the private developer over time for eligible expenses that they incurred on the front end of the project. In this instance those TID eligible expenses included the demolition of the old buildings and the installation of new public infrastructure needed to support the development. The original TID was for just over \$370,000 and was planned to sunset in 2026, or at the point in time that the increment from the property improvements fulfilled the commitment. At our current pace, we are scheduled to retire the commitment in 2020, six years in advance of the 20-year sunset of the TID. This is an excellent example of a project that would not have developed to the extent that it has without the public / private partnership. The long-term benefit of having this property improved will pay dividends to the public through increased property values for decades to come.

##### 2) Finance Department Update

The Deputy Finance Officer attended the annual South Dakota Governmental Finance Officers' School held in Sioux Falls on June 6 – 8, 2018. Conference topics included Legislative Updates; Capital Improvement Plans; Accounting Updates; Municipal Constitutional Debt; City Finance Policies; Municipal Bonds and Tax Increment Financing (TIF); Code Enforcement; Liquor Law Updates; ALICE Training; Tax Levies & Equalization Meetings; and Municipal Sales and Excise Tax Refresher.

Please see the enclosed Monthly Finance Report for May.

##### 3) Human Resources Department Update

We have been advertising internally for the position of Police Sergeant. We received six applications and these applications have been turned over to the Police Department for interview scheduling. This position was vacant because Dean Larson will begin his duties as Detective on August 17.

Three internal applications have also been received for the position of Senior Grounds Maintenance Worker – Auld Brokaw Trail in the Parks and Recreation department. This position will be vacant because of the retirement of Bob Wubben on October 1.

#### **4) Public Works Department Update**

The Street Department is preparing to pave Linn Street from 8<sup>th</sup> Street to 9<sup>th</sup> Street as a part of the 8<sup>th</sup> Street reconstruction project. Crews will also pave the areas in the 2<sup>nd</sup> Street parking lots that were disturbed as part of the Walnut Street reconstruction project.

Street Department crews continue to patch asphalt in areas where curb and gutter was replaced as well as streets scheduled for seal coating later this summer. Crews also continue to paint street light poles and other iron street amenities in the Meridian District.

#### **West City Limits Road:**

The week of June 4<sup>th</sup>, Feimer Construction finished installing the storm sewer at the intersection of 23<sup>rd</sup> Street. The west two lanes from north of 25<sup>th</sup> Street to south of 23<sup>rd</sup> Street were paved and opened to traffic Friday, June 15. The new pavement allows traffic from Westbrook Apartments and Westbrook Estates access from both the north off of Highway 50 and the south off of 23<sup>rd</sup> Street. The week of June 11, pavement removal and base course installation to the intersection of 21<sup>st</sup> Street was completed. Also pavement removal and base course installation from 21<sup>st</sup> Street to north of 19<sup>th</sup> Street was completed the week of June 18. D & G Construction has begun trimming gravel and setting up for paving from south of 23<sup>rd</sup> Street to north of 19<sup>th</sup> Street that is anticipated to take place Friday, June 22, 2018.

#### **8<sup>th</sup> Street:**

Crews on 8<sup>th</sup> Street are battling the wet conditions. Weather permitting, asphalt paving on Linn Street, will be completed the week of June 18. Slowey Construction has been installing base course in preparation of main line paving on 8<sup>th</sup> Street. They have been hampered not only by the weather but, by utility companies trying to move boxes, poles and lines. There has been no indication as to when the main line paving will take place.

#### **Walnut Street:**

The City parking lots along 2<sup>nd</sup> Street are nearly complete. Colored concrete, between the new sidewalks and the curb, still needs to be placed. Feimer Construction intends on getting the soil placed in the islands within the next week, or so. Once these items are completed these areas will be ready for landscaping items such as benches, flowers, etc.

The underground work is almost complete in the 2<sup>nd</sup> Street intersection. Storm sewer pipe and water main are all in place and crews are working on forming and pouring the storm inlets and junction boxes. Drain tile for the planters and a gas service for the fire pit will be installed soon. The concrete contractor is ready to move into this intersection, once this work is complete.

#### **Highway 50 Sidewalk:**

Bids were received on June 14. Results of the bidding and a recommendation are on the agenda.

#### **Pine Street Bridge:**

The piling has been installed on both ends of the project site. Swingen Construction has installed the foundation footing on the north side of the project and are working on the south foundation footing. Once the footings are in place crews will build abutment and wing walls on the new footings.

## **5) Parks and Recreation Department Update**

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

## **6) Environmental Services Department Update**

Staff continues to work with the contractor on the lift station with several warranty issues. The coating for the wet well appears to be peeling off in a couple places. The company that coated the wet well was onsite and is putting together a proposal for the repair. The contractor is also working on an issue with the alarm system. All alarms appear to be cleared and everything is running correctly. However, the alarm system is failing to acknowledge an alarm and is continuing to send an alarm signal to the computer system at the Wastewater Plant. Until the glitch in the programming is fixed, the alarm system will not be able to function. The one-year warranty expired on June 20.

Progress on the Water Plant project continues to move forward. Staff and HDR met with the owners of John T. Jones to express concerns with the quality of workmanship. HDR did issue a formal letter of nonconformance based on some of the concrete finish work. These are limited to areas that will be under ground or in tanks that will not be visible. Due to the progress of the construction and the visible nature of the current construction, everyone was in agreement that workmanship needed to continue to improve to meet the needs of the project. The contractor is also in the process of leak testing several of the lower level tanks. If the leak test passes, the contractor can begin back filling.

## **7) Fire Department Update**

Volunteers of the Yankton Fire Department honored Rev. Rod Veldhuizen for his past 12 years of service to the Department as Chaplain. On June 18, the volunteers recognized Pastor Rod for his service to the Department with a memory box honoring his service. Pastor Rod provided spiritual and mental health care to firefighters and their families and victims of our responses and their families. Pastor Rod was also utilized by other public safety agencies for victim and family care while he served. Pastor Rod will be missed. We wish him well in his new venture in the Black Hills.

Chief Kurtenbach met with personnel from Information Services, Police Department, Environmental Services and the City's radio consultant to review solutions to the communications equipment problems we have encountered on the West Water Tower.

Deputy Chief Nickles is currently working to inspect all apartment buildings in Yankton. During this process he is also providing informational posters that inform residents what to do in case of certain emergencies such as fire, tornado, etc. These posters are hung in common areas of the building with the owner's or manager's permission.

## **8) Library Update**

We currently have 344 children & teens signed up for Summer Reading as well as 60 adults. On Monday, June 25 at 10:30 am we will be hosting a puppet show as one of our big events for the summer. We also have the National Music Museum coming in at 2:00 that day to speak with the teens. In general, programs are trucking along and we are staying very busy with the increased summer traffic! We will be closed on July 4<sup>th</sup> for the holiday.

## **9) Information Services Department Update**

Dispatcher Mary Madetzke has completed her training program and will go into rotation as a trained dispatcher. Mary's last step will be state certification training in Pierre during the next open time slot. Dispatch is now currently fully staffed.

City IT staff has assumed responsibility for PEG channel programming and we have begun the transition to digital only submissions. The current equipment's video switcher is no longer working reliably and as a result we have stopped playing music during the regular slide show to allow for playback of local video content with audio. We hope to have the equipment replaced soon and have received a preliminary quote on one of the key pieces of equipment. We may be able to demo the equipment on site to determine its fit for local needs.

**10) Monthly reports**

Joint Powers Solid Waste and Fox Run Golf Course monthly reports are included for your review.

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

Sincerely,

Amy Nelson  
City Manager

## FINANCE MONTHLY REPORT

Activity	MAY 2018	MAY 2017	MAY 2018 YTD	MAY 2017 YTD
<b>UTILITY BILLING:</b>				
<b>Water</b>				
Water Sold (in gallons per 1,000)	42,976	43,240	215,318	216,035
Water Billed	\$417,118.47	\$389,466.69	\$2,073,899.61	\$1,930,262.96
Basic Water Fee/Rate per 1000 gal.	\$21.71/\$5.55	\$18.81/\$5.39		
Number of Accounts Billed	5,290	5,296	26,216	26,104
Number of Bills Mailed	5,290	5,296	26,216	26,104
Total Meters Read	5,683	5,633	28,371	28,125
Meter Changes/pulled	3	2	25	13
Total Days Meter Reading	1	1	5	5
Misreads found prior to billing	0	0	0	0
Customers requesting Rereads	0	0	0	0
<b>Sewer</b>				
Sewer Billed	\$293,614.88	\$276,886.56	\$1,474,316.98	\$1,401,714.48
Basic Sewer Fee/Rate per 1000 gal.	\$9.69/\$5.87	\$9.23/\$5.59		
<b>Solid Waste</b>				
Solid Waste Billed	\$98,750.04	\$95,474.88	\$491,615.67	\$475,962.91
Basic Solid Waste Fee	\$20.79	\$20.18		
<b>Total Utility Billing:</b>	<b>\$809,483.39</b>	<b>\$761,828.13</b>	<b>\$4,039,832.26</b>	<b>\$3,807,940.35</b>
<b>Adjustment Total:</b>	<b>\$327.67</b>	<b>(\$90.00)</b>	<b>(\$169.17)</b>	<b>(\$4,198.05)</b>
Misread Adjustments	\$0.00	\$0.00	\$0.00	\$0.00
Other Adjustments	\$397.67	\$0.00	\$310.83	(\$3,498.05)
Penalty Adjustments OFF	(\$70.00)	(\$90.00)	(\$500.00)	(\$720.00)
Penalty Adjustments ON	\$0.00	\$0.00	\$20.00	\$20.00
New Accounts/Connects	103	138	263	341
Accounts Finaled/Disconnects	60	79	234	287
New Accounts Set up	12	4	31	30
Delinquent Notices	400	350	1958	1787
Doorknockers	139	114	774	652
Delinquent Call List	79	38	475	376
Notice of Termination Letters	2	9	42	62
Shut-off for Non-payment	2	3	24	28
Delinquent Notice Penalties	\$4,000.00	\$3,500.00	\$19,580.00	\$17,870.00
Doorknocker Penalties	\$1,390.00	\$1,140.00	\$7,740.00	\$6,520.00
<b>Other Office Functions:</b>				
Interest Income	\$68,843.25	\$29,574.51	\$247,353.08	\$126,751.00
Interest Rate-Checking Account	2.18%	1.26%		
Interest Rate-CDs	N/A	N/A		
# of Monthly Vendor Checks	191	189		
Payments Issued to Vendors	\$ 2,392,412.62	\$ 2,381,986.63	\$10,115,518.53	\$8,715,428.07
# of Employees on Payroll	246	231		
Monthly Payroll	\$ 433,024.61	\$ 410,792.54	\$2,161,390.93	\$2,080,890.76

Commission Information Memorandum

PARKS AND RECREATION DEPARTMENT

**SUMMIT ACTIVITIES CENTER and RECREATION PROGRAMS**

1st - half of June information:

Fitness Classes-	
Early Bird Boot Camp class	33 participants
Power Abs	67 participants
Prime Time Senior class	55 participants
Tabata class	87 participants
Water aerobics	169 participants
Work-Out Express class	88 participants
Yoga classes	54 participants
Zumba class	16 participants
Booty Blaster class	21 participants

Rentals-

o Birthday rentals-	2 parties
o SAC courts-	0 hours
o Theater-	0 hours
o Meeting rooms-	6 hours
o City Hall courts-	4.5 hours
o Capital Building-	4 dates
o Riverside shelters-	3 rentals
o Memorial shelters-	10 rentals
o Westside shelter-	1 rentals
o Rotary outdoor classroom-	0 rentals
o Sertoma shelter-	0 rentals
o Tripp shelter-	0 rentals
o Meridian Bridge	0 rental

SAC members-	2,092 people
SAC memberships-	996
SAC attendance-	2,529 visits
New members-	38 people

May 31 – June 10. The SAC Gyms were closed for floor refinishing.

Friday, June 1- Memorial Park Pool Opened for the summer season.

Friday, June 1- Summer Specials started at the SAC. 5% off quarterly memberships and 12% off annual memberships.

Monday, June 4- Summer Programs Session 1 started. A total of 1,564 participants across all the activity classes.

Friday, June 8- Late night for teens at Memorial Pool. 91 participants.

Todd has been working with Jessica Scott to set-up and take down the Market at the Meridian on Saturday mornings.

Brittany LaCroix is working on the fireworks order for July 4, 2018.

Brittany LaCroix has been meeting with Jessica Scott, part-time downtown coordinator, in regards to Downtown Events for the summer, and fall 2018 seasons.

Brittany LaCroix is trying to find a non-profit group to work with in regards to the interactive art event which coincides with Music at the Meridian concerts. In 2017 the Yankton Sculpture Walk group helped with the art project but they have indicated they will not be helping in 2018.

Brittany LaCroix has all the musical acts booked for the 2018 Music at the Meridian concert series for this summer. It will be the Thursdays in July and the first three Thursdays in August, including the Thursday before Riverboat Days. Please check out the Music at the Meridian Facebook Page. The Meridian District Farmer's Market is also moving to The Lawn at the Meridian Plaza and will be there on both Thursday nights and Saturday mornings.

Todd, Brittany Orr, and Sonya Wattier have been attending the Dive in Yankton meetings to stay informed of the process for gathering public input on Memorial Pool.

## **PARKS**

The Parks Staff is working with Youth Softball to improve the slope and low spots on a couple of the fields at Sertoma Park (fields A & B). The Parks Staff has hauled in agri-lime and the youth softball volunteers have been leveling and sloping the infield areas.

Parks Staff worked overtime to haul agri-lime for the youth softball volunteers work project.

The Parks Staff added French wells outside of the infield fence on Field B to help drain fence line and dugouts. With the last rains, the French wells have solved the issue of standing water in the dugouts.

The Parks Staff is working on removing the two north musical sculptures at the Meridian Plaza.

The parks staff helped the Corp of Engineers load up bleachers for the Lake Yankton Outdoor Water Festival.

The Parks Staff prepared Sertoma Park for the Youth Softball tournament for the weekend of June 16 & 17.

The Parks Staff prepared Fantle Memorial Pool for the swim meet on June 16 & 17.

The Parks Staff will prepare Sertoma Park for the Youth Baseball tournament for the weekend of June 23 & 24.

The fountain in the Meridian Bridge Plaza has not been operational as the pump was replaced with a larger one and it now needs an electrician to install the proper convertors for the power source that is currently there.

The fountain on the corner of 4<sup>th</sup> and Broadway has not been turned on. At first the Parks Staff thought it was the automatic fill float that needed to be replaced but after it was replaced it was determined that the pump was not working. A new pump has been ordered and it will be installed when the parks staff have time to switch it out.

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

The parks staff has been moving bleachers, benches, goals, trash cans, and other items for the youth baseball, youth softball, youth soccer, and swim team events which take place in Yankton on weekends in May, June and July (Youth Softball Tournament- 3rd weekend in June. June 15, 16, 17; Swim Meet at Memorial Pool- June 16 and June 17; Youth Baseball Tournament at Sertoma- June 22, 23, & 24).

The parks staff has been moving picnic tables, trash cans, and other items for special events that are taking place in the community (Bragging Rights on Thursday Nights, Downtown Rockin' Ribs by Rounding Third, Karen's Hope poker run, Bragging Rights on Saturday Night).



## **TRAILS**

Bob Wubben has announced he will be retiring from his City position, as a Parks Senior Grounds Maintenance Worker, as of October 1, 2018. The City will be conducting three interviews with current City employees to fill Bob's position prior to his retirement. The person hired will work alongside of Bob so there is training prior to Bob's departure.

## **FOX RUN**

The staff are preparing Fox Run for the Pro-Am Tournament scheduled for June 29, 30, and July 1.

Description	Yankton Transfer	Vermillion Landfill	Total Joint	5 Month Budget	Legal 2018 Budget
<b>Joint Power Transfer/Landfill</b>					
<i>Total Revenue</i>	\$484,384.24	\$324,860.57	\$809,244.81	\$781,400.00	\$1,880,360.00
<i>Expenses:</i>					
Personal Services	112,651.42	106,143.16	218,794.58	282,372.08	677,693.00
Operating Expenses	110,326.64	161,852.96	272,179.60	315,530.00	757,272.00
Depreciation (est)	77,308.97	116,939.15	194,248.12	166,857.08	400,457.00
Trench Depletion	0.00	62,955.24	62,955.24	86,611.67	207,868.00
Closure/Postclosure Resrv	0.00	3,406.77	3,406.77	3,592.08	8,621.00
Amortization of Permit	0.00	446.29	446.29	470.83	1,130.00
<i>Total Operating Expenses</i>	300,287.03	451,743.57	752,030.60	855,433.75	2,053,041.00
<i>Non Operating Expense-Interest</i>	0.00	24,319.01	24,319.01	49,950.42	119,881.00
<i>Landfill Operating Income</i>	184,097.21	(151,202.01)	32,895.20	(123,984.17)	(292,562.00)
<b>Joint Recycling Center</b>					
<i>Total Revenue</i>	0.00	36,780.58	36,780.58	95,106.25	228,255.00
<i>Expenses:</i>					
Personal Services	0.00	90,831.86	90,831.86	91,810.42	220,345.00
Operating Expenses	0.00	24,291.98	24,291.98	48,833.33	117,200.00
Depreciation (est)	0.00	15,481.65	15,481.65	31,665.42	75,997.00
<i>Total Operating Expenses</i>	0.00	130,605.49	130,605.49	172,309.17	413,542.00
<i>Non Operating Expense-Interest</i>	0.00	0.00	0.00	0.00	0.00
<i>Recycling Operating Income</i>	0.00	(93,824.91)	(93,824.91)	(77,202.92)	(185,287.00)
<i>Total Operating Income</i>	\$184,097.21	(\$245,026.92)	(\$60,929.71)	(\$201,187.08)	(\$477,849.00)
<b>Tonage in Trench:</b>	<u>5/31/2017</u>	<u>5/31/2018</u>			
Asbestos	20.41	29.78	29.78	20.83	50.00
Centerville	97.65	98.33	98.33	116.67	280.00
Beresford	513.23	559.80	559.80	593.75	1,425.00
Clay County Garbage	5,001.18	5,321.59	5,321.59	5,541.67	13,300.00
Elk Point	435.97	427.91	427.91	470.83	1,130.00
Yankton County Garbage	9,048.37	9,047.89	9,047.89	9,583.33	23,000.00
<i>Total Tonage in Trench</i>	15,116.81	15,485.30	15,485.30	16,327.08	39,185.00
Operating Cost per ton			\$48.56	\$55.45	\$55.45

This report is based on the following:

Revenue accrual thru May 31, 2018

Expenses cash thru May 31, 2018 with June's Bills

Joint Powers Solid Waste Authority  
Financial Report Thru May 31, 2018

Description	Yankton Transfer	Vermillion Landfill	Total Joint	5 Month Budget	Legal 2018 Budget
<b>Source of Funds</b>					
<i>Beginning Balance</i>	\$667,904.00	\$1,049,572.00	\$1,717,476.00	\$1,717,476.00	\$1,717,476.00
<i>Operating Revenue:</i>					
Net Income	184,097.21	(245,026.92)	(60,929.71)	(199,103.75)	(477,849.00)
Depreciation	77,308.97	132,420.80	209,729.77	198,522.50	476,454.00
Trench Depletion	0.00	62,955.24	62,955.24	86,611.67	207,868.00
Amortization of Permit	0.00	446.29	446.29	470.83	1,130.00
<i>Non Operating Revenue:</i>					
Grant	0.00	0.00	0.00	0.00	0.00
Loan Proceeds	0.00	0.00	0.00	0.00	0.00
Contributed Capital	0.00	0.00	0.00	0.00	0.00
Sale Proceeds	0.00	0.00	0.00	0.00	0.00
Comp. for Loss & Damage	0.00	0.00	0.00	0.00	0.00
Fire Related Expenses	0.00	0.00	0.00	0.00	0.00
Interest	3,533.41	6,602.80	10,136.21	3,250.00	7,800.00
<i>Cash Flow Transfer:</i>					
Joint Power Transfer/Landfill	(301,397.08)	301,397.08	0.00	46,675.83	112,022.00
Joint Recycling Center	0.00	0.00	0.00	0.00	0.00
<i>Total Funds Available</i>	<u>631,446.51</u>	<u>1,308,367.29</u>	<u>1,939,813.80</u>	<u>1,853,903.08</u>	<u>2,044,901.00</u>
<b>Application of Funds Available</b>					
<i>Joint Power Transfer/Landfill</i>					
Equipment	6.54	0.00	6.54	142,500.00	342,000.00
Trench	0.00	0.00	0.00	0.00	0.00
Closure/Postclosure Cash Res.	0.00	3,406.77	3,406.77	3,592.08	8,621.00
<i>Joint Recycling Center</i>					
Equipment	0.00	0.00	0.00	64,583.33	155,000.00
<i>Payment Principal</i>	24,477.42	56,193.13	80,670.55	99,160.42	237,985.00
<i>Appropriation to Reserve</i>	0.00	0.00	0.00	0.00	0.00
<i>Total Applied</i>	<u>24,483.96</u>	<u>59,599.90</u>	<u>84,083.86</u>	<u>309,835.83</u>	<u>743,606.00</u>
<i>Ending Balance</i>	<u>\$606,962.55</u>	<u>\$1,248,767.39</u>	<u>\$1,855,729.94</u>	<u>\$1,544,067.25</u>	<u>\$1,301,295.00</u>

<b>Joint Power Transfer/Landfill Description</b>	<b>Yankton Transfer</b>	<b>Vermillion Landfill</b>	<b>Total Joint</b>	<b>5 Month Budget</b>	<b>Legal 2018 Budget</b>
<i>Revenue: (accrual)</i>					
Asbestos	\$0.00	\$1,935.77	\$1,935.77	\$1,458.33	\$3,500.00
Elk Point	0.00	20,059.57	20,059.57	21,893.75	\$52,545.00
Centerville	0.00	4,612.80	4,612.80	5,425.00	13,020.00
Beresford	0.00	26,252.33	26,252.33	27,625.00	66,300.00
Clay County Garbage	0.00	259,236.24	259,236.24	276,437.50	663,450.00
Compost-Yd Waste-Wood	0.00	7,383.69	7,383.69	2,083.33	5,000.00
Contaminated Soil	0.00	49.04	49.04	1,666.67	4,000.00
White Goods	0.00	1,129.60	1,129.60	2,083.33	5,000.00
Tires	0.00	1,010.70	1,010.70	1,666.67	4,000.00
Electronics	0.00	2,266.80	2,266.80	2,083.33	5,000.00
Other Revenue	2,709.15	924.03	3,633.18	8,375.00	20,100.00
Less Recycling Tipping Fee	0.00	0.00	0.00	(48,564.58)	(116,555.00)
Cash long	0.52	0.00	0.52	0.00	0.00
Yard Waste	0.00	0.00	0.00	0.00	0.00
Rubble	12,413.45	0.00	12,413.45	21,666.67	52,000.00
Transfer Fees	468,365.78	0.00	468,365.78	457,500.00	1,098,000.00
Metal	895.34	0.00	895.34	0.00	5,000.00
Other Operational - Solid Waste	0.00	0.00	0.00	0.00	0.00
<b>Total Revenue</b>	<b>484,384.24</b>	<b>324,860.57</b>	<b>809,244.81</b>	<b>781,400.00</b>	<b>1,880,360.00</b>
<i>Expenses: (cash)</i>					
Personal Services	112,651.42	106,143.16	218,794.58	282,372.08	677,693.00
Insurance	17,680.50	4,657.14	22,337.64	11,273.75	27,057.00
Professional Service/Fees	2,081.63	27,962.13	30,043.76	30,000.00	72,000.00
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	15,485.30	15,485.30	16,250.00	39,000.00
Professional - Legal/Audit	0.00	0.00	0.00	520.83	1,250.00
Publishing & Advertising	570.34	1,977.11	2,547.45	750.00	1,800.00
Rental	0.00	0.00	0.00	208.33	500.00
Hauling fee	0.00	0.00	0.00	0.00	0.00
Equipment repair	1,030.40	38,358.22	39,388.62	23,333.33	56,000.00
Motor vehicle repair	126.80	3,184.61	3,311.41	9,791.67	23,500.00
Vehicle fuel & maintenance	54,049.37	15,167.28	69,216.65	97,500.00	234,000.00
Equip, Mat'l & Labor	14,628.53	0.00	14,628.53	5,000.00	12,000.00
Building repair	1,302.37	373.22	1,675.59	10,000.00	24,000.00
Facility repair & maintenance	0.00	941.84	941.84	14,583.33	35,000.00
Postage	198.57	5.19	203.76	312.50	750.00
Office supplies	734.84	942.71	1,677.55	1,333.33	3,200.00
Copy supplies	43.38	2.93	46.31	156.25	375.00
Uniforms	0.00	1,644.80	1,644.80	1,958.33	4,700.00
Small Tools & Hardware	149.90	0.00	149.90	104.17	250.00
Travel & Training	0.00	1,104.73	1,104.73	1,875.00	4,500.00
Operating supply	954.92	32,254.57	33,209.49	61,500.00	147,600.00
Electricity	4,140.46	6,689.10	10,829.56	12,583.33	30,200.00
Heating Fuel - Gas	10,637.33	10,014.79	20,652.12	13,333.33	32,000.00
Water	932.70	185.00	1,117.70	1,250.00	3,000.00
WW service	507.80	0.00	507.80	541.67	1,300.00
Landfill	103.95	0.00	103.95	83.33	200.00
Telephone	452.85	902.29	1,355.14	1,287.50	3,090.00
Depreciation (est)	77,308.97	116,939.15	194,248.12	166,857.08	400,457.00
Trench Depletion		62,955.24	62,955.24	86,611.67	207,868.00
Closure/Postclosure Resrv		3,406.77	3,406.77	3,592.08	8,621.00
Amortization of Permit		446.29	446.29	470.83	1,130.00
<b>Total Op Expenses</b>	<b>300,287.03</b>	<b>451,743.57</b>	<b>752,030.60</b>	<b>855,433.75</b>	<b>2,053,041.00</b>

Joint Power Transfer/Landfill Description	Yankton Transfer	Vermillion Landfill	Total Joint	5 Month Budget	Legal 2018 Budget
<i>Non Operating Expense-Interest</i>	0.00	24,319.01	24,319.01	49,950.42	119,881.00
<i>Operating Income (Loss)</i>	\$184,097.21	(\$151,202.01)	\$32,895.20	(\$123,984.17)	(\$292,562.00)
<i>Capital:</i>					
Capital Outlay	\$6.54	\$0.00	\$6.54	\$142,500.00	\$342,000.00
Landfill Development	0.00	0.00	0.00	105,833.33	\$254,000.00
Capital Lease	0.00	0.00	0.00	0.00	\$0.00
<i>Total Capital Expenditures</i>	\$6.54	\$0.00	\$6.54	\$248,333.33	\$596,000.00
<i>Grant Reimbursement</i>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<i>Equipment Sale Proceeds</i>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<i>Cash Flow Transfer</i>	(\$301,397.08)	\$301,397.08	\$0.00	\$0.00	\$0.00
<i>Tonage in Trench:</i>					
Asbestos		29.78	29.78	20.83	50.00
Beresford		559.80	559.80	593.75	1,425.00
Centerville Garbage		98.33	98.33	116.67	280.00
Clay County Garbage		5,321.59	5,321.59	5,541.67	13,300.00
Elk Point		427.91	427.91	470.83	1,130.00
Yankton County Garbage		9,047.89	9,047.89	9,583.33	23,000.00
<i>Total Tonage in Trench</i>		15,485.30	15,485.30	16,327.08	39,185.00
Operating Cost per ton			\$48.56	\$55.45	\$55.45

<b>Joint Recycling Center</b>	Yankton	Vermillion	Total	5 Month	Legal
Description	Transfer	Center	Joint	Budget	2018 Budget
<i>Revenue:</i>					
Tipping Fees	\$0.00	0.00	\$0.00	48,564.58	116,555.00
Magazines	0.00	1,418.18	1,418.18	1,250.00	3,000.00
Metal/Tin	0.00	(593.00)	(593.00)	500.00	1,200.00
Plastic	0.00	(1,037.72)	(1,037.72)	6,250.00	15,000.00
Aluminum	0.00	5,586.60	5,586.60	5,833.33	14,000.00
Newsprint	0.00	2,780.06	2,780.06	5,000.00	12,000.00
Cardboard	0.00	23,019.47	23,019.47	18,750.00	45,000.00
High Grade Paper	0.00	989.65	989.65	2,083.33	5,000.00
Other Material	0.00	4,617.34	4,617.34	3,333.33	8,000.00
Contributions/Operating Grants	0.00	0.00	0.00	3,541.67	8,500.00
<b>Total Revenue</b>	<b>0.00</b>	<b>36,780.58</b>	<b>36,780.58</b>	<b>95,106.25</b>	<b>228,255.00</b>
<i>Expenses:</i>					
Personal Services	0.00	90,831.86	90,831.86	91,810.42	220,345.00
Insurance	0.00	664.98	664.98	1,041.67	2,500.00
Professional Service/Fees	0.00	0.00	0.00	7,500.00	18,000.00
Hazardous Waste Collection	0.00	789.54	789.54	14,166.67	34,000.00
Professional-Legal	0.00	0.00	0.00	0.00	0.00
Publishing & Advertising	0.00	53.63	53.63	833.33	2,000.00
Rental	0.00	0.00	0.00	0.00	0.00
Equipment repair	0.00	1,030.09	1,030.09	4,479.17	10,750.00
Vehicle repair & maintenance	0.00	1,304.22	1,304.22	312.50	750.00
Vehicle fuel	0.00	1,794.43	1,794.43	2,083.33	5,000.00
Building repair & maintenance	0.00	1,340.86	1,340.86	1,250.00	3,000.00
Postage	0.00	1.30	1.30	270.83	650.00
Freight	0.00	4,910.00	4,910.00	833.33	2,000.00
Office supplies	0.00	306.77	306.77	416.67	1,000.00
Uniforms	0.00	0.00	0.00	208.33	500.00
Materials Purchases	0.00	1,730.25	1,730.25	1,875.00	4,500.00
Travel & Training	0.00	1,000.00	1,000.00	625.00	1,500.00
Operating Supplies	0.00	583.96	583.96	4,166.67	10,000.00
Copy Supply	0.00	3.04	3.04	145.83	350.00
Electricity	0.00	2,381.86	2,381.86	2,708.33	6,500.00
Heating Fuel-Gas	0.00	2,945.17	2,945.17	1,875.00	4,500.00
Water	0.00	230.04	230.04	270.83	650.00
WW service	0.00	711.30	711.30	500.00	1,200.00
Telephone	0.00	334.59	334.59	354.17	850.00
Revenue Sharing	0.00	2,175.95	2,175.95	2,916.67	7,000.00
Transportation to Vermillion	0.00	0.00	0.00	0.00	0.00
Processing Recyclables	0.00	0.00	0.00	0.00	0.00
Depreciation (est)	0.00	15,481.65	15,481.65	31,665.42	75,997.00
<b>Total Op Expenses</b>	<b>0.00</b>	<b>130,605.49</b>	<b>130,605.49</b>	<b>172,309.17</b>	<b>413,542.00</b>
<i>Non Operating Expense-Interest</i>	0.00	0.00	0.00	0.00	0.00
<b>Operating Income (Loss)</b>	<b>\$0.00</b>	<b>(\$93,824.91)</b>	<b>(\$93,824.91)</b>	<b>(\$77,202.92)</b>	<b>(\$185,287.00)</b>
<b>Capital Outlay</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$64,583.33</b>	<b>\$155,000.00</b>
<b>Grant Reimbursement/Donations</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>Cash Flow Transfer</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

This report is based on the following:

Revenue accrual thru May 31, 2018

Expenses cash thru May 31, 2018 with June's Bills

2018 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	16,041.14	(32,788.43)	(16,747.29)	2,696.97	53.89	0.00	(27,733.35)	(27,733.35)	16,041.14	(60,521.78)	(44,480.64)
February	6,325.01	(39,330.29)	(33,005.28)	2,317.61	63.58	0.00	(11,367.08)	(11,367.08)	6,325.01	(50,697.37)	(44,372.36)
Subtotal	22,366.15	(72,118.72)	(49,752.57)	5,014.58	58.37	0.00	(39,100.43)	(39,100.43)	22,366.15	(111,219.15)	(88,853.00)
March	43,806.85	(31,655.77)	12,151.08	2,870.30	51.00	0.00	(14,720.58)	(14,720.58)	43,806.85	(46,376.35)	(2,569.50)
Subtotal	66,173.00	(103,774.49)	(37,601.49)	7,884.88	55.69	0.00	(53,821.01)	(53,821.01)	66,173.00	(157,595.50)	(91,422.50)
April	49,973.11	(27,616.80)	22,356.31	3,519.39	46.68	0.00	(19,972.52)	(19,972.52)	49,973.11	(47,589.32)	2,383.79
Subtotal	116,146.11	(131,391.29)	(15,245.18)	11,404.27	53.23	0.00	(73,793.53)	(73,793.53)	116,146.11	(205,184.82)	(89,038.71)
May	67,659.98	4,508.29	72,168.27	4,081.03	35.51	0.00	(20,031.38)	(20,031.38)	67,659.98	(15,523.09)	52,136.89
Subtotal	183,806.09	(126,883.00)	56,923.09	15,485.30	48.56	0.00	(93,824.91)	(93,824.91)	183,806.09	(220,707.91)	(36,901.82)

6/1/2018

City of Yankton Transfer Station  
Recap of Customer Tonnage

Date	City	Licensed Haulers						Sub-Total	All Other	Total Transfer
	Compactors (577)	Janssen (547)	Arts (586)	Fischer (590)	Independence (627)	Loren Fischer (648)	Kortan (673)			
January 2017	227.38	502.19	367.33	35.07	0.00	65.26	7.51	977.36	273.30	1,478.04
February 2017	202.70	484.93	336.77	29.14	0.00	59.30	11.20	921.34	288.46	1,412.50
March 2017	237.30	616.06	434.47	12.48	0.00	63.43	11.30	1,137.74	417.16	1,792.20
April 2017	227.30	591.85	486.98	0.00	0.00	64.29	13.47	1,156.59	771.69	2,155.58
May 2017	252.91	693.56	536.92	0.00	0.00	75.06	7.97	1,313.51	465.54	2,031.96
June 2017	239.77	701.18	649.20	0.00	0.00	85.82	18.33	1,454.53	483.34	2,177.64
July 2017	235.82	669.19	465.38	0.00	0.00	84.20	12.77	1,231.54	509.76	1,977.12
August 2017	270.08	737.19	577.34	0.00	0.00	85.68	13.52	1,413.73	498.79	2,182.60
September 2017	235.66	641.84	464.10	0.00	0.00	83.83	18.47	1,208.24	529.19	1,973.09
October 2017	237.61	699.36	554.25	0.00	19.20	81.27	18.07	1,372.15	398.57	2,008.33
November 2017	249.77	615.69	457.07	0.00	1.69	110.42	17.48	1,202.35	400.12	1,852.24
December 2017	225.56	519.09	483.74	0.00	0.00	91.53	14.08	1,108.44	357.59	1,691.59
2017 Total	2,841.86	7,472.13	5,813.55	76.69	20.89	950.09	164.17	14,497.52	5,393.51	22,732.89
January 2018	239.65	530.30	436.12	0.00	0.00	81.67	7.84	1,055.93	252.70	1,548.28
February 2018	181.66	488.25	370.51	0.00	0.00	77.18	10.55	946.49	234.16	1,362.31
March 2018	227.12	601.25	477.74	0.00	0.00	83.07	7.49	1,169.55	415.05	1,811.72
April 2018	227.43	561.75	490.33	0.00	0.00	94.10	9.61	1,155.79	613.24	1,996.46
May 2018	273.68	715.67	609.17	0.00	0.00	72.24	8.68	1,405.76	466.41	2,145.85
2018 Total	1,149.54	2,897.22	2,383.87	0.00	0.00	408.26	44.17	5,733.52	1,981.56	8,864.62





06/12/18

Fox Run Golf Course  
Statement of Revenues & Expenses

	01May2018 31May2018	01May2017 31May2017	01Jan2018 31May2018	01Jan2017 31May2017	Legal Budget
Direct Revenues:					
Concessions	32,077.55	18,671.65	41,624.99	36,947.68	161,700.00
Pro Shop	19,083.37	8,428.05	28,720.66	17,745.31	91,200.00
Course	94,589.88	35,305.16	251,670.94	270,339.21	466,900.00
	-----	-----	-----	-----	-----
Total Direct Revenues	145,750.80	62,404.86	322,016.59	325,032.20	719,800.00
Direct Expenses:					
Concessions	4,385.68	7,365.05	6,437.89	11,358.70	62,700.00
Pro Shop	18,225.42	5,569.04	43,207.66	18,624.36	45,000.00
Course			37,921.21	28,564.81	38,500.00
	-----	-----	-----	-----	-----
Total Direct Expenses	22,611.10	12,934.09	87,566.76	58,547.87	146,200.00
Add Beginning Inventory					
Less Ending Inventory					
Net Direct Income (Loss)					
Indirect Revenues -	26.01	(.04)	651.37	(2.62)	1,000.00
Indirect Expenses:					
Personal Services	27,593.74	29,932.53	113,146.44	131,150.30	405,872.00
Insurance			6,694.95	6,259.93	6,710.00
Professional Services	3,531.39	4,253.41	17,504.96	10,997.22	22,900.00
Advertising	2,188.68	1,223.18	4,172.76	3,680.02	4,500.00
Repair & Maintenance	4,732.30	6,558.08	25,668.67	21,296.82	52,500.00
Supplies & Materials	11,201.72	12,110.68	13,495.59	13,367.56	59,600.00
Travel, Conference & Dues	199.00	36.00	1,486.67	716.75	3,250.00
Utilities	1,769.49	2,824.29	9,254.10	8,562.14	37,600.00
Billing and Administration					
Depreciation	5,893.62	4,218.78	24,443.58	21,093.90	55,745.00
	-----	-----	-----	-----	-----
Total Indirect Expenses	57,109.94	61,156.95	215,867.72	217,124.64	648,677.00
Net Operating Income	66,055.77	(11,686.22)	19,233.48	49,357.07	(74,077.00)
	=====	=====	=====	=====	=====
Capital Outlay	25,692.00	764.98	25,692.00	90,747.98	82,000.00
	=====	=====	=====	=====	=====

Fox Run Golf Course  
Statement of Revenues

	01May2018 31May2018	01May2017 31May2017	01Jan2018 31May2018	01Jan2017 31May2017	Legal Budget
<b>Concessions</b>					
CASH Long	340.85	121.16	408.31	334.30	1,000.00
PREPARED FOOD	8,911.86	5,428.72	12,936.48	10,877.00	40,000.00
PRE-PACKAGED FOOD	957.38	668.89	1,391.66	1,483.93	10,700.00
BEER	18,343.90	10,695.81	22,025.04	20,161.22	85,000.00
BOTTLED POP	3,523.56	1,757.07	4,863.50	4,091.23	25,000.00
MISCELLANEOUS CONCESSIONS					
	-----	-----	-----	-----	-----
Total Concessions	32,077.55	18,671.65	41,624.99	36,947.68	161,700.00
<b>Pro Shop</b>					
GOLF BALLS	5,425.61	3,277.07	6,059.48	4,071.49	19,000.00
GLOVES	885.32	483.20	1,175.94	1,049.06	6,000.00
GOLF CAPS/VISORS	525.94	313.07	745.49	739.82	7,000.00
MERCHANDISE	2,845.58	1,207.19	3,685.14	2,558.11	16,000.00
MERCHANDISE NON-TAX					200.00
GOLF EQUIPMENT	8,179.49	1,832.21	14,811.52	5,693.84	30,000.00
MISCELLANEOUS MERCHANDISE					
CLUB REPAIRS	723.76	963.16	1,604.57	3,139.98	11,000.00
LESSONS	497.67	352.15	638.52	493.01	2,000.00
	-----	-----	-----	-----	-----
Total Pro Shop	19,083.37	8,428.05	28,720.66	17,745.31	91,200.00
<b>Course</b>					
SIMULATOR	9.30		5,795.59	4,698.29	7,000.00
SIMULATOR NON-TAXABLE					600.00
SEASON PASS	39,114.82	9,336.24	139,920.34	160,249.24	169,000.00
SEASON PASS NON-TAX					3,500.00
GREEN FEES-WEEKENDS/HOLIDAYS	12,159.54	6,783.65	12,828.94	12,329.75	52,000.00
GRREN FEES NON-TAX	1,320.00	736.28	2,426.00	1,870.28	6,500.00
GREEN FEES - WEEKDAYS	8,160.13	4,843.87	8,579.13	8,422.48	70,000.00
GOLF CAR RENTAL	20,272.65	8,251.85	30,783.68	24,089.51	73,000.00
GOLF CAR STORAGE (NON-TAX)	2,173.71	1,291.10	15,071.82	19,922.87	21,600.00
TRAIL FEES	5,200.12	1,004.70	20,879.32	22,768.96	29,000.00
PULL CART RENTAL	48.62	56.10	97.24	149.60	500.00
GOLF CLUB RENTAL					800.00
DRIVING RANGE	4,287.56	2,295.02	7,733.37	7,569.95	18,500.00
DRIVING RANGE NON-TAX	224.00	21.72	224.00	21.72	800.00
HANDICAPING	1,619.43	680.63	6,956.51	7,792.56	8,500.00
LEAGUES					
JUNIOR GOLF PROGRAM					4,000.00
GOLF CART WRAPS			375.00	450.00	1,000.00
LEAGUE SOFTWARE ADS		4.00		4.00	
	-----	-----	-----	-----	-----
Total Course	94,589.88	35,305.16	251,670.94	270,339.21	466,900.00
Total Direct Revenues	145,750.80	62,404.86	322,016.59	325,032.20	719,800.00
	=====	=====	=====	=====	=====

Fox Run Golf Course  
Statement of Expenditures

	01May2018 31May2018	01May2017 31May2017	01Jan2018 31May2018	01Jan2017 31May2017	Legal Budget
Concessions					
CASH SHORT	501.18	92.62	605.36	261.57	1,200.00
PREPARED FOODS	2,186.26	3,480.13	3,547.44	5,520.23	22,000.00
CANDY	272.45	598.50	365.65	660.75	3,500.00
BEER	818.60	1,844.35	1,270.90	3,245.30	27,000.00
POP	607.19	1,349.45	648.54	1,670.85	9,000.00
	-----	-----	-----	-----	-----
Total Concessions	4,385.68	7,365.05	6,437.89	11,358.70	62,700.00
Pro Shop					
GOLF BALLS	1,673.22		7,355.30	1,076.49	10,000.00
GLOVES			3,320.80	2,778.45	3,000.00
GOLF CAPS/VISORS			1,553.25		1,000.00
MERCHANDISE	3,375.77	517.61	3,637.87	70.04	10,000.00
GOLF EQUIPMENT	13,070.28	4,618.44	27,234.29	13,689.00	15,000.00
TRADE IN GOLF EQUIPMENT					
CLUB REPAIRS	106.15	432.99	106.15	1,010.38	6,000.00
	-----	-----	-----	-----	-----
Total Pro Shop	18,225.42	5,569.04	43,207.66	18,624.36	45,000.00
Course					
GOLF CAR RENTAL			33,165.64	24,455.81	25,500.00
REIMBURSEMENT-GOLF SHED RENTAL					
PULL CART RENTAL					
DRIVING RANGE			4,704.00	4,109.00	4,200.00
HANDICAPING					7,800.00
JUNIOR GOLF PROGRAM					1,000.00
GOLF CART WRAPS					
LEAGUE SOFTWARE ADS					
	-----	-----	-----	-----	-----
Total Course			37,921.21	28,564.81	38,500.00
Total Direct Expenditures	22,611.10	12,934.09	87,566.76	58,547.87	146,200.00
	=====	=====	=====	=====	=====

Publishing Dates: June 25 & 28, 2018

## **NOTICE TO BIDDERS**

Sealed bids will be received by the City Commission of the City of 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 16<sup>th</sup> day of July, 2018 at which time they will be publicly opened and read in the Second Floor Meeting Room "A" at City Hall, 416 Walnut, Yankton, South Dakota. Disposition of said bids is expected to be held on the 23<sup>rd</sup> day of July 2018 at 7:00 P.M., in the Chambers of the City Commission at 1200 W. 21<sup>st</sup> Street, Yankton, South Dakota.

Bids will be received for the following:

### **City of Yankton Chan Gurney Municipal Airport Barrel Hanger Re-roof**

This project includes the following:

- Removal of existing roofing materials and shingles.
- Re-sheeting roof with 7/16-inch exposure 1 oriented strand board (Bid Alternate)
- Placement of new shingles, underlayment, trim, flashing and associated materials needed for a complete shingle installation.
- Re-roofing the asphalt bitumen roofing section with a new rubber-roof system including all flashing needed for a complete installation
- Repairing and replacing trim and soffits
- The project shall include all equipment, labor, materials and expertise necessary for a complete installation.

The contractor shall be responsible for inspecting the premises and identifying existing conditions and measurements.

Copies of the specifications may be obtained at the office of the Department of Community and Economic Development 416 Walnut Street, Yankton, South Dakota 57078 or by telephoning (605) 668-5251.

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 lowest bid.

Joe Morrow  
City of Yankton, South Dakota

**-THE CITY OF YANKTON IS AN EQUAL OPPORTUNITY EMPLOYER-**

**Yankton Taxable Sales and Sales Tax Receipts Due**

**Total Yankton Sales Tax (combined first penny, second penny, and BBB)**

	2015	2016	2017	2018		
	Total Tax Due	Total Tax Due	Total Tax Due	Total Tax Due	Monthly % Diff.	Accum. % Diff.
Jan	\$849,976	\$898,888	\$881,111	\$931,740	5.75%	5.75%
Feb	\$707,902	\$720,155	\$748,057	\$780,257	4.30%	5.08%
Mar	\$655,013	\$716,110	\$670,903	\$701,758	4.60%	4.94%
Apr	\$800,120	\$764,378	\$790,100	\$815,507	3.22%	4.50%
May	\$753,514	\$764,033	\$786,113	\$810,439	3.09%	4.22%
Jun	\$791,322	\$818,572	\$834,294			
Jul	\$862,407	\$856,690	\$933,678			
Aug	\$863,864	\$832,579	\$846,345			
Sep	\$819,745	\$857,562	\$834,196			
Oct	\$772,673	\$803,694	\$870,920			
Nov	\$782,979	\$794,862	\$828,894			
Dec	\$762,457	\$765,698	\$811,262			
<b>Totals</b>	<b>\$9,421,973</b>	<b>\$9,593,221</b>	<b>\$9,835,872</b>			

**Top Ten First Class Cities Plus Vermillion  
Through May**

Cities	2017	2018	
	Total Tax Due	Total Tax Due	Accum. % Diff.
Sioux Falls	\$51,960,455	\$54,273,279	4.45%
Rapid City	\$23,440,465	\$23,543,332	0.44%
Aberdeen	\$7,434,307	\$7,805,308	4.99%
Watertown	\$6,140,684	\$6,414,008	4.45%
Brookings	\$5,898,767	\$5,965,025	1.12%
Mitchell	\$4,569,261	\$4,834,916	5.81%
Yankton	\$3,876,283	\$4,039,700	4.22%
Pierre	\$3,347,241	\$3,402,004	1.64%
Spearfish	\$3,012,680	\$3,132,365	3.97%
Huron	\$2,749,943	\$2,964,481	7.80%
Vermillion	\$1,596,706	\$1,586,358	-0.65%
<b>Totals</b>	<b>\$114,026,792</b>	<b>\$117,960,778</b>	<b>3.45%</b>

**Yankton Taxable Sales and Sales Tax Receipts Due**

**Yankton Sales Tax (first and second penny combined)**

	2015		2016		2017		2018			
	General Taxable Sales	General Tax Due	General Taxable Sales	General Tax Due	General Taxable Sales	General Tax Due	General Taxable Sales	General Tax Due	Monthly % Diff.	Accum. % Diff.
Jan	\$40,005,454	\$800,502	\$42,469,953	\$850,457	\$41,624,934	\$832,527	\$43,963,784	\$880,367	5.75%	5.75%
Feb	\$32,859,742	\$657,372	\$33,620,236	\$672,805	\$34,591,106	\$698,955	\$36,611,583	\$732,802	4.84%	5.33%
Mar	\$30,707,640	\$614,617	\$33,071,639	\$666,827	\$31,409,630	\$628,413	\$32,806,331	\$656,668	4.50%	5.09%
Apr	\$37,554,403	\$753,857	\$35,814,797	\$717,021	\$36,980,518	\$739,796	\$37,900,165	\$759,728	2.69%	4.48%
May	\$35,318,461	\$707,146	\$35,670,433	\$713,445	\$36,830,743	\$736,702	\$37,962,931	\$762,156	3.46%	4.27%
Jun	\$36,810,258	\$738,560	\$38,014,836	\$764,051	\$38,941,946	\$779,687				
Jul	\$40,178,479	\$805,573	\$40,038,133	\$800,806	\$43,250,834	\$874,067				
Aug	\$39,861,102	\$800,036	\$38,414,224	\$771,508	\$39,119,479	\$782,738				
Sep	\$38,022,599	\$760,707	\$39,941,412	\$800,981	\$38,890,159	\$778,389				
Oct	\$36,110,867	\$723,851	\$37,347,465	\$747,035	\$40,326,340	\$810,454				
Nov	\$36,658,409	\$733,577	\$37,134,407	\$743,292	\$38,865,087	\$777,730				
Dec	\$35,915,704	\$720,336	\$36,046,055	\$721,999	\$37,911,167	\$758,468				
<b>Totals</b>	<b>\$440,003,118</b>	<b>\$8,816,135</b>	<b>\$447,583,589</b>	<b>\$8,970,226</b>	<b>\$458,741,942</b>	<b>\$9,197,927</b>				

**Yankton BBB Sales Tax**

	2015		2016		2017		2018			
	BBB Taxable Sales	BBB Tax Due	BBB Taxable Sales	BBB Tax Due	BBB Taxable Sales	BBB Tax Due	BBB Taxable Sales	BBB Tax Due	Monthly % Diff.	Accum. % Diff.
Jan	\$4,947,368	\$49,474	\$4,843,075	\$48,431	\$4,858,386	\$48,584	\$5,137,286	\$51,373	5.74%	5.74%
Feb	\$5,052,952	\$50,530	\$4,734,979	\$47,350	\$4,879,644	\$49,101	\$4,745,451	\$47,454	-3.35%	1.17%
Mar	\$4,039,693	\$40,397	\$4,928,340	\$49,283	\$4,248,966	\$42,490	\$4,508,928	\$45,089	6.12%	2.67%
Apr	\$4,626,338	\$46,263	\$4,735,739	\$47,357	\$5,030,400	\$50,304	\$5,573,439	\$55,779	10.88%	4.84%
May	\$4,636,808	\$46,368	\$5,058,772	\$50,588	\$4,941,116	\$49,411	\$4,828,282	\$48,283	-2.28%	3.37%
Jun	\$5,276,114	\$52,761	\$5,452,029	\$54,520	\$5,460,679	\$54,607				
Jul	\$5,681,807	\$56,834	\$5,588,416	\$55,884	\$5,961,050	\$59,610				
Aug	\$6,266,342	\$63,828	\$6,106,205	\$61,072	\$6,341,098	\$63,606				
Sep	\$5,903,828	\$59,038	\$5,658,190	\$56,582	\$5,580,671	\$55,807				
Oct	\$4,882,161	\$48,822	\$5,665,879	\$56,659	\$6,046,602	\$60,466				
Nov	\$4,940,215	\$49,402	\$5,156,961	\$51,570	\$5,076,991	\$51,164				
Dec	\$4,212,060	\$42,121	\$4,369,933	\$43,699	\$5,279,448	\$52,795				
<b>Totals</b>	<b>\$60,465,686</b>	<b>\$605,837</b>	<b>\$62,298,518</b>	<b>\$622,995</b>	<b>\$63,705,051</b>	<b>\$637,945</b>				

# Municipal Tax Due for Returns Filed in May 2018 and 2017

CITY	2018	2017	% Change
Sioux Falls	10,822,601.25	10,422,420.28	3.84
Aberdeen	1,496,357.39	1,458,315.96	2.61
Brookings	1,132,059.45	1,174,174.36	-3.59
Yankton	810,439.10	786,112.81	3.09
Spearfish	631,894.49	609,093.11	3.74

CITY	2018	2017	% Change
Rapid City	4,433,524.15	4,631,671.53	-4.28
Watertown	1,222,408.14	1,231,290.42	-0.72
Mitchell	933,065.31	933,441.07	-0.04
Pierre	657,588.30	669,390.06	-1.76
Huron	546,535.05	581,083.46	-5.95

CITY	2018	2017	%	CITY	2018	2017	%	CITY	2018	2017	%
Akaska	1,644.35	4,221.06	-61.04	Corsica	24,780.75	72,593.92	-65.86	Hill City	41,328.29	44,546.61	-7.22
Alcester	18,260.60	14,427.08	26.57	Crooks	16,468.66	13,507.15	21.93	Hitchcock	1,932.04	2,532.58	-23.71
Alexandria	9,244.91	9,794.29	-5.61	Custer	111,357.06	102,578.63	8.56	Hosmer	5,033.75	5,946.78	-15.35
Alpena	11,500.53	16,040.19	-28.30	Dallas	2,032.12	2,248.18	-9.61	Hot Springs	127,029.00	120,647.66	5.29
Andover	1,433.68	787.49	82.06	Dante	563.78		0.00	Hoven	11,024.45	11,047.89	-0.21
Arlington	36,384.07	27,774.84	31.00	Davis	2,105.68	833.50	152.63	Howard	30,858.67	31,681.89	-2.60
Armour	27,190.23	19,113.89	42.25	De Smet	37,713.80	42,456.90	-11.17	Hudson	11,403.46	9,561.19	19.27
Artesian	1,395.69	-1,096.16	-227.33	Deadwood	207,549.76	165,525.36	25.39	Humboldt	16,453.35	12,948.83	27.06
Ashton	1,128.24	1,710.35	-34.03	Dell Rapids	86,817.92	93,718.37	-7.36	Hurley	5,233.55	4,361.77	19.99
Astoria	1,148.95	1,387.32	-17.18	Delmont	3,003.77	4,112.69	-26.96	Interior	4,740.04	2,233.32	112.24
Aurora	6,496.81	6,645.37	-2.24	Dimock	2,257.29	2,520.78	-10.45	Ipswich	29,423.91	41,526.37	-29.14
Avon	12,816.96	12,628.39	1.49	Doland	5,146.78	5,200.27	-1.03	Irene	7,359.50	7,197.88	2.25
Baltic	10,852.38	11,625.33	-6.65	Dupree	3,931.92	3,608.70	8.96	Iroquois	2,015.22	1,949.17	3.39
Belle Fourche	204,535.21	207,195.40	-1.28	Eagle Butte	31,902.91	33,032.63	-3.42	Isabel	6,043.62	5,627.79	7.39
Belvidere	1,567.27	678.82	130.88	Eden	1,639.70	1,959.60	-16.32	Java	1,334.57	2,281.64	-41.51
Beresford	87,069.11	68,374.56	27.34	Edgemont	29,712.51	18,688.74	58.99	Jefferson	10,057.60	13,080.94	-23.11
Big Stone City	26,075.06	10,969.12	137.71	Egan	3,220.49	2,871.34	12.16	Kadoka	19,791.54	20,649.09	-4.15
Bison	21,095.39	11,704.59	80.23	Elk Point	43,186.28	40,729.03	6.03	Kennebec	7,744.12	8,854.79	-12.54
Blunt	3,803.54	3,541.52	7.40	Elkton	14,026.59	15,280.91	-8.21	Keystone	33,034.09	30,974.18	6.65
Bonesteel	6,483.84	5,935.04	9.25	Emery	10,462.99	10,300.27	1.58	Kimball	20,392.26	26,796.15	-23.90
Bowdle	7,222.10	11,381.24	-36.54	Estelline	14,105.21	11,234.98	25.55	Kranzburg	2,468.69	2,557.18	-3.46
Box Elder	141,063.03	144,114.97	-2.12	Ethan	6,526.63	7,570.63	-13.79	La Bolt	957.05	5,295.97	-81.93
Bradley	2,601.12	1,001.02	159.85	Eureka	27,470.59	22,963.54	19.63	Lake Andes	20,678.92	14,148.61	46.16
Brandon	271,526.90	269,026.86	0.93	Fairfax	2,987.99	3,158.78	-5.41	Lake City	605.73		0.00
Brandt	2,003.37	1,473.54	35.96	Fairview	703.32	1,114.80	-36.91	Lake Norden	76,229.65	23,346.38	226.52
Bridgewater	7,649.58	7,927.46	-3.51	Faith	18,004.12	20,058.01	-10.24	Lake Preston	14,116.04	11,669.10	20.97
Bristol	4,465.90	9,800.79	-54.43	Faulton	25,508.15	25,875.61	-1.42	Langford	4,683.74	4,747.40	-1.34
Britton	54,772.83	52,192.32	4.94	Flandreau	52,956.38	61,067.97	-13.28	Lead	53,276.91	50,322.88	5.87
Bruce	3,662.28	2,156.79	69.80	Florence	2,995.91	3,515.43	-14.78	Lemmon	47,639.98	56,753.33	-16.06
Bryant	13,243.50	11,943.16	10.89	Fort Pierre	92,257.65	96,819.06	-4.71	Lennox	49,040.87	50,509.69	-2.91
Buffalo	12,378.63	12,581.08	-1.61	Frankfort	1,621.65	2,175.58	-25.46	Leola	7,068.42	7,255.79	-2.58
Buffalo Chip	3,275.43	2,768.46	18.31	Frederick	1,696.19	2,455.70	-30.93	Lesterville	2,413.34	1,635.19	47.59
Burke	24,404.92	30,340.25	-19.56	Freeman	47,302.58	30,744.83	53.86	Letcher	2,579.22	2,948.26	-12.52
Camp Crook	592.60	600.17	-1.26	Garretson	28,972.77	38,696.14	-25.13	Madison	254,482.09	273,806.89	-7.06
Canistota	13,127.82	11,579.14	13.37	Gary	2,289.76	2,635.67	-13.12	Marion	20,761.94	28,216.31	-26.42
Canova	1,598.45	2,019.16	-20.84	Gayville	3,572.65	7,449.19	-52.04	Martin	39,446.34	44,795.31	-11.94
Canton	99,038.95	83,937.80	17.99	Geddes	3,532.14	3,767.60	-8.25	McIntosh	2,155.72	2,736.30	-21.22
Carthage	2,682.79	1,834.67	46.23	Gettysburg	39,879.72	42,637.44	-6.47	McLaughlin	11,390.51	5,721.12	99.10
Castlewood	14,438.87	16,505.07	-12.52	Glenham	1,589.51	2,903.91	-45.26	Mellette	3,909.42	4,030.44	-3.00
Cavour	1,882.74	2,047.83	-8.06	Gregory	49,642.95	52,230.20	-4.95	Menno	18,720.10	17,614.82	6.27
Centerville	11,658.28	13,482.73	-13.53	Grenville	764.58	1,343.31	-43.08	Midland	4,775.98	4,831.20	-1.14
Central City	6,055.75	4,095.32	47.87	Groton	43,278.51	41,673.42	3.85	Milbank	179,268.85	179,653.84	-0.21
Chamberlain	106,351.31	123,339.67	-13.77	Harrisburg	113,135.07	89,544.44	26.35	Miller	58,330.45	63,914.39	-8.74
Chancellor	6,746.50	4,587.15	47.07	Harrod	4,620.63	4,280.88	7.94	Mission	30,318.24	32,282.66	-6.09
Clark	37,215.92	36,144.64	2.96	Hartford	64,639.68	39,248.65	64.69	Mobridge	131,344.64	145,779.61	-9.90
Clear Lake	32,372.03	47,252.69	-31.49	Hayti	10,843.29	7,400.67	46.52	Monroe	809.00	902.77	-10.39
Colman	13,132.75	15,477.95	-15.15	Hazel	991.15	1,214.27	-18.37	Montrose	5,735.02	7,130.49	-19.57
Colome	5,931.84	4,471.63	32.65	Hecla	3,555.42	4,467.14	-20.41	Morristown	711.88	384.37	85.21
Colton	11,644.41	9,344.97	24.61	Henry	1,518.90	1,831.13	-17.05	Mound City	1,216.66	1,236.42	-1.60
Columbia	1,988.78	2,265.56	-12.22	Hermosa	14,794.27	11,044.72	33.95	Mount Vernon	7,218.61	6,640.28	8.71
Conde	7,864.27	949.53	728.23	Herreid	15,843.84	14,781.75	7.19	Murdo	30,920.67	31,506.75	-1.86
Corona	1,456.54	1,341.24	8.60	Highmore	26,372.89	30,623.94	-13.88	New Effington	2,590.10	3,761.07	-31.13



# Municipal Tax Due for Returns Filed in May 2018 and 2017

CITY	2018	2017	% Change	CITY	2018	2017	% Change
Sioux Falls	10,822,601.25	10,422,420.28	3.84	Rapid City	4,433,524.15	4,631,671.53	-4.28
Aberdeen	1,496,357.39	1,458,315.96	2.61	Watertown	1,222,408.14	1,231,290.42	-0.72
Brookings	1,132,059.45	1,174,174.36	-3.59	Mitchell	933,065.31	933,441.07	-0.04
Yankton	810,439.10	786,112.81	3.09	Pierre	657,588.30	669,390.06	-1.76
Spearfish	631,894.49	609,093.11	3.74	Huron	546,535.05	581,083.46	-5.95

CITY	2018	2017	%	CITY	2018	2017	%	CITY	2018	2017	%
New Underwood	7,829.48	7,770.11	0.76	Utica	481.53	506.17	-4.87				
Newell	19,461.76	13,411.20	45.12	Valley Springs	9,574.74	7,501.21	27.64				
Nisland	1,852.46	1,972.76	-6.10	Veblen	3,758.43	4,217.64	-10.89				
North Sioux City	324,040.80	168,198.75	92.65	Vermillion	316,305.89	335,067.58	-5.60				
Oacoma	40,991.26	42,816.26	-4.26	Viborg	21,032.87	24,212.39	-13.13				
Oldham	1,012.67	5,413.54	-81.29	Volga	39,770.15	37,321.40	6.56				
Olivet	612.28	561.28	9.09	Volin	2,813.49	1,536.97	83.05				
Onida	32,636.52	15,341.50	112.73	Wagner	63,307.01	60,384.55	4.84				
Orient	1,139.56	1,073.02	6.20	Wakonda	6,231.05	18,312.89	-65.97				
Parker	26,957.46	24,009.59	12.28	Wall	64,195.55	136,066.28	-52.82				
Parkston	51,744.76	55,670.65	-7.05	Wallace	661.33	798.46	-17.17				
Peever	1,374.09	1,628.75	-15.64	Ward	1,368.44	29.31	4,568.85				
Philip	40,488.01	39,618.45	2.19	Warner	5,364.98	3,659.82	46.59				
Pickstown	6,551.18	6,851.97	-4.39	Wasta	257.36	293.83	-12.41				
Piedmont	18,318.60	16,885.68	8.49	Waubay	8,695.32	8,970.79	-3.07				
Pierpont	1,461.29	1,287.07	13.54	Webster	72,554.86	97,169.55	-25.33				
Plankinton	15,342.73	14,523.75	5.64	Wentworth	6,612.87	3,076.79	114.93				
Platte	51,090.17	59,651.82	-14.35	Wessington	5,055.53	4,932.83	2.49				
Pollock	11,345.77	6,813.49	66.52	Wessington Springs	29,934.57	23,588.02	26.91				
Presho	10,973.58	11,612.27	-5.50	Westport	1,104.93	1,502.76	-26.47				
Pringle	1,548.22	2,398.60	-35.45	White	7,404.40	5,181.05	42.91				
Pukwana	3,192.06	3,187.09	0.16	White Lake	9,954.20	5,827.44	70.82				
Quinn	686.80	413.31	66.17	White River	13,382.22	12,815.44	4.42				
Ramona	2,022.70	2,528.16	-19.99	Whitewood	21,013.35	26,484.21	-20.66				
Redfield	80,608.86	82,026.19	-1.73	Willow Lake	4,932.52	8,093.80	-39.06				
Reliance	3,905.51	3,465.10	12.71	Wilmot	10,116.06	10,117.58	-0.02				
Reville	1,544.06	2,385.13	-35.26	Winner	130,852.62	134,639.20	-2.81				
Roscoe	7,769.24	10,624.01	-26.87	Witten	736.50	509.84	44.46				
Rosholt	8,213.77	5,876.69	39.77	Wolsey	8,040.01	10,612.45	-24.24				
Roslyn	2,669.83	2,630.29	1.50	Wood	635.30	788.11	-19.39				
Saint Lawrence	2,604.90	3,182.28	-18.14	Woonsocket	18,055.04	14,253.50	26.67				
Salem	37,188.37	37,435.12	-0.66	Worthing	10,029.29	9,028.82	11.08				
Scotland	26,296.32	30,938.25	-15.00	Yale	1,098.14	708.01	55.10				
Selby	15,804.74	16,408.73	-3.68								
Sherman	355.66	710.05	-49.91								
Sisseton	94,441.86	88,188.86	7.09								
South Shore	766.42	938.01	-18.29								
Spencer	1,778.34	1,786.31	-0.45								
Springfield	23,830.79	18,029.60	32.18								
Stickney	8,862.33	8,951.01	-0.99								
Stratford	788.58	1,057.91	-25.46								
Sturgis	224,760.14	240,727.59	-6.63								
Summerset	53,535.13	53,842.56	-0.57								
Summit	10,418.48	12,062.62	-13.63								
Tabor	11,411.72	5,669.72	101.27								
Tea	120,746.02	111,827.57	7.98								
Timber Lake	14,630.12	17,207.21	-14.98								
Toronto	7,243.93	3,774.95	91.89								
Trent	1,216.70	1,350.62	-9.92								
Tripp	20,316.17	7,035.90	188.75								
Tulare	4,474.98	2,526.39	77.13								
Tyndall	27,495.44	21,369.75	28.67								

The dollar amounts in this report are a result of municipal tax due and municipal gross receipts tax due reported on the SD tax returns. These figures include amounts paid through Audits.

NOTICE OF HEARING UPON APPLICATION  
FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN that an application has been received by the Board of City Commissioners of the City of Yankton, South Dakota, for a Special Events RETAIL (on-sale) Malt Beverage License for 1 day, September 15, 2018 for Heritage Home Inc. (Rachel Cure, President), 509 Pine Street (yard party), Yankton, S.D.

NOTICE IS FURTHER GIVEN that a Public Hearing upon the application will be held on Monday, July 9, 2018 at 7:00 p.m. in the City of Yankton Community Meeting Room at the Technical Education Center, 1200 West 21<sup>st</sup> Street, Yankton, South Dakota, where any person or persons interested in the approval or rejection of the above application may appear and be heard.

Dated at Yankton, South Dakota,  
this 25<sup>th</sup> day of June, 2018.



Al Viereck  
FINANCE OFFICER

\_\_\_\_ Voice vote

***Memorandum #18-135***

*To: City Manager*  
*From: Finance Officer*  
*Date: June 19, 2018*  
*Subject: Peddler's License*

We have received the following application for a Peddler's License:

Southwestern Advantage  
2451 Atrium Way  
Nashville, TN 37105

Southwestern Advantage is requesting a license for 1 person to go house-to-house to sell Educational Books.

A check with the State Sales Tax Office revealed that the business does have a State Sales Tax Number.

City Code also requires each applicant to pay a fee of \$75.00 per person per week and file a bond with the Finance Officer. The fee and bond have been received.

The applicant is in compliance with all police codes as checked by the Yankton Police Department.



Al Viereck  
Finance Officer

**Summary of Assessment Roll and Hearing  
Memorandum # 18-131**

**To:** Amy Nelson, City Manager  
**From:** Brad Bies, Special Project Support/Code Enforcement Official  
**Subject:** Summary of 2018 Assessment Roll and Hearing–Nuisance Abatement  
**Date:** June 15, 2018

Previously, June 25, 2018 was the date established for a public hearing at which time the costs will be assigned to properties that required abatement services arranged by the City. The attached 2018 Special Assessment Roll for Nuisance Abatement documents the assessable costs. Letters have been sent notifying the affected property owners of costs associated with the nuisance abatements. The roll has been updated to reflect those properties that have made payment. The below schedule has been undertaken to complete the special assessment process:

May 15, 2018	Department of Community and Economic Development files special assessment roll with Finance Officer.
May 29, 2018	City Commission sets public hearing for June 25, 2018
June 7, 2018	Department of Community and Economic Development sends notice of hearing to affected property owners.
June 7, 2018	Department of Community and Economic Development publishes notice of hearing in Press & Dakotan. Publishing dates of June 7 and June 14, 2018.
June 25, 2018	City Commission holds public hearing on assessment roll and approves resolution.
June 26, 2018	Finance Department sends notice to property owners giving amount of assessment, installments, etc.
July 2018	Finance Department publishes resolution with June 25 Commission Minutes.
July 26, 2018	Final date property owners can pay entire assessment without interest.
January 1, 2019	First special assessment installment due.

**Recommendation: It is recommended that the Board of Commissioners approve Resolution #18-29 approving the 2018 Special Assessment Roll for Nuisance Abatement.**

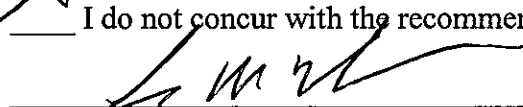
Respectfully submitted,



Brad Bies  
Special Project Support/Code Enforcement Official

Attachments

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



\_\_\_\_\_  
Amy Nelson, City Manager

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

**RESOLUTION #18-29**

**A RESOLUTION APPROVING THE 2018 SPECIAL ASSESSMENT ROLL FOR  
ABATEMENT OF NUISANCES**

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 abatement of nuisances 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 July 26, 2018, 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.

Adopted:

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Nathan V. Johnson  
Mayor

ATTEST:

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Al Viereck  
Finance Officer

**2018 SPECIAL ASSESSMENT ROLL  
FOR  
NUISANCE ABATEMENT  
CITY OF YANKTON, SOUTH DAKOTA**

TO THE CITY FINANCE OFFICER OF THE CITY OF YANKTON

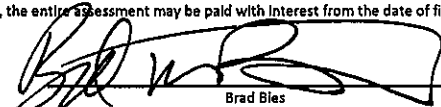
I, Brad Bles, Special Project Support/Code Enforcement Official, herewith file with you, as provided by law, the Special Assessment Roll within the City of Yankton.

The description of the property so assessed, with the names of the owners, and the amount assessed to each lot, piece or parcel is shown as follows, to wit:

PROPERTY OWNER (Deed Holder)	PROPERTY OWNER MAILING ADDRESS	PROPERTY DESCRIPTION Legal Description	PROPERTY ADDRESS	ASSESSMENT AMOUNT	ABATEMENT CATEGORY
Andrew Hayward	840 N SPRUCE ST LT 139 RAPID CITY SD, 57701	LT 16 BLK 44 CENTRAL YANKTON	513 Green Street	\$ 74.55	Nuisance Vegetation
Susan Wilson	613 Walnut Street, Apt. 203 Yankton, SD 57078	LT 5 BLK 74 TODD'S	708 Walnut Street	\$ 8,541.30	Abandoned and Dangerous Buildings
Mike & Linda Scott	728 E. El Dorado Drive Sioux Falls, SD 57108	LT 4 BLK 3 TRIPP & HARRIS	1020 Broadway Avenue	\$ 274.77	Nuisance Abatement
AMY STEPHENSON	514 Maple Street Yankton, SD 57078	E2 LTS 8 & 9 BLK 37 WITHERSPOON'S	508 West 4th Street	\$ 63.90	Sidewalk Snow Removal
PUPPETMASTER INC	907 WALNUT ST YANKTON, SD 57078	LT 14 BLK 68 LOWER YANKTON	409 BURLEIGH ST	\$ 127.80	Street Tree Trimming
MARY DIEDE	506 EAST 5TH ST YANKTON, SD 57078	W50' LTS 10 & 11 BLK 52 LOWER YANKTON	506 EAST 5TH ST	\$ 127.80	Street Tree Trimming
MICHAEL MURPHY	310 EAST 5TH ST YANKTON, SD 57078	LT 10 EXC W57' BLK 29 LOWER YANKTON	310 EAST 5TH ST	\$ 127.80	Street Tree Trimming
WARREN & MARGO PETERSON	714 WALNUT ST YANKTON, SD 57078	S29' LT 2 & N15' LT 3 BLK 74 TODD'S	714 WALNUT ST	\$ 74.55	Street Tree Trimming
BEVERLY SPARKS	1106 PEARL ST YANKTON, SD 57078	LTS 5 & 6 BLK 11 TAYLOR & SARGENT'S	1106 PEARL ST	\$ 74.55	Street Tree Trimming
CHARLES FRIEBERG	2019 CEDAR ST YANKTON, SD 57078	N8' LT 31 & ALL LT 32 BLK 3 ELM'S	2019 CEDAR ST	\$ 127.80	Street Tree Trimming
PHIL SPADY CHRYSLER-JEEP-DODGE	316 CAPITOL ST YANKTON, SD 57078	LT 1 BLK 1 HIGHLAND PARK	2108 DOUGLAS AVE	\$ 127.80	Street Tree Trimming
MICHELLE KEMNITZ	201 JAMES PL YANKTON, SD 57078	LT 5 BLK 2 HIGHLAND PARK	201 JAMES PL	\$ 127.80	Street Tree Trimming
FRANK & JANET MESSNER	602 JAMES PL YANKTON, SD 57078	LT 7 BLK 6 GOLF TERRACE	610 JAMES PL	\$ 74.55	Street Tree Trimming
MICHAEL PALU	406 CEDAR STREET YANKTON, SD 57078	LT 6 & N28' E60' LT 7 BLK 34 TODD'S	406 Cedar Street	\$ 58.58	Sidewalk Snow Removal
<b>TOTAL ASSEMENTS</b>				\$ 10,003.55	

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 July 26, 2018, 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.

  
 Brad Bles  
 Special Project Support/Code Enforcement Official

Filed in the office of the City Finance Officer on May 15, 2018. Amended June 18, 2018.

Al Viereck  
 Finance Officer

***Memorandum #18-128***

*To: City Manager*  
*From: Finance Department*  
*Date: June 14, 2018*  
*Subject: Special Events Malt Beverage/Wine License-The Center*

We have received an application for a Special Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for 1 day, July 21, 2018, from The Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, S.D.

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



Al Viereck  
Finance Officer

***Memorandum #18-129***

*To: City Manager*  
*From: Finance Department*  
*Date: June 14, 2018*  
*Subject: Special Events Malt Beverage/Wine License-The Center*

We have received an application for a Special Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for 1 day, July 28, 2018, from The Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, S.D.

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



Al Viereck  
Finance Officer



**Ordinance No. 1009**

**An Ordinance amending the permissible uses of revenue from the “second penny” sales tax. Be it ordained that:**

**Yankton Ordinance Sec. 22<sup>1</sup>/<sub>2</sub>-23 shall be amended to read as follows:**

**Sec. 22<sup>1</sup>/<sub>2</sub>-23. - Use of revenue from rate over one per cent up to one and eighty-six hundredths per cent.**

Any revenues received under sections 22<sup>1</sup>/<sub>2</sub>-17 and 22<sup>1</sup>/<sub>2</sub>-20 in excess of one (1) per cent up to one and eighty-six hundredths (1.86) per cent, may be used only for the purpose of capital improvements, land acquisition, street maintenance and operations, and debt retirement for a joint building project with the city school district (Summit Activities Center) including parking, street improvements, and utility improvements attendant thereto and for street construction and storm sewer improvements. Any revenues up to one (1) per cent and in excess of the one and eighty-six hundredths (1.86) per cent will have no restrictions on use.

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

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Nathan V Johnson, Mayor

Attest:

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Al Viereck, Finance Officer

**Memorandum #18-133**

**To:** Amy Nelson, City Manager  
**From:** Corey Potts, Public Works Manager  
**Subject:** 2018-2019 Annual Supply of Transport/Tank wagon Petroleum Products  
**Date:** June 18, 2018

Bids were sent to five area suppliers for the City's "Annual Supply of Transport-Tankwagon Petroleum Products" (fuel bids), Project #2018-021. The bid received represent the suppliers handling costs (profit margin), which are added to the OPIS (Oil Price Information Service) daily published price on the date the product is ordered.

With the volatile fuel market, the City began using OPIS in July of 2000 to address market fluctuation. The information provided by OPIS is used to set the price for fuel and the specific product is then ordered.

Four bids were received for handling fuel products. The low bidder provided the fuel product handling bid outlined on the tabulation below, which City Staff recommends that following items be awarded to the supplier listed below.

<b><i>Transport/Tank wagon Petroleum Products:</i></b>	<b><i>Supplier</i></b>	<b><i>Proposed 2018-19 Price</i></b>	<b><i>2017- 2018 Price</i></b>
Gasoline – Lead Free (Transport)	Country Pride Cooperative	\$0.005 gal	\$0.0075
- Lead Free (Tankwagon)	Country Pride Cooperative	\$0.005 gal	\$0.1300
<b>Diesel Fuel:</b>			
<b>Dyed:</b>			
No. 1 (Transport)	Country Pride Cooperative	\$0.0074 gal	\$0.0075
No. 1 (Tankwagon)	Country Pride Cooperative	\$0.0074 gal	\$0.1300
No 2 (Transport)	Country Pride Cooperative	\$0.0074 gal	\$0.0075
No. 2 (Tankwagon)	Country Pride Cooperative	\$0.0074 gal	\$0.1300
No 1 & No. 2 50/50 Mix (Transport)	Country Pride Cooperative	\$0.0074 gal	\$0.0075
No. 1 & No.2 50/50 Mix (Tankwagon)	Country Pride Cooperative	\$0.0074 gal	\$0.1300
<b>Clear or Hwy</b>			
No. 1 (Transport)	Country Pride Cooperative	\$0.0074 gal	\$0.0075
No. 2 (Transport)	Country Pride Cooperative	\$0.0074 gal	\$0.0075
No. 1 & No. 2 50/50 Mix (Transport)	Country Pride Cooperative	\$0.0074 gal	\$0.0075

Roll call

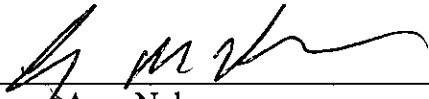
**Recommendation: It is recommended that the City Commission award the bids to the corresponding supplier listed above as detailed in Memorandum #18-133.**

Respectfully submitted,



Corey Potts  
Public Works Manager

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

  
\_\_\_\_\_  
Amy Nelson  
City Manager

\_\_\_\_ Roll call

**Memorandum #18-134**

**To:** Amy Nelson, City Manager  
**From:** Bradley Moser, Civil Engineer  
**Subject:** Bid Award for the Highway 50 Sidewalk Project from Paddlewheel Drive to Ferdig Avenue  
**Date:** June 19, 2018

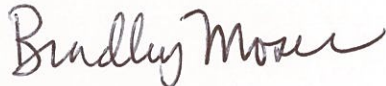
As part of an Agreement with the South Dakota Department of Transportation (SDDOT), the City of Yankton is responsible for having sidewalk installed along the south side of Highway 50, from Paddlewheel Drive to Ferdig Avenue. On June 14, 2018, bids were open to complete this work.

The 4 bids received, for the project, are listed below:

- |   |              |
|---|--------------|
| 1. D&G Concrete Construction, Inc., Sioux Falls, SD | \$248,709.03 |
| 2. Masonry Components, Inc., Yankton, SD            | \$253,291.80 |
| 3. C&C Concrete Construction, Inc.                  | \$304,605.65 |
| 4. Hulstein Excavating, Inc., Edgerton, MN          | \$486,663.15 |

The low bidder meets the specifications and is \$22,016.47 lower than the Engineer's estimate of \$270,725.50, for the project. Based on their work history and a review of the bids submitted, City staff recommends that the bid be awarded to D&G Concrete Construction, Inc., in the amount of \$248,709.03.

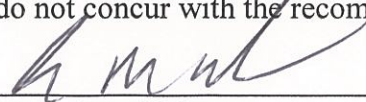
Respectfully submitted,



Bradley Moser  
Civil Engineer

**Recommendation:** It is recommended that the City Commission award the contract to D&G Concrete Construction, Inc., in the amount of \$248,709.03, as explained in Memorandum #18-134.

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



Amy Nelson  
City Manager

cc: Adam Haberman  
file

\_\_\_\_\_ Roll call

## Memorandum #18-141

To: Yankton City Commission

From: Ross Den Herder, City Attorney

Date: June 19, 2018

Re: Updated Vehicles for Hire and TNC Ordinance

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Since Liberty Mobility Now closed up shop, the City of Yankton has not had a transportation network company (“TNC”) through which Yankton’s citizens can book rides using a smartphone app. While there is nothing the City can do to compel similar companies to provide their services in Yankton, there is definitely public demand for this kind of service, as well as folks that wish to drive vehicles for this type of service. It appears that in order to entice a TNC to serve Yankton, we need a new regulatory structure under which those companies can more easily function.

As a bit of background, under the City’s current “vehicles for hire” (taxicab) licensing ordinances, TNC’s fall within the City’s definition of “taxicab.” Lyft has expressed interest in coming to Yankton. However, they do not believe they are capable of complying with our current ordinance as written. If we want them to do business here, they are requiring a change to the local ordinance, as they have done in other communities like Sioux Falls, Brookings, and Vermillion. Liberty was able to comply with our current ordinance, but their operation was much smaller and they maintained a business manager in Yankton. That is not realistically possible for such a decentralized company like Lyft.

In light of the foregoing, Mayor Johnson, City Manager Nelson, and certain interested citizens requested that I update the existing taxicab licensing ordinance to create a framework more fitting for TNCs to encourage such companies to enter the Yankton marketplace, while still maintaining reasonable minimum standards for public safety. This revised ordinance attempts to maintain a “level playing field” for licensure of our local taxicab operators and TNCs, yet contemplates different methods under which the taxicab and TNC vehicles and drivers are screened. The City will continue to screen taxicab operators and drivers as part of the annual licensure process, albeit in a slightly less burdensome manner. The TNC companies must maintain a master license, but they are required to screen and maintain their drivers and vehicles with reporting obligations to the City.

I worked with staff and legal counsel of Lyft to confirm that this revised ordinance is a framework with which that company can and will comply. The TNC portion of this ordinance is very similar to the ordinance recently drafted and approved by the City of Brookings, which

\_\_\_\_\_ Establish hearing date

appears to be working in that City. I believe this modified ordinance strikes the right balance of maintaining standards to keep the public safe, while creating the environment in which both taxicab operators and TNCs can reasonably function under similar rules. I recommend passage, and I look forward to discussing this with all of you at the public hearing.

-Ross K. Den Herder, City Attorney

\_\_\_\_\_ Establish hearing date

**An Ordinance amending vehicles for hire regulations within the City of Yankton to accommodate transportation network companies. Be it ordained that:**

**Division 1 of Chapter 13, Article III, of the City of Yankton Code of Ordinances shall be retitled as follows:**

**Division 1. Vehicles for Hire and Transportation Network Companies**

**The Following Sections of Division 1 of Chapter 13, Article III shall be revised to read as follows:**

**Sec. 13-36. *Definitions***

As used in this chapter, the following terms shall have the meanings ascribed to them:

*For hire* shall mean for remuneration of any kind, paid or promised, either directly or indirectly, for the transportation of persons.

*Taxicab Operator* shall mean any person or business entity (excluding any governmental entity or subdivision ~~or~~, a non-profit entity designated as such under the provisions of 501(c) of the Internal Revenue Code, or a Transportation Network Company or TNC Driver) operating any motor vehicle upon the public highways in the City for the transportation of people for hire, such transportation beginning in the City, and having one of the following located within the jurisdictional limits of the City of Yankton:; (1) the location of its principal business office, (2) the location where the motor vehicles used for hire are parked when not in use, or (3) the majority of its for hire transportation business beginning or ending within the City of Yankton.

*Motor Vehicle* shall mean any vehicle or machine propelled by any power other than muscular used upon the public highways in the City for the transportation of persons or property or both.

*Transportation Network Company or TNC* shall mean a corporation, partnership, sole proprietorship, or other entity that uses a digital network to connect transportation network company riders to transportation network company drivers who provide prearranged rides and that does not control, direct, or manage the TNC vehicles or TNC drivers that connect to its digital network, except where agreed to by written contract;

*Transportation Network Company Driver or TNC Driver* shall mean a person who receives connections to potential riders and related services from a TNC in exchange for payment of a fee to the TNC and who uses a TNC vehicle to provide a prearranged ride to riders upon

connection through a digital network controlled by a TNC in return for compensation or payment of a fee;

Transportation Network Company Rider or TNC Rider shall mean a person who uses a TNC's digital network to connect with a transportation network driver who provides a prearranged ride to the person in a TNC vehicle between points chosen by the person.

Transportation Network Company Vehicle or TNC Vehicle shall mean a vehicle that is used by a TNC driver to provide a prearranged ride and is owned, leased, or otherwise authorized for use by the TNC driver. The term does not include any taxicab.

Digital Network shall mean any online-enabled application, software, website, or system offered or utilized by a TNC that enables a prearranged ride with a TNC driver.

Prearranged Ride shall mean the provision of transportation by a TNC driver to a TNC rider, beginning when a TNC driver accepts a rider's request for a ride through a digital network controlled by a TNC, continuing while the TNC driver transports a requesting TNC rider, and ending when the last requesting TNC rider departs from the TNC vehicle. The term does not include transportation provided through a shared expense carpool or vanpool arrangement or by using a taxicab, limousine, or other for-hire vehicle.

**Sec. 13-37. Taxicab Operator License Required.**

No person or business entity shall operate as a taxicab operator within the jurisdictional limits of the City of Yankton unless that person or business has first obtained a license from the City covering each driver and vehicle so operated. Each license issued shall be for a period of one (1) year unless earlier terminated pursuant to this ordinance.

**Sec. 13-38. Application for Taxicab Operator License.**

To obtain a license to operate as a taxicab operator, or to renew a license previously issued under this ordinance, the applicant shall file in the office of the finance officer **an application** on a form furnished by the finance officer, which shall comply with Yankton Ordinance Sec. 13-17 and provide the following additional information:

- (a) A photograph and a description, including the color, year, make, model and vehicle identification number of each motor vehicle used in the taxicab business and a statement under oath that the vehicle is road worthy, in good repair, and fully in compliance with all laws applicable to vehicle maintenance and safety;
- (b) The physical address where each motor vehicle is stored and maintained;



- (c) A statement under oath as to whether the applicant and each of the applicant's owners, operators, agents or employees has ever caused personal injury or property damage arising from the use or operation of a motor vehicle;
- (d) A statement under oath as to whether the applicant or each of the applicant's owners, operators, agents or employees has been convicted of any state or municipal driving or vehicle-related petty offense or class 2 misdemeanor violations within the last three (3) years, or convicted of any class 1 misdemeanor; or felony or non-driving municipal ordinance within the last ~~ten (10)~~seven (7) years, the nature of the offense(s), and the punishment or penalty assessed therefor; and
- (e) A list of such reliable evidence as may be necessary for an investigator to properly evaluate the character and business responsibility of the applicant; ~~and~~
- ~~(f) A statement under oath from an ASE A Series certified auto mechanic affirming that he or she has thoroughly inspected each motor vehicle identified in the application within thirty (30) days of the date the application is submitted to the City of Yankton, and that as of the date of inspection each is in a road worthy mechanical condition and free of any reasonably ascertainable mechanical defect that would endanger the safe operation of the vehicle for use in a taxicab business. The City Manager or his or her designee may adopt a vehicle for hire inspection form to be used in the inspection of vehicles subject to licensing herein.~~

**Sec. 13-39. Taxicab Operator Insurance Requirements.**

Before any license is granted, or any license renewed under this subchapter, the applicant shall also submit with his or her application a certificate or policy of insurance issued by a responsible insurer covering all vehicles to be operated by the applicant commercially for hire.

The commercial business liability insurance required by this division (a) for a vehicle for hire shall provide at least the following coverage: Auto liability of comprehensive form shall be provided on all vehicles of not less than \$500,000 bodily injury and property damage combined single limit.

The policy or certificate shall not be modified or canceled without 30 days' actual notice to the City's Finance Officer.

The cancellation or termination of any required insurance policy shall automatically revoke and terminate all licenses issued for the taxicab business and the vehicles covered by such insurance policy, unless another policy or policies complying with this section shall be provided and in effect at the time of such cancellation or termination.

The limits established in this section can be provided in one policy or in combination with an excess limits policy in any manner and combination acceptable to the City.

**Sec. 13-40. Taxicab Operator Annual License Fee.**

Each person or business entity applying for a taxicab operator license under this ordinance shall pay a license fee determined as follows:

- (1) Twenty-five dollars (\$25.00) per year for the first motor vehicle so used
- (2) Ten dollars (\$10.00) per year for the second such vehicle.
- (3) Five dollars (\$5.00) per year for each succeeding motor vehicle so used.

**Sec. 13-41. Issuance of Taxicab Operator License; Scope.**

- (a) In those cases where all of the requirements for a taxicab operator license are met and upon payment of the license fee in advance by the applicant, the City Manager or the City Manager's designee upon reviewing the application and all pertinent information may, in his or her discretion, approve the issuance of a license if the City Manager or the City Manager's designee believes the issuance to be in the in the public's interest. When the City Manager or the City Manager's designee considers a taxicab operator license application, he or she may consider all contents and proposals within the application and the impact to the public that may result, the manner in which the applicant previously operated a vehicle for hire, history of compliance with City ordinances and State law, and recommendations and complaints of City staff and the general public, if any.
- (b) If a license is denied by the City Manager or the City Manager's designee, an applicant may request that the denied application be submitted to the City Commission for reconsideration at a regularly scheduled meeting using the same criteria governing the issuance of a license by the City Manager or the City Manager's designee.
- (c) The license shall contain the name, address and authorized signature of the licensee; the date of issuance, the length of time that the license shall be operative; as well as an assigned license number and identifying description of each approved driver and vehicle to be used by the applicant in connection with the license. The Finance Officer shall keep a permanent record of all licenses issued.
- (d) Notwithstanding anything to contrary, no driver shall be approved and added to a license who:
  - (1) Has had more than three traffic offenses in the prior three-year period, or one major violation in the prior three-year period (including, but not limited to, attempting to elude the police, reckless driving, exhibition driving, hit and run, or leaving the scene, or driving on a suspended or revoked license);

- (2) Has been convicted within the past seven years of driving under the influence of drugs or alcohol, fraud, sexual offenses, indecent exposure (class 1 misdemeanor), use of a motor vehicle to commit a felony, a crime involving property damage, and/or theft, crimes of violence, felony possession/distribution of controlled substances or acts of terror;
- (3) Is a match in the National Sex Offender Registry database;
- (4) Does not possess a valid driver's license; or
- (5) Is not at least 18 years of age.

**Sec. 13-42. *Taxicab Rules of Operation.***

Each licensed vehicle for hire shall be operated only in accordance with the following rules:

- (a) Each licensed vehicle shall display the name of the licensee operator and designated license number assigned by the City, which name and number shall match the License issued by the City and shall be visible to the public from a distance of twenty-five feet (25'). At all times during vehicle operations, the Licensee shall also maintain a photocopy of the License within or upon the licensed vehicle at all times and shall make the same available for inspection to anyone upon request.
- (b) All licensed vehicles for hire shall be maintained in a clean and operable condition. Licensees must maintain all vehicles in a manner that is free of trash, debris, and bodily fluids, and must deodorize all vehicles as needed.
- (c) Drivers shall be at least eighteen (18) years of age and shall remain in control of the vehicle at all times.
- (d) Drivers shall not solicit business in a harassing manner or in any manner that such solicitation can be heard beyond a distance of fifteen (15) feet from the vehicle.
- (e) No customer actively being transported for hire shall be permitted to drive the vehicle for hire.
- (f) No smoking shall be permitted inside a vehicle used for transporting people for hire regardless of whether customers are present inside the vehicle. Smoking shall include all forms of smoked tobacco products and all forms of e-cigarette and vapor nicotine products.
- (g) Only vehicles identified in the license issued by the City of Yankton shall be used in the taxicab business.

(h) All licensed vehicles for hire shall comply with all applicable laws and rules concerning vehicle equipment. The driver of any licensed vehicle found to be in violation of this ordinance shall be guilty of a class 2 misdemeanor and the driver shall be prohibited from operating a vehicle for hire until the vehicle has been repaired and the licensee has tendered to the City a statement under oath from an ASE A Series certified auto mechanic affirming that he or she has thoroughly inspected the vehicle within thirty (30) days of the date the statement is submitted to the City of Yankton, and that as of the date of inspection the vehicle complies with all applicable laws and rules concerning vehicle equipment, is in a road worthy mechanical condition, and free of any reasonably ascertainable mechanical defect that would endanger the safe operation of the vehicle for use in transporting people for hire. The City Manager or his or her designee may adopt a vehicle inspection form to be used in the inspection of vehicles for purposes of this ordinance. A driver operating a vehicle in violation of the prohibition set forth herein shall be guilty of a class 2 misdemeanor and upon conviction thereof, shall be permanently prohibited from operating a vehicle for hire.

**Sec. 13-44. *Smoking Prohibited in Vehicle For Hire or TNC Vehicle*;**

It shall be unlawful for any person to smoke inside a vehicle used for transporting people for hire or a TNC Vehicle. Smoking shall include all forms of smoked tobacco products and all forms of e-cigarette and vapor nicotine products. The penalty for violation of this Ordinance is a Class 2 misdemeanor and subject to a fine of up to two hundred dollars (\$200.00).

**Sec. 13-45. *Licensing of Additional Taxicab Drivers or Vehicles***

It shall be unlawful and a violation of this Chapter for any licensed taxicab operator to use in their taxicab operations vehicles or drivers not identified in the original taxicab operator license application without supplementing the original application with the information required under Sections 13-17 and 13-38 of the Code applicable to each supplemental driver and vehicle and approval of the supplemental driver or vehicle in accordance with the provisions of Section 13-41(a) or 13-41(b) of the Code. Upon approval of the supplemental driver or vehicle application, an updated taxicab operator license shall be issued in the manner set forth within Section 13-41(c) of the Code.

A violation of this Section is a class 2 misdemeanor the penalty for which is a fine of up to two hundred dollars (\$200.00). Each incident shall be deemed a separate offense. In addition to civil penalties resulting from a violation of this section, the use of a vehicle or driver not approved by a licensed taxicab operator under this Chapter shall be grounds for cancellation or suspension of the business license in accordance with Section 13-24 of the Code.

**Sec. 13-46. - Requirements for a Transportation Network Company.**

- (a) Compliance with State vehicle equipment laws. A transportation network company shall require that a TNC vehicle used to provide any prearranged ride shall comply with all applicable laws and rules concerning vehicle equipment as required by SDCL 32-40-6. The driver of any TNC vehicle found to be in violation of this ordinance shall be guilty of a class 2 misdemeanor and the TNC driver shall be prohibited from operating the TNC vehicle for any rearranged ride until the TNC vehicle has been repaired and the TNC driver has tendered to the City a statement under oath from an ASE A Series certified auto mechanic affirming that he or she has thoroughly inspected the TNC vehicle within thirty (30) days of the date the statement is submitted to the City of Yankton, and that as of the date of inspection the TNC vehicle is in a road worthy mechanical condition and free of any reasonably ascertainable mechanical defect that would endanger the safe operation of the TNC vehicle for use in a prearranged ride. The City Manager or his or her designee may adopt a vehicle inspection form to be used in the inspection of TNC vehicles for purposes of this ordinance. A TNC driver operating a TNC vehicle in violation of the prohibition set forth herein shall be guilty of a class 2 misdemeanor and upon conviction thereof, shall be permanently prohibited from operating as a TNC driver.
- (b) No street hails. A TNC driver shall not solicit or accept street hails.
- (c) No cash trips. The TNC shall adopt a policy prohibiting solicitation or acceptance of cash payments or other compensation directly from passengers and notify TNC drivers of such policy. TNC drivers shall not solicit or accept cash payments or other compensation directly from passengers. Any payment for TNC services shall be made only electronically using the TNC's digital network or software application.
- (d) Fare collected for services. On behalf of a TNC driver, a TNC may charge a fare for the services provided to passengers; provided that, if a fare is collected from a passenger, the TNC shall disclose to passengers the fare calculation method on its website or within the software application service. The TNC shall also provide passengers with the applicable rates being charged and the option to receive an estimated fare before the passenger enters the TNC driver's vehicle.
- (e) Identification of TNC vehicles and drivers. The TNC's software application or website shall display a picture of the TNC driver, and the license plate number of the motor vehicle utilized for providing the TNC service before the passenger enters the TNC driver's vehicle.

(f) Electronic receipt. Within a reasonable period of time following the completion of a trip, a TNC shall transmit an electronic receipt to the passenger on behalf of the TNC driver that lists:

- (1) The origin and destination of the trip;
- (2) The total time and distance of the trip; and
- (3) An itemization of the total fare paid, if any.

(g) Records. A TNC shall maintain the following records:

- (1) Individual trip records of passenger customers for at least one year from the date each trip was provided; and
- (2) Individual records of TNC driver customers at least until the one-year anniversary of the date on which a TNC driver's customer relationship with the TNC has ended.

(h) Record inspection authority.

- (1) The city has the authority to inspect the records of the TNC as necessary to investigate an alleged crime or violation of this chapter; accident involving a TNC driver; or for other good cause. The TNC shall cooperate with the city to facilitate the exchange of relevant information required in an investigation. The city shall provide advance written notice at least seven days prior to any inspection, which shall be conducted at a mutually agreed upon third-party location, or pursuant to court order, grand jury, or investigative subpoena.
- (2) Any record or information made available by the TNC to the city pursuant to this chapter is confidential and proprietary, and shall not be made public without TNC's express written permission. If the city is required to disclose confidential information under court order or other applicable law, the city shall promptly notify the TNC of such requirement, prior to disclosure, and shall make diligent efforts to limit disclosure pursuant to any available basis in South Dakota open records law or other applicable law.

### **Sec. 13-47. - Application for Transportation Network Company License.**

(a) License required. A person shall not operate a TNC in Yankton without first having obtained a license from the city clerk. The city shall grant a TNC license if satisfied that the applicant has complied with all of the terms and provisions of this chapter and if the evidence submitted in support of the application meets the conditions precedent to granting the license.

- (b) License issuance. The city clerk shall issue a license to each applicant that meets the requirements for a TNC set forth in this chapter, and pays to the city an annual permit fee as established by resolution of the city. A licensing year, for the purposes of this section, begins January 1 and ends December 31 of the next year.
- (c) Application requirements. The application shall include:
- (1) The name and address of applicant;
  - (2) Trade name if any under which the license is to be exercised;
  - (3) If a partnership, the name and address of each partner;
  - (4) If a corporation, the names and addresses of the officers;
  - (5) Description of the activity to be carried on under the license;
  - (6) The name and contact information for an agent to be maintained for service of process in the State of South Dakota.
  - (7) Proof of sales tax license, if applicable.
- (d) Identification of TNC drivers. At the time of initial licensing and on a quarterly basis, a TNC shall submit to the city a list containing:
- (1) Each approved TNC driver,
  - (2) Each approved TNC driver's license number and state of issuance, and
  - (3) The make, model, year, color, and license plate number of each approved TNC vehicle for each TNC driver.

**Sec. 13-48. - Insurance Requirements—Transportation Network Company.**

A TNC driver, or a TNC on the behalf of the TNC driver, shall maintain automobile insurance pursuant to chapter 40 of Title 32 of the South Dakota Codified Laws.

**Sec. 13-49. - Transportation Network Company Driver Requirements.**

- (a) Before allowing an individual to accept trip requests through a TNC's digital platform:
- (1) The individual shall submit an application to the TNC, which includes information regarding the proposed TNC driver's address, age, driver's license,

driving history, motor vehicle registration, automobile liability insurance, and other information required by the TNC;

(2) The TNC shall have a third party conduct a local and national criminal background check for each applicant that shall include:

a. Multi-state/multi-jurisdiction criminal records locator or other similar commercial nationwide database with validation (primary source search); and

b. National Sex Offender Registry database;

c. The TNC shall review the results of (2a) and (2b) above for such individual prior to allowing an individual to accept trip requests.

(3) The TNC shall obtain and review a driving history research report for such individual prior to allowing an individual to accept trip requests.

(b) The TNC shall not permit an individual to act as a TNC driver on its digital platform who:

(1) Has had more than three traffic offenses in the prior three-year period, or one major violation in the prior three-year period (including, but not limited to, attempting to elude the police, reckless driving, exhibition driving, hit and run, or leaving the scene, or driving on a suspended or revoked license);

(2) Has been convicted within the past seven years of driving under the influence of drugs or alcohol, fraud, sexual offenses, indecent exposure (class 1 misdemeanor), use of a motor vehicle to commit a felony, a crime involving property damage, and/or theft, crimes of violence, felony possession/distribution of controlled substances or acts of terror;

(3) Is a match in the National Sex Offender Registry database;

(4) Does not possess a valid driver's license;

(5) Does not possess proof of registration for the motor vehicle(s) used to provide TNC services;

(6) Does not possess proof of automobile liability insurance for the motor vehicle(s) used to provide TNC services; or

(7) Is not at least 18 years of age.



(c) The TNC shall prohibit the use or influence of drugs or alcohol by a driver while providing TNC services requested through the TNC's digital platform. If a TNC receives a complaint of such drug or alcohol influence or other activity prohibited in section 26-284, the TNC shall:

(1) Immediately revoke the driver's access to the TNC's digital platform through the duration of the investigation; and

(2) If the complaint is found to be true, the TNC shall permanently revoke the driver's access to the TNC's digital platform. If the complaint is found to be untrue, the driver's access to the TNC's digital platform may be immediately reinstalled.

**Secs. 13-~~4650~~—13-57. - Reserved.**

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

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Nathan Johnson, Mayor

Attest:

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Al Viereck, Finance Officer

**Memorandum No. 18-130**

**TO:** Mayor and City Commissioners  
**FROM:** Amy Nelson, City Manager   
**RE:** Funding Request for Cramer Kenyon Heritage Home  
**DATE:** June 12, 2018

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Attached is a letter from Rachel Ann Cure, President, Cramer Kenyon Heritage Home, requesting additional financial support from the City of Yankton for 2018.

Also, attached is documentation regarding the bids that Cramer Kenyon Heritage Home has received for the items that need to be replaced or fixed.

**Recommendation:** It is recommended that the City Commission discuss the proposal and pursue a respective action accordingly.

**CRAMER KENYON HERITAGE HOME**  
**509 Pine Street**  
**Yankton, SD 57078**

June 6, 2018

Yankton City Commission  
416 Walnut Street  
Yankton, SD 57078

Dear Commissioners:

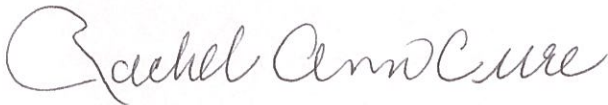
The historic Cramer Kenyon home on Pine Street is in need of some major work. The boiler needs to be replaced before next winter. The furnace and air conditioning in the caretakers living quarters is over 20 years old and needs to be replaced. In addition the house needs to be painted. The east side in particular is in poor condition.

We have a bid for a new heating and cooling system that includes the house and the caretakers living quarters. The cost is \$15,000.00 plus the cost of an electrician for the necessary wiring. We have a painting bid for \$12,000.00. But the main concern at this time is for the east side to be painted.

The Board of Directors is actively seeking donations for this work. We have approximately \$6,500.00 in pledges and donations at this time. We would like to ask the city for \$5,000.00 to be used for these projects.

Please do not hesitate to call me if you have any questions or concerns.

Very truly yours,



Rachel Ann Cure  
President  
Cramer Kenyon Board of Directors

Rachel Cure  
303-570-8565  
304 E 5<sup>th</sup> St, Yankton, SD  
*Cure Rachel1@yahoo.com*

**Larry's Heating and Cooling**  
2401 Broadway Ave Ste. 3  
Yankton, SD 57078  
605-665-9461 or 605-760-3837

4/4/18

Quote submitted to: **Cramer Kenyon Heritage Home**  
C/O: **Stan Hoffart**

(~Cramer Kenyon Board)  
Job Location: Yankton, SD

We are pleased to quote the following:

**Installation Includes:**

Fabrication and Installation of square ductwork, and round ductwork to supply and return forced air system and combining with existing duct work (Living Quarters) to allow for the replacement of only one furnace and one outdoor unit (allowing for a 2-Zone zoning system to work properly and still have system separation). Penetration of floor in main level, to allow for placement of heat runs and returns (\*Per Boards Approval) underneath and behind existing radiator units. Out of site, therefore allowing for the preservation of the current aesthetics of the Cramer-Kenyon Heritage Home. Running out of 2 PVC chimney pipes (Intake and Exhaust for High Efficiency Furnace). New Line Set, Communication Wire, and Thermostat Wire.

***Proposal incorporates the inclusion of the Cramer-Kenyon Heritage Home, to be put amongst the rotation of adverts. on the newly installed Hi-Definition Digital Bill-Board on Broadway Ave. For marketing purposes, and to entice new customer traffic.***  
***(Owned by Larry Olson Personally)***

Wed 3:00

**Whole Structure Solution:**



**59TN6 + Infinity Touch T-Stat (Carrier)**

**\*(96.7% Efficient, 2 Stage, Variable Speed Fan, Gas Furnace.)**

- \*Low stage operation up to 90% of time for quiet, energy-efficient operation
- Allows 4 choices of "constant ON" fan speed operation
- *Exceptional year-round humidity management when installed as part of complete Infinity system with added humidifier*
- Can help boost cooling SEER efficiency when matched with appropriate cooling system components
- *Two-stage* gas valve
- *Variable-speed*, ECM blower motor
- Pilot-free, hot surface PowerHeat™ ignition
- *Two-speed* inducer motor
- Sound reduction: fully insulated cabinet
- QuieTech™ noise reduction
- Infinity level advanced diagnostic intelligence
- 10yr part warranty
- ***Lifetime!*** Heat Exchanger Warranty

**Two zone Zoning Kit + Dampers**

- Ideal Humidity™ system control
- Temperature sensor offsets
- Enhanced humidity set-up screen
- Backlit display
- 7-day programmable
- Outdoor temperature display
- Auto changeover
- Copy period, day, and zone function
- Clean filter reminder
- Indoor relative humidity display
- Fully communicating
- Fully modulating dampers
- Adjustable temperature set points
- Diagnostic error display
- Compressor TimeGuard protection
- Smart recovery in cooling and heating
- Humidity control
- Low temperature cooling lockout

\*Continued next page...



**24ACB7**

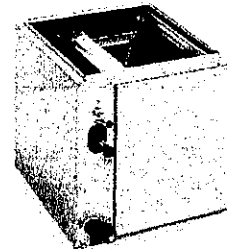
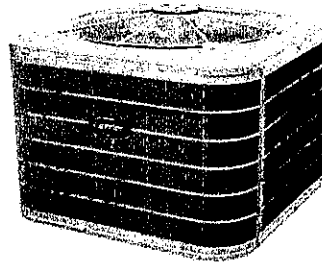
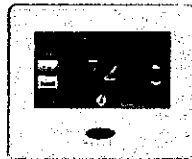
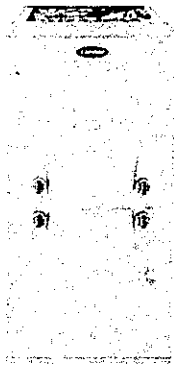
***\*(Two Stage, 16 SEER, High Efficiency, Performance series Air Conditioner.)***

- Up to 17 SEER cooling efficiency
- Sound: as low as 72 decibels<sup>1</sup>
- Superior humidity and temperature control
- Two-stage compressor operation for ultimate comfort
- Filter drier system protection from moisture and contaminants
- WeatherArmor Ultra™ protection
- Non-ozone depleting Puron® refrigerant
- 10-year parts limited warranty<sup>2</sup>

**- \$300 - MidAmerican Rebate Eligible**

**- \$125 - MidAmerican Thermostat Rebate**

**- \$550 - Carrier Rebate.**



**Total Investment (Before Rebates) : \$14,772.07**

*\*Optional System Enhancements on next page...*



Dave Lennox  
**PREMIER DEALER**



**Steam Powered Humidifier:**

With the Cramer-Kenyon's contents having the amount of preservation requirement that it has, we suggest the addition of a Steam Humidifier. With the addition of the forced air system, the air in the home will see an increase of moisture loss. I believe it would be imperative to add the steam humidifier to preserve the integrity of the wood work, wall coverings, etc. (Furniture, Floors, Picture Frames, Banister, Wall Paper, Original Paint... ETC)



**ADD: \$1,589.00**

Eligible for \$65.00 Rebate

**~Carrier's 100% Satisfaction Guarantee Contract**

(Only Allowable to Larry's Heating and Cooling via the Presidents award and qualifying in the top 2% of the nation for HVAC Service and Installations!)

**Total Project Cost: (As Noted) ★ \$16,361 (+ 2% Excise)**

Total Rebates and Incentives: -\$1,040

**Final Investment: \$15,321 (+ 2% Excise)**

*\*(Price does not include electrical (HIGH VOLTAGE) requirements for us to connect our units to.  
If Required, such will be done by a third-party electrician, at owners expense.*

Sign \_\_\_\_\_

Date 4/4/18

*Thank-you for the opportunity to quote this project. I hope we can help.  
Please contact me with any questions, comments, or ideas.*

**Ethan Powell**  
*Larry's Heating and Cooling*  
(605)-760-3837  
ethan@larrysheatingandcooling.com



# Proposal

FROM

## Souhrada Painting

Page No.

Proposal No.

Sheet No.

Date

~~Box 26~~ 229 S. JANOA AVE  
Tabor, SD 57063  
463-2436 - 661-0179

12-14-16

Proposal Submitted To

Work To Be Performed At

Name \_\_\_\_\_  
Street 509 PINE ST.  
City YAOKUW SD 57128  
State \_\_\_\_\_  
Telephone Number \_\_\_\_\_

Street \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_  
Date of Plans \_\_\_\_\_  
Architect \_\_\_\_\_


We will furnish all the required materials, which we guarantee will be as specified, and we will perform all the labor required for the completion of

2 COATS - PAINT ON NORTH, EAST & SOUTH SIDES OF HOUSE.  
Remove any loose paint.  
Includes all labor material. PAINT WILL BE STEWART WILLIAMS NOCATION.

Dollars (\$ 12,600.00 )

with payments to be made as follows:

Changes in the above specifications may be made only upon written agreement, and extra charges will be made. All agreements are contingent upon strikes, accidents or delays beyond our control. You are to carry fire, tornado and other necessary insurance upon above work. Our workers are fully covered by Workmen's Compensation and Public Liability Insurance. This proposal may be withdrawn by us at any time before acceptance.

Respectfully submitted   
Per \_\_\_\_\_

### Acceptance

The above prices, specifications and conditions are accepted. Payments will be made as set forth above.

Accepted \_\_\_\_\_ Signature \_\_\_\_\_  
Date \_\_\_\_\_ Signature \_\_\_\_\_

**Memorandum 18-132**

**To:** Amy Nelson, City Manager  
**From:** Corey Potts, Public Works Manager  
**Subject:** Heated Joint Seal Machine purchase through Minnesota State bid for the City of Yankton, Public Works Department, Street Division.  
**Date:** June 13, 2018

---

The adopted 2018 City of Yankton budget provides funding for a new heated joint seal machine for the Department of Public Works, Street Division. The heated joint seal machine that is to be replaced is unit #68, a 2002 Crafc0 heated joint seal machine. The crack and joint sealing machine is 16 years old. Unit #68, a 2002 Crafc0 heated joint seal machine will be surplus.

A bid contract, through the Minnesota State bid, allows the City to purchase a new crack and joint sealing trailer through Brock White Company, LLC. The new crack and joint sealing machine to be purchased is a new 2018 Crafc0 Super Shot 125 for amount of \$47,826.58 with an estimated delivery of late summer. There is \$55,000 budgeted for this crack and joint sealing machine purchase. The purchase price is \$7,173.42 under the budgeted amount.

City Staff recommends the purchase of a new 2018 Crafc0 Super Shot 125 crack and joint sealing machine for \$47,826.58 from Brock White Company, LLC of Sioux Falls, South Dakota based on the Minnesota State bid contract.

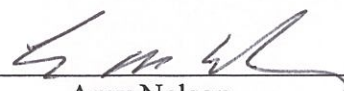
Respectfully submitted,



Corey Potts  
Public Works Manager

**Recommendation:** It is recommended the City Commission approve Memorandum #18-132 and Resolution #18-39 for the purchase of a new 2018 Crafc0 Super Shot 125 in the amount of \$47,826.58 for the Department of Public Works, Street Division from Brock White Company, LLC of Sioux Falls, South Dakota, based on the Minnesota State bid and to surplus the 2002 Crafc0 heated joint seal machine.

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

  
\_\_\_\_\_  
Amy Nelson  
City Manager

\_\_\_\_\_ Roll call

## RESOLUTION #18-39

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

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

### PROPERTY TO BE SURPLUSED

2002 Crafc0 SS125 heated joint seal machine #1C9SY101521418031

Adopted:

\_\_\_\_\_  
Nathan V Johnson  
Mayor

ATTEST:

\_\_\_\_\_  
Al Viereck  
Finance Officer

## ***Memorandum #18-137***

**To:** *Amy Nelson, City Manager*  
**From:** *Brittany LaCroix, Events and Promotions Coordinator*  
**Subject:** *Request by Meridian District for Special Events Parking Ordinance #933 to be in place during Crazy Days on July 14, 2018*  
**Date:** *June 18, 2018*

---

The Meridian District is requesting a Special Event No Parking street closure be put in place for Crazy Days on Saturday, July 14, 2018. The street closure would include 3<sup>rd</sup> Street from Broadway to Capitol, keeping all intersection open. The closure will be in effect from 7:00 AM to 7:00 PM on July 14, 2018.

Along with promoting the Meridian District and the retailers within, there will be a kid's train, dance performances from local organizations, retailers will set up tables right outside their businesses with activities/information, and music during the daylong event.

In 2010, the City Commission adopted an ordinance allowing for a no parking designation for special events designated by a resolution before the governing body. This resolution would authorize the City to tow vehicles that are parked in the defined area and times.

The committee is requesting that Special Events Parking zone identifying boundaries of the zone and Tow Authorization be granted during this event for car traffic. The committee will place no parking signs 48 hours prior to the event on Wednesday, July 11, 2018. The committee will create a temporary sign to attach identifying details of the event. Meridian District is also requesting A-frames be provided to hang no parking signs and barricades to be used to close the streets as mentioned above. The committee will coordinate with the Streets & Parks Departments to locate signs in appropriate areas.

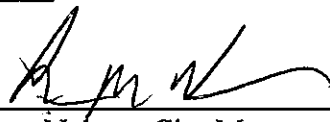
**Recommendation: It is recommended that the City Commission adopt Resolution #18-40 authorizing the no parking zone for Crazy Days held by the Meridian District on 3<sup>rd</sup> Street from Broadway to Capitol, keeping all intersections open. The no parking zone shall be in effect on July 14, 2018 from 7:00 AM to 7:00 PM.**

Respectfully submitted,

Brittany LaCroix  
Events & Promotions Coordinator

I concur with this recommendation.

I do not concur with this recommendation.

  
\_\_\_\_\_  
Amy Nelson, City Manager

\_\_\_\_ Roll call

## ***Resolution #18-40***

### **Special Events Parking Request**

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

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

WHEREAS, Meridian District has made a request to enact this no parking zone for their Crazy Days event to be held on July 14, 2018.

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 3<sup>rd</sup> Street from Broadway to Capitol, keeping all intersections open. The no parking zone shall be in effect on July 14, 2018 from 7:00 AM to 7:00 PM.

Adopted:

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Nathan V Johnson, Mayor

ATTEST:

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Al Viereck, Finance Officer

## ***Memorandum #18-136***

**To:** Amy Nelson, City Manager  
**From:** Brittany LaCroix, Events and Promotions Coordinator  
**Subject:** Request by Pathways Shelter for the Homeless for Special Events Parking Ordinance #933 to be in place during Pathways .5K on July 13, 2018  
**Date:** June 18, 2018

---

Pathways Shelter for the Homeless is requesting a Special Event No Parking street closure be put in place for their .5K event on Friday, July 13, 2018. The street closure would include 3<sup>rd</sup> Street from Broadway to the alleyway between Capitol and Pine (see attached map.) The closure will be in effect from 5:30 pm to 8:00 pm.

A .5k is for everyone, but particularly for those who like the idea of completing a race and exercising, but do not want to put forth the effort. There will be a donut and water stand at the halfway marker (800ft) as a snack to re-energize participants. Non-racers are encouraged to dress-up or come as they are. They can walk, run, crawl, skip or dance their way across the finish line. There will be a youth race at 6:30pm and an adult race at 7:00pm.

Along with promoting the Meridian District and the retailers within, this event would be a kick-off to Crazy Days and also pose as a fundraiser for Pathways with all registration fees going directly to Pathways Shelter for the Homeless. .

In 2010, the City Commission adopted an ordinance allowing for a no parking designation for special events designated by a resolution before the governing body. This resolution would authorize the City to tow vehicles that are parked in the defined area and times.

The committee is requesting that Special Events Parking zone identifying boundaries of the zone and Tow Authorization be granted during this event for car traffic. The committee will place no parking signs 48 hours prior to the event on Tuesday, July 10, 2018. The committee will create a temporary sign to attach identifying details of the event. Pathways Shelter for the Homeless is also requesting A-frames be provided to hang no parking signs and barricades to be used to close the streets as mentioned above. The committee will coordinate with the Streets & Parks Departments to locate signs in appropriate areas.

**Recommendation: It is recommended that the City Commission adopt Resolution #18-41 authorizing the no parking zone for a .5k event held by Pathways Shelter for the Homeless on 3<sup>rd</sup> Street from Broadway to the alleyway between Capitol and Pine Streets. The no parking zone shall be in effect on July 13, 2018 from 5:30 PM to 8:00 PM.**

Respectfully submitted,

Brittany LaCroix  
Events & Promotions Coordinator

I concur with this recommendation.

I do not concur with this recommendation.

  
\_\_\_\_\_  
Amy Nelson, City Manager

\_\_\_\_\_ Roll call



## *Resolution #18-41*

### **Special Events Parking Request**

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

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

WHEREAS, Pathways Shelter for the Homeless has made a request to enact this no parking zone for their .5K event to be held on July 13, 2018.

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 3<sup>rd</sup> Street from Broadway to the alleyway between Capitol & Pine. The no parking zone shall be in effect on July 13, 2018 from 5:30 PM to 8:00 PM.

Adopted:

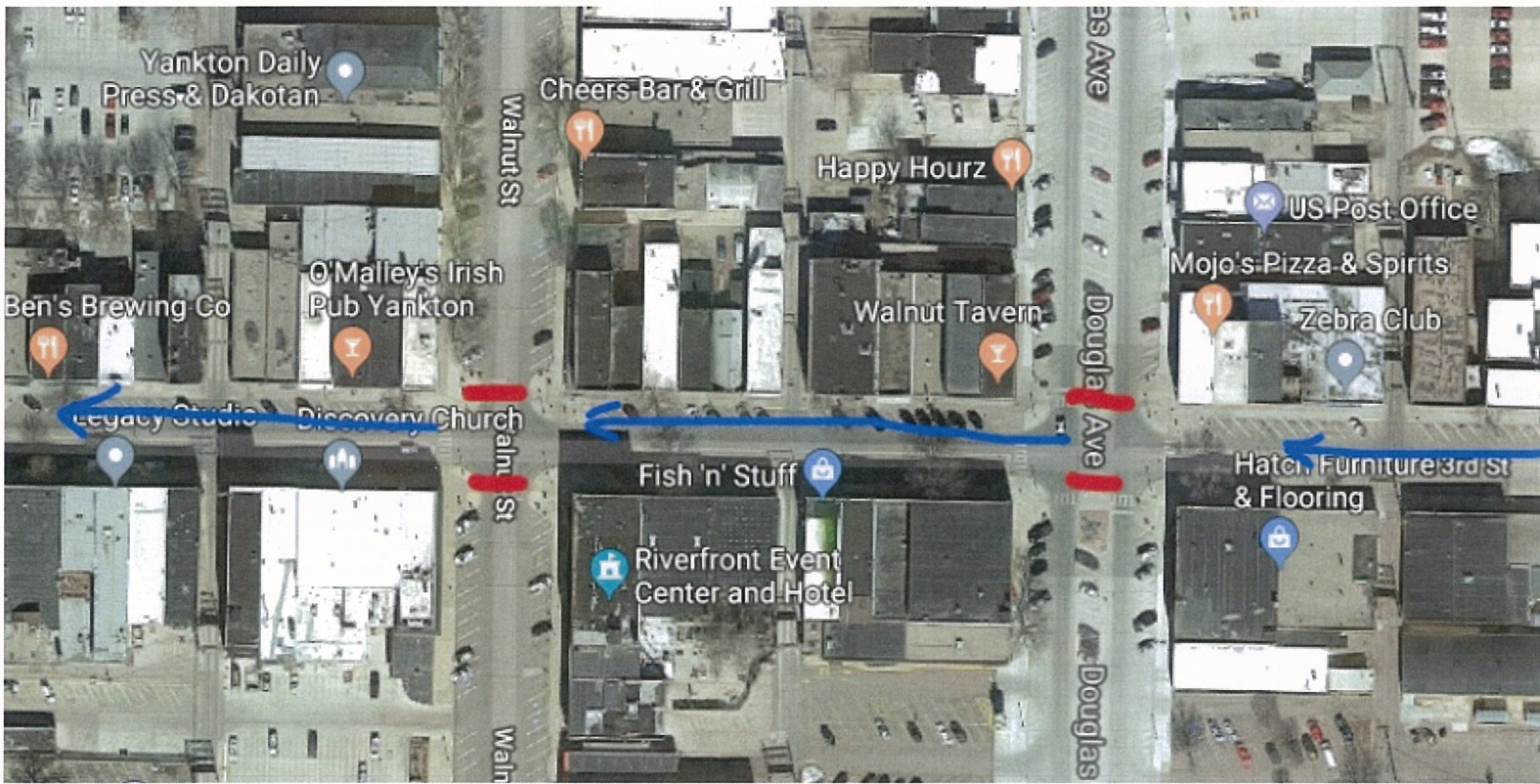
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Nathan V Johnson, Mayor

ATTEST:

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Al Viereck, Finance Officer



**Memorandum #18-138**

**To:** Amy Nelson, City Manager  
**From:** Brittany LaCroix, City Events and Promotions Coordinator  
**Subject:** Camping in Riverside Park for Pathways Shelter for the Homeless event on August 11-12, 2018.  
**Date:** June 18, 2018

---

Pathways Shelter for the Homeless is planning a Cardboard City event as awareness/fundraiser event for August 11 & 12, 2018. They are requesting the City Commission allow camping in Riverside Park.


In 2017, this event raised roughly \$12,000 for Pathways. 35 people stayed overnight and experienced first-hand what it is like to sleep without a bed, or even a roof over their head. 50 people in total attended the event and took part in the awareness activities. In 2018, Pathways is changing locations to Riverside Park to use the amenities that better support their event. The amphitheater will provide space to use as a presentation area. The grassy area used for cardboard city and activities. The shelter used for registration and dinner.

**Recommendation: It is recommended that the City Commission allow camping in Riverside Park on Saturday, August 11, 2018 into the morning of Sunday, August 12, 2018 for the Pathways Shelter for the Homeless event.**

Respectfully submitted,

Brittany N. LaCroix  
 Events and Promotions Coordinator

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

  
 \_\_\_\_\_  
 Amy Nelson  
 City Manager



**Memorandum #18-139**

**TO: Mayor and City Commissioners**

**FROM: Ross DenHerder, City Attorney  
Amy Nelson, City Manager**

**RE: Commission Orientation/Refresher**

**DATE: June 19, 2018**

Having newly elected and re-elected City Commissioners beginning their terms, City Attorney DenHerder and City Manager Nelson would like to take the opportunity to overview some of the rules and regulations set forth in City of Yankton Code and South Dakota State Statute regarding our form of government. This is an opportunity for you to ask questions and to inform the public of the manners in which we conduct business.

Some of the topics to be covered will include, but are not limited to:


- The City Commission structure of government
- Roles and responsibilities of the Mayor and City Commission
- Roles and responsibilities of the City Manager
- Public Meetings, Special Meetings, and Executive Session Protocol
- Conflict of Interest
- Social Media Use
- Ex Parte Communication

City Attorney DenHerder will be leading the discussion. The City Commission will have the opportunity to discuss these items with the City Manager and City Attorney and ask any questions. This will also be a good time to remind the public of our procedures and how the City Manager form of government works.

There is no action at this time.

\_\_\_\_\_ No action

Memorandum No. 18-140

**TO:** Mayor and City Commissioners  
**FROM:** Amy Nelson, City Manager   
**RE:** Conflict of Interest Discussion  
**DATE:** June 19, 2018

---

We have had a request from Commissioner Maibaum and Commissioner Miner to place a discussion item on the agenda for proposed "Conflict of Interest" language in an ordinance.

**Recommendation: Discuss the request and provide guidance to staff.**

CITY OF YANKTON  
COMMISSIONER AGENDA REQUEST

TO: CITY MANAGER / CITY FINANCE OFFICER

DATE: 6-11-18

COMMISSIONER'S NAME: TONY MAIBAHM, AMY MINER

TOPIC TO BE ADDRESSED:

PROPOSED "CONFLICTS OF INTEREST" LANGUAGE  
IN ORDINANCE

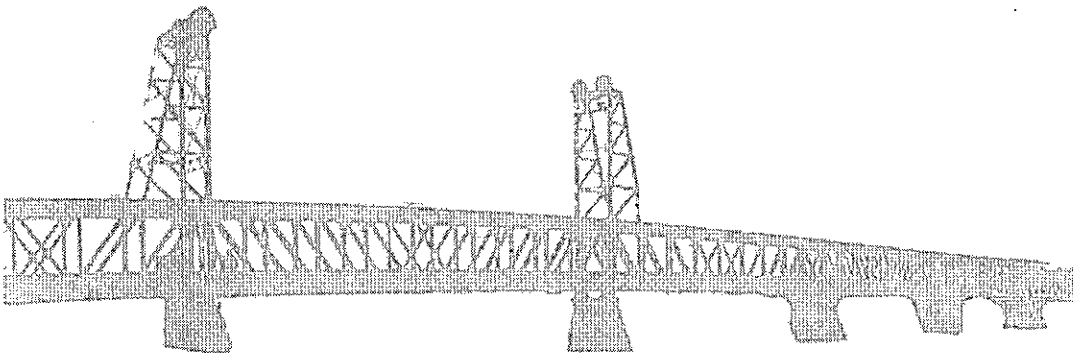
SPECIFIC PURPOSE OF THE REQUEST:

CLARIFYING / ~~STRENGTHENING~~ CONFLICT OF  
INTEREST LANGUAGE DRAFT ATTACHED

           WORKSESSION

           REGULAR CITY COMMISSION AGENDA

UPON RECEIVING AGENDA REQUESTS, STAFF WILL RESEARCH THE ITEM AND SCHEDULE IT FOR A FUTURE CITY COMMISSION WORK SESSION / CITY COMMISSION MEETING.



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

EQUAL OPPORTUNITY EMPLOYER.

Ordinance No. xxx

An Ordinance amending meetings of the Board of Commissioners to address conflicts of interest. Be it ordained that:

A new Section 2-38 shall be added to Chapter 2, Article II, Division 2 of the City of Yankton Code of Ordinances to read as follows:

CHAPTER 2 - ADMINISTRATION

ARTICLE II - BOARD OF COMMISSIONERS

Division 2 - Meetings

*Sec. 2-38. - Conflicts of interest*

- (a) No member of the board of commissioners may participate in discussing or vote on any issue in which the member has a conflict of interest. Each member shall decide if any potential conflict of interest requires such member to be disqualified from participating in discussion or voting. However, no such member may participate in discussing or vote on an issue if the following circumstances apply:
- (1) The member has a direct pecuniary interest in the matter before the governing body; or
  - (2) At least two-thirds of the governing body votes that a member has an identifiable conflict of interest that should prohibit such member from voting on a specific matter.
- (b) If a member of the board of commissioners with a direct pecuniary interest participates in discussion or votes on a matter before the governing body, the legal sole remedy is to invalidate that commissioner's vote.

Adopted:

1<sup>st</sup> Reading:

2<sup>nd</sup> Reading:

Publication Date:

Effective Date:

---

Nathan Johnson, Mayor

Attest:

---

Al Viereck, Finance Officer



**Memorandum No. 18-142**

**TO:** Mayor and City Commissioners  
**FROM:** Amy Nelson, City Manager   
**RE:** Employment Agreement – Interim Police Chief  
**DATE:** June 19, 2018

---

Attached is an Employment Agreement for John W. Harris to serve as the Interim Police Chief for the City of Yankton beginning July 1, 2018. The length of the contract is 4 months with the option extending the Agreement on a month to month basis thereafter.

Mr. Harris has a wealth of knowledge and experience. Having been in law enforcement for 41 years, Mr. Harris has served in large communities such as Tucson, Arizona where he served as Assistant Chief, and Springfield Illinois as Chief of Police. He has also served as Chief for a number of mid-sized communities in the west and mid-west.

Mr. Harris has an excellent background mentoring young leaders. 12 of his former officers are now police chiefs serving in leadership roles throughout the country. He has been trusted to serve as Interim-City Manager for the City of Sahuarita, and has mentored other colleagues in the organizations he has served.

Mr. Harris is certified in Wyoming and meets the requirements of eligibility for South Dakota.

**Recommendation: It is recommended that the City Commission approve the City Manager's appointment of Mr. John W. Harris as Interim Police Chief.**

## EMPLOYMENT AGREEMENT

THIS AGREEMENT, made and entered, by and between the **City of Yankton**, a South Dakota municipal corporation, hereinafter referred to as “Employer,” and **John Harris**, hereinafter referred to as “Employee,” witness the following:

### RECITALS

1. Employer is a first class municipality in need of an interim police chief to run the Yankton Police Department while Employer conducts and completes the search and hiring process for a permanent police chief hire.

2. Based upon affirmative statements made by the Employee, Employee is a Certified Law Enforcement Officer in the State of Wyoming, has never been disciplined by any organization governing the certification of law enforcement, has never been convicted of any crime involving dishonesty or moral turpitude, and is eligible for South Dakota Reciprocity Certification upon tender and completion of the appropriate paperwork and training.

3. Employer has extended an offer of employment to Employee subject to the terms and conditions set forth in this agreement. Employee accepts employment on the terms and conditions set forth below.

Now Therefore, in consideration of the matters described above, and of the mutual benefits and obligations set forth in this agreement, the parties hereto agree as follows:

1. **Employment.** Employer shall employ Employee, and Employee accepts employment with Employer, on the terms and conditions set forth in this agreement. Employee is not an independent contractor.

2. **Term of Employment.** This agreement is effective as of the date this Agreement is executed, and is subject to the termination provisions of this agreement. The initial term of this Agreement shall be no less than four (4) months beginning on July 1, 2018; and thereafter, this Agreement shall be terminable by either party by giving written notice to the other party no less than thirty (30) days prior to the contemplated termination date. Subject to the foregoing, this employment shall be at-will. Employee agrees that Employee shall not be entitled to progressive discipline, which Employee recognizes is afforded to all other full-time employees of the City of Yankton. The thirty (30) day notice of termination shall not apply and Employee may be immediately terminated by Employer if Employee fails to become “reciprocity eligible” for law enforcement certification, or if Employer receives sufficient evidence establishing probable cause that Employee has committed any crime other than a moving violation not resulting in an injury to any other person.

3. **Duties.** Employee is engaged to carry out the following duties:
- (a) To tender necessary documentation and complete the necessary background check, application and related paperwork to become and remain “reciprocity eligible” to become a Certified Law Enforcement Officer in the State of South Dakota;
  - (b) To serve as the Interim Police Chief for the Yankton Police Department in accordance with the job description attached hereto as Exhibit A;
  - (c) To attend all City Commission and Department Head meetings of the City of Yankton;
  - (d) To assist Employer’s City Manager with restructure of the Department and reallocation of duties and responsibilities amongst the Department’s employees to maximize the benefits and security afforded to the City of Yankton and its citizens by the Yankton Police Department and to improve the internal morale and internal cooperation of the Yankton Police Department amongst its employees and the employees of Employer’s other departments and subdivisions;
  - (e) To assist Employer as a member of the search committee and provide guidance as requested by the City Manager in the search for a new permanent Police Chief for the Yankton Police Department;
  - (f) To abide by and enforce the internal personnel policies and procedures of the Yankton Police Department and the City of Yankton;
  - (g) To act at all times in the best interests of Employer and the citizens of the City of Yankton;
  - (h) To assist the Employer’s City Manager with revising and updating the Exhibit A job description of the Police Chief for the Yankton Police Department and to complete other duties as assigned by the Employer’s City Manager.

4. **Work Hours.** Employee agrees to devote no less than forty (40) hours of work per week to Employer. However, Employee shall generally be entitled to set his own hours. Employer agrees to cooperate with Employer’s City Manager to generate a flexible, but predictable and appropriate work schedule for Employee that best permits Employee to accomplish Employee’s duties set forth in Paragraph 3 while taking into account public emergencies, employee shift management and oversight, and special events occurring within the City (i.e. Riverboat Days, street dances, etc.). Employee specifically agrees to work extended hours during the Riverboat Days summer festival beginning on August 17 and ending on August 19, 2018. Employee shall bear responsibility for tracking his own work time. Employer’s City Manager and Employee shall work together to determine specific goals and duties and reasonable time-frames in which such goals and duties are accomplished. Employee agrees to devote the time, diligence, and attention necessary to perform his duties. Employer specifically authorizes Employee to take two (2) weeks of

leave presently scheduled for October 1 through October 14, 2018 and an additional ten (10) days of leave scheduled for November 5 through November 14, 2018. All other leave shall be governed by applicable personnel policies of the City of Yankton.

5. **Exclusivity of Service.** Employee agrees that during the pendency of this agreement he will not be actively employed elsewhere so that he can devote his full attention to his employment with Employer. Nothing herein prevents Employee from taking leave of absence or sabbatical from another employer during the pendency of this Agreement.

6. **Compensation & Fee Structure.** During the term of this agreement, Employer shall pay to Employee a bi-weekly salary of \$3,786.31, plus a monthly living stipend equal to \$1,000.00 (to be paid bi-weekly in the amount of \$461.54). The salary and living stipend shall be subject to all FICA and federal income tax withholdings. The net salary and stipend shall be paid by Employer to Employee in accordance with Employer's ordinary payroll schedule, which is bi-weekly. Employee acknowledges that Employer shall not compensate Employee for overtime pay. Employee shall fill out and sign an I-9 and a W-4 form. Employer shall issue a W-2 to the Employee as required by United States law. Upon termination of Employee's employment for any reason, Employee shall be entitled to receive his salary and stipend pro-rated through the effective date of termination.

7. **Benefits.** Employer shall pay Employee's unemployment insurance and worker's compensation insurance as required under South Dakota law; however, Employee shall not be eligible for any other employment insurance benefits of any sort, including health, life, or disability insurance, etc. Employee shall not be eligible to participate in the South Dakota Retirement System. Employer shall also cover the cost of Employee's application fees and expenses associated with Employee's Reciprocity Application to the South Dakota Law Enforcement Officers Standards and Training Commission.

8. **Work Facilities, Equipment, and Software.** Employer shall provide Employee with furnished office space within the Yankton Police Department, a computer terminal with internet access, a printer, appropriate law enforcement equipment and vehicles, appropriate conference rooms and related work space from which Employee shall carry out his duties under this Agreement. Employer will provide Employee with all requisite office supplies and software necessary to carry out his duties under this Agreement. Upon completion of the necessary paperwork to become "reciprocity eligible," Employer shall also furnish Employee with a standard firearm and badge. All items and equipment provided to Employee shall remain the property of Employer. Employee shall not utilize the Employer's office supplies, computer terminals or printers, or law enforcement equipment for personal use except in accordance with Employer's applicable policies. Employee shall be given Employer's passwords as necessary to access all software systems necessary for Employee to complete his duties as set forth in Paragraph 3. Upon termination of this Agreement for any reason, Employee shall immediately return all Employer-owned property.

9. **Miscellaneous Provisions.**

- (a) **Integration.** All parties agree that this agreement contains the entire understandings between and among the parties, both written and oral, and supersedes any prior understandings and agreements among them, both written and oral, respecting the subject matter of this agreement.
- (b) **Modification.** This agreement shall not be modified, amended or supplemented without an authorized, written agreement between the parties.
- (c) **Assignability.** This agreement is not assignable.
- (d) **Law Governing.** This agreement shall be governed by and construed in accordance with the laws of the State of South Dakota. Each party hereby consents to the personal jurisdiction of the State of South Dakota, acknowledges that venue is proper in the Court of appropriate jurisdiction in and for Yankton County, First Judicial Circuit, State of South Dakota, agrees that any action related to this agreement must be brought in such Court, and waives any objection that may exist, now or in the future, with respect to any of the foregoing.
- (e) **Scrivener's Presumption.** This agreement or any section thereof shall not be construed against any party due to the fact that said agreement or any section thereof was drafted by said party.
- (f) **Severability.** Each provision of this agreement is separable from the whole. If any portion of this agreement is determined to be unenforceable for any reason, then that invalidity shall not impair the remaining provisions of this agreement.
- (g) **Waiver.** No waiver by Employer shall operate as a waiver of any other provision or any subsequent default.
- (h) **Notices.** All notices, requests, demands, and other communications require or permitted hereunder will be in writing and will be deemed to have been duly given when delivered by hand or two days after being mailed by first class mail with postage prepaid to the City Manager (on behalf of Employer) or to Employee.

In Witness Whereof the parties have executed the above and foregoing document on this the \_\_\_\_ day of June, 2018.

**EMPLOYER**

**EMPLOYEE**

City of Yankton

\_\_\_\_\_  
**John Harris**

\_\_\_\_\_  
By: Amy Nelson  
Its: City Manager

## Exhibit A

Job Description: **Police Chief**  
Location: Public Safety Center  
Department/Division: Police Department  
Reports to: City Manager  
FLSA: Exempt

**Definition:** Under administrative direction, serves as the chief administrative officer of the Police Department; coordinates law enforcement and other public safety services for the City of Yankton; oversees the enforcement of all laws with its legal jurisdiction; plans, coordinates, supervises and staffs all activities of the department, including patrol, investigation, administration.

**Essential Functions:** (Essential functions, as defined under the Americans with Disabilities Act, may include the following tasks, knowledge, skills and other characteristics. This list is ILLUSTRATIVE ONLY, and is not a comprehensive listing of all functions and tasks performed by positions in this class).

### **Tasks:**

- Supervises and administers the police department including patrol, investigations, administration
- Oversees the city safety center
- Oversees and administers animal control and animal shelter
- Manages and administers the community policing projects including DARE, Crime Stoppers, Citizens Academy, etc.
- Controls the expenditure of department appropriations and oversees preparation of budget, including five year expenditure plan
- Reviews and assesses documentation, reports, intelligence and personnel issues
- Plans, directs and coordinates the activities of the police department; oversees planning efforts on programs
- Performs needs assessments on department development, training and long term goals, develops and implements policies, regulations and procedures
- Fosters relationships with community, news media, etc.; interacts with citizens in resolving problems
- Ensures compliance with state and federal mandates
- Promotes cooperation with other local government agencies

### **Knowledge, skills and Other Characteristics:**

- Knowledge of community based policing principles and practices
- Knowledge of supervisory and management practices

- Knowledge of law enforcement practices and procedures and applicable local, state, and federal laws, rules, and regulations
- Knowledge of proper firearm handling and techniques
- Skill in developing and implementing police related policies and procedures
- Skill in analytical, objective observance of situations and quick decision making
- Skill in managing situations firmly, courteously, tactfully and impartially
- Skill in establish cooperative work relationships with those contacted in the course of work.

**Qualifications:**

Bachelor's degree in Administration of Justice or closely related field from an accredited university; six years experience including four years supervisory experience in a local government police department may substitute for the degree on a year-for-year basis. Master's degree or advanced training, such as the FBI academy is preferred.

The above statements are intended to describe the general nature and level of work performed by people assigned to this classification. They are not intended to be an exhaustive list of all job duties performed by personnel so classified. Management reserves the right to revise or amend duties at any time. The job description does not constitute a contract.

Driver's license requirement:

- Essential
- Non-essential
- CDL required