

CITY OF YANKTON

2015_05_26

COMMISSION MEETING



YANKTON BOARD OF CITY COMMISSIONERS

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

Tuesday, May 26, 2015

City of Yankton Community Meeting Room

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

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

I. ROUTINE BUSINESS

1. Roll Call

2. Approve Minutes of regular meeting of May 11, 2015

Attachment I-2

3. City Manager's Report

Attachment I-3

4. Proclamation: Mental Wellness Conference Days Catholic Daughters of America Bike to Work, Bike to Play Month

Attachment I-4

5. Public Appearances

II. CONSENT ITEMS

1. Establish public hearing for renewal of Malt Beverage Licenses

Establish June 8, 2015, as the date for the public hearing on the applications for renewal of Malt Beverage Licenses for the 2015-16 licensing period

Attachment II-1

2. Establishing public hearing for sale of alcoholic beverages

Establish June 8, 2015, as the date for the public hearing on the request for a Special Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for 1 day, July 18, 2015 from Yankton Area Arts, (Julie Amsberry, Executive Director) Meridian Bridge, rain date set for Avera Sacred Heart Pavilion Center, Avera Campus, changed to City Hall Auditorium, 416 Walnut, Yankton, S.D

Attachment II-2

3. Dance License

Consideration of Memorandum #15-123 regarding Application from Dayhuff Enterprises, Inc., (Jeff Dayhuff, President) d/b/a Dayhuff Enterprises for Special Events Dance License for August 1, 2015

Attachment II-3

4. Establishing public hearing for sale of alcoholic beverages

Establish June 8, 2015, as the date for the public hearing on the request for a Special Events (on-sale) Liquor License for August 1, 2015 from Dayhuff Enterprises, Inc., (Jeff Dayhuff, President) d/b/a Dayhuff Enterprises, The block of 3rd Street between Douglas & Capital Street, Yankton, S.D

Attachment II-4

5. **Possible Quorum Event**
June 6-14, 2015 during World Youth Archery Championship, no official commission action

III. **OLD BUSINESS**

1. **Public Hearing – Subdivision Ordinance Amendment**
Consideration of Memorandum #15-111, public hearing of Ordinance #976 to consider a Subdivision Ordinance Amendment

Attachment III-1

2. **Public Hearing -**
Consideration of Memorandum #15-112, public hearing of Ordinance #977 to consider a rezoning From R-2 Single Family Residential to R-4 Multiple Family Residential The East 362 feet of the East Half of the Northeast Quarter of the Southeast Quarter (E 312', E 1/2, NE 1/4, SE 1/4) except the North 857 feet. From B-2 Highway Business to R-4 Multiple Family Residential The East 700 feet of the East Half of the Southeast Quarter of Southeast Quarter (E 700', E 1/2, SE 1/4, SE 1/4) except the South 560 feet. All in Section 2, Township 93 North, Range 56 West of the 5th P.M., Yankton County, South Dakota. Location, west side of the 2400 – 2600 Block of West City Limits Road. Bob Law, Inc., and Yankton Area Progressive Growth, owner / applicant

Attachment III-2

3. **Public Hearing**
Consideration of Memorandum #15-113 regarding a public hearing and consideration of the creation of a Rail Authority:

- (a) Resolution #15-13, Authorization to execute an agreement to become a member of the Yankton County Regional Railroad Authority.
- (b) Resolution #15-14, Authorizing an Agreement to Create the Yankton County Regional Railroad Authority and execution thereof.

Attachment III-3

IV. **NEW BUSINESS**

1. **Introduction of 2015 Assessment Roll–First Reading -Snow Removal & Tree Trimming**
Introduction of 2015 Assessment Roll–First Reading -Snow Removal & Tree Trimming

Attachment IV-1

2. **Introduction and First Reading - Rezone**
Consideration of Memorandum #15-114, introduction and first reading of Ordinance #978 and setting June 8, 2015 as the date for a public hearing to consider an owner petitioned rezoning from R-1 Single Family to I-1 Industrial on the North 82.5' except the East 33' and except the West 30' of Outlot 131, Auditor's Outlots, City and County of Yankton, South Dakota. Address, 706 W. 15th Street. Lonnie L. Huber and Merry J. Huber Irrevocable Trust, owner

Attachment IV-2

- 3. Planning Commission Recommendation –Plat**
Consideration of Memorandum #15-116 regarding Resolution #15-19, a Plat of Tract A, B, C and D, in Lots 1, 2 and 3 of Block 2, Riverside Acres North Addition, in the SW ¼ of the NW ¼ of Section 22, T93N, R56W of the 5th P.M., Yankton County, South Dakota. Address, 502 Deer Boulevard. Dena M. Heeney and Dawn R. Kabella, Trustees of the Heeney Family Trust, owners.

Attachment IV-3
- 4. Planning Commission Recommendation –Plat**
Consideration of Memorandum #15-115 regarding Resolution #15-18, a Plat of Lots 1 – 20 of Block 1, and Lots 1-4 of Block 2, Drotzmann’s Addition to the City of Yankton, South Dakota. Address, the West side of the 2200 Bocks of Douglas Ave. Steven A. and Lori R. Drotzmann, owner.

Attachment IV-4
- 5. Fish Grinding Station from the Parks Department**
Consideration of Memorandum #15-109 regarding Fish Grinding Station from the Parks Department

Attachment IV-5
- 6. Replacement of Mower for Fox Run Golf Course**
Consideration of Memorandum #15-110 regarding Replacement of Mower for Fox Run Golf Course

Attachment IV-6
- 7. Chan Gurney Municipal Airport Pavement Maintenance State Financial Assistance Agreement**
Consideration of Memorandum #15-119 regarding Chan Gurney Municipal Airport Pavement Maintenance State Financial Assistance Agreement

Attachment IV-7
- 8. 8th Street-Broadway Avenue to Summit Street State Funding Assistance**
Consideration of Memorandum #15-122 regarding 8th Street-Broadway Avenue to Summit Street State Funding Assistance

Attachment IV-8
- 9. Property Purchase from State of South Dakota**
Consideration of Memorandum #15-120 regarding the purchase of 11.27 acres of HSC property from the State of South Dakota

Attachment IV-9
- 10. Property Purchase of City Owned Land**
Consideration of Memorandum #15-121 regarding an offer to purchase two acres of City owned land on the west end of Parcel B of Fox Run Subdivision

Attachment IV-10
- 11. Mayor’s Appointments to City Advisory Boards and Commissions**
Consideration of Memorandum #15-124 recommending approval of the Mayor’s Appointments to various City Advisory Boards and Commissions

Attachment IV-11

V. ADJOURN INTO ZONING BOARD OF ADJUSTMENT

1. Roll call
2. Approval of minutes from April 8, 2013.

Attachment V-2

3. Zoning Board of Adjustment Variance Request

Establish June 8, 2015 as the date for a Zoning Board of Adjustment public hearing to consider a variance from maximum height requirements for a fence in a front yard located in the East 700 feet of the East Half of the Southeast Quarter (E 700', E 1/2, SE 1/4) except the South 560 feet; Section 2, Township 93 North, Range 56 West of the 5th P.M., Yankton County, South Dakota. Address, the west side of the 2400 – 2600 Block of West City Limits Road Bob Law, Inc., and Yankton Area Progressive Growth, owner / applicant

Attachment V-3

VI. ADJOURN AND RECONVENE AS BOARD OF CITY COMMISSIONERS

1. Roll call

VII. ADJOURN INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL & CONTRACTUAL MATTERS

VIII. RECONVENE AS BOARD OF CITY COMMISSIONERS

1. Roll Call

IX. ADJOURN THE MEETING OF MAY 26, 2015

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
MAY 11, 2015**

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

Roll Call: Present: Commissioners Akland, Blaalid, Ferdig, Gross, Hoffner, Knoff, and Sommer. City Attorney Den Herder and City Manager Nelson were also present. Absent: Commissioner Woerner.

Quorum present.

Action 15-125

Moved by Commissioner Gross, seconded by Commissioner Akland, to approve the Minutes of the special meeting of April 20, 2015, and regular meeting of April 27, 2015.

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

Motion adopted.

Action 15-126

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

A T & T-Cell Phone Bill-\$386.41; ACS Government Info Service-Maint Program Support-\$1,814.52; Active Network-Quarterly Transaction-\$181.38; American Fence Company-Fence Repair-\$1,465.00; Avera Education & Staffing-CPR Cards-\$20.00; Avera Sacred Heart Hospital-DOT CDL Drug Testing-\$25.00; Bering Sales-Name Badge-\$49.24; Bierschbach Equip & Supply-Caulk-\$3,494.43; Boller Printing Inc-Certificates-\$14.25; Brabender Technologies Inc-Repairs-\$378.01; Building Sprinkler Inc-Fire Protection-\$24,500.00; Burbach/Denny-Refund Season Pass-\$347.17; Butler Machinery Co-Service Call-\$516.90; Cedar Knox Public Power Dist-Elect-Apr-\$1,180.16; CenturyLink-Phone-Apr-\$1,660.11; Chamber of Commerce-Annual Banquet-\$87.00; Chesterman Company-Pop-\$448.77; Chucks Sanitary Service-Plumbing Work-\$75.00; City of Vermillion-Jt Power Cash Trans-\$26,760.45; City of Yankton-Central Garage Rubbish-\$25.00; City of Yankton-City Clean-Up City Wide Clean Up-\$21,393.62; City of Yankton-City Hall Garbage-\$24.50; City of Yankton-Parks Landfill Charges-\$181.20; City of Yankton-Solid Waste Compacted Garbage-\$10,597.05; City of Yankton-Water Garbage-\$30.20; City Utilities-Water-Ww-Charges-\$3,507.07; Conkling Dist-Beer-\$565.75; Cornhusker Intl Truck Inc-Filters-\$326.72; Credit Collection Service Inc-UT Collection-Mar-\$117.68; Crofton Elevator Inc-Bait-\$675.00; Dakota Beverage Co Inc-Beer-\$412.30; Danko Emergency Equipment-Module-\$180.38; Dept of Corrections-DOC Work Program-\$218.03; Dept of Enviroment-2005L-RLA-106-\$9,705.57; Dept of Environment-2005L-RLA-106-2-\$2,304.82; Dept of Revenue-License-\$150.00; Design Solutions & Integration-Repairs-\$3,664.00; DEX Media East-Phone Book-\$30.28; Eisenbraun And Associates-Professional Services-\$11,950.75; Electrical Engineering & Equip-Generator Maintenance-\$595.00; Ellis Auto Sales-Bumper-\$300.00; Emerson Manufacturing-Air Valve-\$65.00; Ethanol Products LLC-Carbon Dioxide-\$664.99; Fastenal Company-Tool Box-\$566.74; Federal Signal Corporation-Siren-\$13,739.00; Fejfar Plumbing Inc-Riverside Ball Park Irrigation-\$1,870.00; Finance Dept-License-\$150.00; First Dakota Nat'l Bank Corp-Fire Station Debt Serv-\$42,040.00; First National Bank-Sales Tax Revenue Bonds-\$41,882.50; First National Bank-WW Refunding Bonds-\$37,693.75; Flannery/Kirt-Officer Stipend-\$25.00; Freedom Valu Center Inc-Car Wash-\$87.50; Frick/Adam-Officer Stipend-\$25.00; Frick/Brian-Officer Stipend-\$50.00; Geotek Eng & Testing Serv Inc-Collector Well-Soil Test-\$9,851.10; Gerstner Oil Co-

Fuel-\$56,156.92; Graybar Electric Company Inc-Bulk Pebble Lime-\$4,520.07; Haar Co Inc-Mower-\$7,988.00; Hansen Locksmithing-Locksmith Services-\$45.00; Harding Glass-Window Replacement-\$198.98; Hawkins Inc-Chemicals-\$6,131.78; HD Supply Waterworks LTD-Line To Aeration Basins-\$3,452.05; HDR Engineering Inc-Water Plant Design-\$352,591.57; Hedahl's Parts Plus-Filters-\$531.82; Heritage Homes Inc-1/2 Special Appropriations-\$1,250.00; Human Resource Assn SD-Conference Registration-\$50.00; J & H Care & Cleaning Company-Janitorial Service-\$2,795.00; Jack's Uniforms-Taser Replacements-\$4,450.57; Jasper Engineering & Equipment-Flow Meter Testing-\$2,001.49; Johnson Electric-Baseball Field Lighting-\$8,147.58; Kadrmas Lee & Jackson Inc-Engineering Services-\$3,844.92; Kaiser Heating & Cooling Inc-Install Exhaust Fan-\$6,164.11; Kaiser/Barb-Flags-\$269.40; Kendell Doors & Hardware Inc-Lockset-\$153.60; Klein's Tree Service-Stump Removal-\$2,000.00; Language Line Services-Interpretation Fees-\$11.74; Lewis & Clark BHS-1/2 Special Approp-\$12,171.01; Lewis & Clark Homebuilder Assn-Membership Dues-\$350.00; Lewis & Clark Theatre Co-1/2 Special Approp-\$1,250.00; Licensure/Certification K-9 License Registration-\$75.00; Livingston Micrographics LLC-Ultraviolet Lamps/Parts-\$7,237.96; Locators & Supplies Inc-Segmented Blade-\$370.76; Luken Memorials Inc-Granite Marker-\$300.00; Lyle Signs Inc-Sign Parts-\$339.13; MailFinance-Postage-\$576.00; McGrath North Mullin & Kratz-Professional Services-\$2,885.00; Menards-Sprinkler Part-\$10.63; MidAmerican Energy-Fuel-April-\$3,043.91; MidAmerican Energy-Fuel-April-\$8,979.76; Midwest Alarm Company Inc-Alarm Service-\$264.00; Midwest Tape-Audio Books-\$129.97; Midwest Turf & Irrigation-Irrigation Parts-\$1,531.89; Midwest Wheel Companies-Equipment-\$836.64; Moser/Brad-Officer Stipend-\$25.00; National Field Archery Assn-WAYC Funding-\$25,100.00; Northland Trust Services Inc-Agent Fees-\$495.00; Northwestern Energy-Electric-April-\$53,449.33; Olson's Pest Technicians Inc-Pest Control-\$68.00; Press Dakota MStar Solutions-Summer Lake Guide-\$1,580.22; R & R Products Inc-Supplies-\$564.10; Racom Corporation-EDECS Access-\$1,336.86; RDG Planning & Design-Meridian Plaza Design-\$1,138.50; Regional Technical Education-Lease-Mar-\$1,466.67; Register of Deeds-Record Plats-\$70.00; Reinhart Foods Inc-Pop-\$1,356.51; Ricoh Production-Printer-\$361.96; Ron's Auto Glass Repair-Repair Window-\$205.00; Sheehan Mack Sales & Equip Inc-Roller Rental-\$6,465.00; Signs By Design-Signs-\$408.75; Sioux City Journal-Ads-\$1,023.85; Siouxland Propane Company-Scale Repairs-\$1,067.69; South Dakota Magazine-Park Guide-\$5,300.00; Spencer Quarries Inc-Rock Chips-\$21,432.12; T & R Contracting Inc-Douglas/Wilson-\$264,299.55; Tech Sales Co-Portable Sampler-\$5,840.90; Thomson Reuters-West- Local Gov't Law-\$487.00; TMA- Tires-\$431.00; Todd, Inc-Posts-\$1,645.25; Traffic Control Corp- Poles-\$460.00; Transportation Dept SD-Conference-\$85.00; Trugreen-Fertilizer-\$95.40; Turfwerks-Seal-\$2.65; US Post office-Util-UT Postage Meter-Apr-\$1,600.00; United Parcel Service Inc-Postage-Apr-\$147.73; United States Postal Service-Postage Meter-Apr-\$764.00; Vast Broadband-Internet Service-\$3,651.20; Wage Works-Flex Serv Fee-Apr-\$85.00; Walt's Homestyle Foods Inc-Entree-\$129.60; Week/Tom-Surveying-\$260.00; Welfl Construction Corp-Collector Well-\$500,331.04; Wholesale Supply Inc-Candy-\$776.00; Woehl/Toby-Officer Stipend-\$25.00; Woods Fuller Shultz & Smith PC-Professional Services-\$45.00; Xerox Corporation-Copier Lease-\$266.04; Yaggie's Inc-Weed Control-\$2,905.00; Yankton Area Arts Assn-1/2 Special Appropriation-\$2,500.00; Yankton Area Convention & Visitor's Bureau-1/4 Special Appropriation-\$96,332.50; Yankton Fire & Safety Co-Fire Extinguishers-\$1,182.00; Yankton Janitor Supply Inc-Hand Soap-\$191.62; Yankton School District 63-3-Design Build Projects-\$183,524.85; Yankton Volunteer Fire Department-Fire Calls/Mar-Apr-\$3,710.00; Ziegler/William-Officer Stipend-\$50.00; Zuercher Technologies LLC-NCIC Interface-\$1,750.00; A & B Business Inc-Copier Maintenance-\$435.92; A Taste of The Big App-Travel Expense-\$14.04; Ace Hardware-Equipment Repair-\$1,436.16; Acushnet Company-Merchandise-\$7,836.52; Air Delights Inc-Plumbing Supplies-\$22.94; Allegiant Air-Travel Expense-\$634.68; Amazon Mktplace Pmts-Recreation Supplies-\$483.94; Amazon.Com-Books-\$338.00;

Amoco Express Qps-Fuel-\$26.41; Ampco Parking-Meeting-\$19.50; Antigua Credit Depart-Merchandise-\$684.19; Appera-Towels-\$310.18; Army Lodging-Travel Expense-\$31.00; Asian Chao-Travel Expense-\$9.46; AT&T Bill Payment-AT&T Mobility-\$310.53; The Atlantic Mntly Magazine-Subscription-\$24.95; AWWA.ORG-AWWA Membership-\$178.00; Bag Boy Company LLC-Golf Balls-\$378.20; Baker-Taylor-Books-\$1,704.25; Barcode Giant-Office Supplies-\$117.42; Bench Craft Company-Bench Rental-\$1,500.00; Bomgaars-Welding Equipment-\$2,919.65; Book Systems Inc-Migration-Prof Service-\$11,155.00; Bridgestone Sports USA-Golf Club/Driver-\$261.90; Buildasign.Com Park Signage-\$312.05; Burger King-Travel Expense-\$3.59; Cabela S.Com Inc-Coveralls-\$91.14; Capitol Hill Suites Meeting-\$1,487.94; Casey's Gen Store Fuel-\$43.15; Casey's Gen Store-Staff Appreciation-\$6.35; Casey's Gen Store-Fuel-\$40.66; Casey's Gen Store-Travel Expense-\$23.51; Center Point-Large Print Books-\$126.42; Child Safety Solutions-Safety City-\$74.80; Chili's-Travel Expense-\$48.25; Clarks Rentals-Custom Saw Blade-\$900.00; Comfort Suites-Lodging-\$1,120.28; Company-Travel Expense-\$8.00; Cornhusker International- Radiator-\$988.84; Cox Auto Supply Strobe-\$297.82; Crescent Electric 029 Inlet Wiring-\$483.79; Dairy Queen-Travel Expense-\$5.02; Dairy Queen-Travel Expense-\$10.02; Dakota Archery-Trail Supplies-\$175.49; Dayhuff Enterprises-Vacuum Cleaner-\$1,243.85; Delta-Meeting-\$50.00; Drug Education Press-Advertisement-\$155.00; Dungarees LLC-Pants-\$69.98; DX Service-Salt-\$1,808.10; Echo Electric Supply-Fuse & Lamps-\$227.35; Ehresmann Engineering-Shop Supplies-\$46.92; Ellison Education.Com-Office Supplies-Die Cut-\$71.00; Embroidery & Screen Works-Office Supplies-\$112.00; Environmental Express-Lab Supplies-\$60.97; Fastenal Company-O-Ring Seals-\$196.78; Fejfar Plumbing & Htg-Pipe Fittings-\$11.62; Fluid Components Intl-Digester Gas Meter-\$966.86; Fox Run Golf Course-Uniform-\$8.47; Fred Haar Company-Gator Repairs-\$233.60; Galls Intern Equipment-Repair-\$533.95; Gasby S Coralville-Fuel-\$37.94; Gfs Chemicals Inc-Calibration Standard-\$334.11; Graham Tire-Tires-\$498.91; Gregg's Substation-Conference-\$12.31; Hach Company-Lab Reagents-\$1,146.29; Hardee's-Travel Expense-\$18.49; Harding Glass-Glass Replacement-\$56.55; Harry & Izzy's-Travel Expense-\$46.00; Hedahls-Hose-\$385.42; Hibachi Grill-Travel Expense-\$24.93; Honeywellstore.Com-Electrical Supplies-\$18.94; Huhot-Travel Expense-\$84.53; Hy-Vee Gas-Meeting Supplies-\$14.97; Hy-Vee-\$1899 Meeting Supplies-\$1,097.59; ICSC-Membership Dues-\$1,140.00; Independence Waste-Porta Pottys-\$531.85; Indiana CC Concess-Travel Expense-\$7.63; City Directories-Polk Directory Subscr-\$400.00; Int Battery Exchange-Batteries-\$177.60; Intl Soc Arboriculture-Arbor Day-\$317.05; Jack's Uniforms & Equip-Uniforms-\$237.78; JCL Solutions-Cleaning Supplies-\$403.07; Jendco Equipment-Repair-\$91.70; Jodeans Steak House-Meeting Supplies-\$12.00; Kaiser Refrigeration-Park Supplies-\$571.42; Kmart-Printer Ink-\$193.73; Koletzky Implement Inc-Mower Repair-\$324.74; Mark's Machinery Inc-Gas Springs-\$129.56; Mead Lumber-Park Supplies-\$119.36; Menards-Park Supplies-\$1,606.41; Midwest Radiator-Radiator-\$590.98; Monta's Framing-Professional Services-\$76.43; Motion Picture Licensing-Movie Licensing-\$178.46; MSFT-Software-\$79.50; Myers Tire Supply-O-Rings For Tires-\$180.45; Myradiomall.Com-ARS Mobile Radio-\$1,855.15; NBS Calibrations-Lab Scale-\$230.00; Nebraska PGA-Blue Go Conference-\$20.00; Nexbelt LLC-Merchandise-\$715.47; Northtown Automotive-Vehicle Repair-\$1,773.76; Novelty Machine-Belts-\$495.86; O'Reilly Auto-Shocks-\$586.48; Overhead Door Co-Shop Supplies-\$100.00; Fdic/Fire Engineer-Registration-\$2,380.00; Pennwell Books-Training DVD-\$53.25; Postage Refill Mailstation-Postage-\$100.00; Power Equipment-Direct Sprayer-\$1,379.99; Randomhouse-Books-\$414.00; Provantage LLC-Software-\$1,764.00; Quill Corporation-Fax Toner Cartridge-\$329.66; Recreation Supply Comp-Portable Lifeguard Chair-\$6,393.08; Red Cross Store-Uniforms-\$166.57; Riverside Hydraulics-HVAC Electric Motor Part-\$372.73; The Golfworks-Club Repairs-\$1,182.91; Royal Sport Shop-Uniforms-\$1,998.03; Sams Club-SD Chiefs Conference-\$33.60; SD Property Management-Flags-\$70.24; SESAC Inc-Music License-\$370.80; Shell Oil-SD Chiefs Conference-\$31.00; Shell Oil-SD Chiefs

Conference-\$32.40; Sherwin Williams-Trail Supplies-\$15.57; Shur-Co Outlet-service-Cement Glue-\$19.51; Sirchie Finger Print Labs-Office Supplies-\$243.40; Smithsonian Mag-Magazine Subscription-\$34.00; South Dakota Historical Soc-Book-\$36.96; South Dakota Library Association-Institutional Dues-\$330.00; South Dakota State Hist-Microfilm-\$99.00; Southgate-Gator Repairs-\$240.00; Specialty Store Service-Summer Reading-\$157.26; Speedway-Fuel-\$36.71; Stan Houston Equip Co-Pool Repairs-\$49.75; Subway-Travel Expense-\$7.65; Subway-Travel Expense-\$8.44; Superior Tech Products-Chemicals-\$7,566.00; Syd's Eastside-Auto Seat-\$25.00; Taco Johns-Travel Expense-\$7.67; Taj of India-Meeting-\$99.38; The Lodge At Deadwood-SD Chiefs Conference-\$30.60; TMA-Cemetery Gator Supplies-\$310.90; Money Magazine-Magazine Subscription-\$30.00; People Magazine-Magazine Subscription-\$116.07; Real Simple Magazine-Subscription-\$20.00; Tractor Supply Co-Seeder-\$301.43; Traffic Control-Road Signs-\$1,080.95; Truck Trailer Sales-Garage Supplies-\$874.85; Turfwerks-Shop Supplies-\$60.69; UPS-Postage-\$12.74; USA Blue Book-Aeration Plumbing-\$137.79; USAirway-Meeting-\$54.00; USPS-Postage-\$32.99; Viddler Inc-Video Hosting-\$29.89; VWR International Inc-Lab Supplies-\$272.54; Wal-Mart-Office Supplies-\$682.64; Walgreens-Book-\$33.56; Networksolutions-Domain Renewal-\$37.99; Western Office Product-Office Supplies-\$320.36; Wholesale Supply Co-Concessions-Gatorade-\$84.20; WM Supercenter-Ink Cartridge-\$626.92; WW Grainger-Office Supplies-\$447.71; Yankton Pizza Ranch-Meeting Supplies-\$57.96; Yankton Winnelson Co-Park Supplies-\$341.32; Yesfitnessmusic.Com-Recreation Supplies-\$72.80; Zones Inc-Mobile Computers-\$19,603.26; AFSCME Council 65-Employee Deduction-\$1,366.47; American Family Life Corp-Cancer & ICU Premiums-\$6,382.18; Assurant Employee Benefits-Vision Insurance May-\$546.98; Connections Inc-EAP Insurance April-\$274.82; Delta Dental-Dental Ins May-\$7,267.78; Dept of Social Services-Employee Deduction-\$1,965.00; First Natl Bank South Dakota-Employee Deduction-\$3,066.10; ICMA Retirement Trust #457-Employee Deductions-\$3,733.86; Kasseburg Canine Training-Police K-9-\$9,000.00; Larson/Sarah-Payroll Advance-\$440.00; Marks Machinery-Parks Mowers-\$18,950.00; Minnesota Life Insurance Co-Life Insurance May-\$680.95; Nelson/Amy-Travel-\$300.00; Nolz/Pat-Training-\$3,030.00; Retirement SD-SD Retirement April-\$64,223.39; SDSRP-Employee Deduction-\$3,170.00; Summit Activity Center-Employee Deductions-\$805.00; United Way-Employee Deductions-\$70.00; Wellmark Blue Cross-Health Ins May-\$89,034.60; Yankton Area Convention-Professional Services-\$12,465.40; Yankton Area Prog Growth-Sales Tax Reimbursement-\$60,057.33; Yankton Title Co-Right of Way Purchase-\$70,471.59.

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

SALARIES-APRIL 2015:

Administration-\$31,927.95; Finance-\$29,520.86; Community Development-\$18,336.62; Police-\$133,725.42; Fire-\$10,821.46; Engineering-\$41,486.98; Street-\$41,566.17; Snow & Ice-\$626.02; Traffic Control-\$1,768.16; Library-\$28,553.18; Parks/SAC-\$52,962.21; Marne Creek-\$3,599.58; Water-\$36,760.12; Wastewater-\$32,898.95; Cemetery-\$3,543.91; Solid Waste-\$18,938.17; Landfill-\$14,989.17; Golf Course-\$18,460.93; Central Garage-\$6,626.87.

PERSONNEL CHANGES & NEW HIRES:

New Hires:

Lynn Criss-\$8.50 hr.-Library; Kris Ford-\$11.75 hr.-Parks Division; Connor Fitzsimmons-\$8.75 hr.-Parks Division; Mark Jensen-\$9.25 hr.-Golf Division; Brady Knodel-\$8.75 hr.-Parks Division; Luke Loecker-\$8.50 hr.-Golf Division; Mitch Mueller-\$8.75 hr.-Parks Division; Gary Pigney-\$20.00 hr.-Rec Division; Grant Rolfes-\$8.75 hr.-Golf Division; Casey Skillingstad-\$8.50 hr.-Rec Division; Greg

Stewart-\$8.75 hr.-Parks Division; Scott Stoll-\$8.50 hr.-Rec Division; Doug Winstead-\$12.00 hr.-Wastewater.

Wage Increase:

Dakota Clark-\$9.25 hr.-Golf Division; Chase Erickson-\$8.75 hr.-Golf Division; Corey Gunderson-\$12.6111 hr.-Wastewater; Jannifer Guthmiller-\$9.25 hr.-Golf Division; Ashtyn Haak-\$9.50 hr.-Rec. Division; Logan Haak-\$9.00 hr.-Rec. Division; Matthew Hilson-\$8.75 hr.-Golf Division; Maddie Husman-\$9.50 hr.-Golf Division; Makenzie Johnson-\$9.00 hr.-Rec. Division; Rachael Johnson-\$9.00 hr.-Rec. Division; Cheyenne Lambley-\$8.75 hr.-Golf Division; Abigail Mitchell-\$9.00 hr.-Rec. Division; Karla Olson-\$9.50 hr.-Golf Division; Sharlotte Peterson-\$11.50 hr.-Rec. Division; Logan Ramey-\$9.25 hr.-Rec. Division; Lucas Rockne-\$9.00 hr.-Rec. Division; Jane Rodig-\$9.75 hr.-Golf Division; Jason Shindler-\$9.00 hr.-Golf Division; Brett Sime-\$10.25 hr.-Golf Division; Allison Spak-\$11.50 hr.-Rec. Division; Twila Stibral-\$11.50 hr.-Rec. Division; Michael Stoll-\$9.25 hr.-Golf Division; Cathy Sudbeck-\$9.25 hr.-Golf Division; Matthew Termansen-\$9.50 hr.-Golf Division; Emily VanGerpen-\$9.00 hr.-Golf Division; Larry Wagner-\$8.75 hr.-Golf Division; Maggie Wallis-\$9.50 hr.-Rec. Division; Brody Woehl-\$9.50 hr.-Rec. Division.

Longevity:

Linda Dobrovolny-\$1,726.42 bi-wk.-Library.

Status Change:

Tyler Payer-\$8.75 hr.-From Rec. Division to Golf Division; Justin Meyers-\$8.75 hr.-From Rec. Division to Parks Division.

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

Mayor Carda read proclamations declaring the week of May 11-17, 2105, as *National Police Week* and May 15, 2015, as *Peace Officer's Memorial Day*; May 16-22, 2015, as *National Safe Boating Week in Yankton*; and the month of May, 2015, as *Motorcycle Awareness Month*.

Action 15-127

Moved by Commissioner Gross, seconded by Commissioner Knoff, that the following items on the consent agenda be approved.

1. Establish Date for Combined City of Vermillion and City of Yankton Meeting
Establish 7 p.m. Monday, June 29, 2015, as the time and date for the combined City of Vermillion and City of Yankton Commission meeting to be held at the RTEC.
2. Transient Merchant & Dance License
Consideration of Memorandum 15-97 regarding Applications from the Biker Friendly Community Committee for:
 - (A) Transient Merchant License for August 1, 2015;
 - (B) Special Events Dance License for August 1, 2015.
3. Pyrotechnics License
Adoption of Resolution 15-17 for Permission to Host a Public Fireworks Display.
(Memorandum 15-107)

**RESOLUTION 15-17
RESOLUTION GRANTING PERMISSION FOR THE PUBLIC DISPLAY OF
FIREWORKS**

WHEREAS, Ribfest is having their annual event at Memorial Park; and

WHEREAS, part of this celebration includes the performance of musical acts; and

WHEREAS, Ribfest and Chuck FX LLC a/k/a Charles Majeske are desiring to include a pyrotechnic display during the final musical performance on Saturday, June 6, 2015; and

WHEREAS, written permission from the governing board is required for the public display of fireworks; now

THEREFORE, BE IT RESOLVED, that the Governing Body of the City of Yankton does hereby grant permission to Ribfest to host a public display of fireworks on June 6, 2015 at Memorial Park.

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

Action 15-128

This was the time and place for the public hearing on the application for a Special Events Wine License for one day, May 13, 2015, from The Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota. No one was present to speak for or against approval of the license. Moved by Commissioner Knoff, seconded by Commissioner Blaalid, to approve the license application. (Memorandum 15-88)

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

Action 15-129

This was the time and place for the public hearing on the application for a Special Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for one day, July 18, 2015, from The Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota. No one was present to speak for or against approval of the license. Moved by Commissioner Blaalid, seconded by Commissioner Akland, to approve the license application. (Memorandum 15-89)

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

Action 15-130

This was the time and place for the public hearing on the application for a Special Events Malt Beverage License and (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for one day, September 5, 2015, from The Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota. No one was present to speak for or against approval of the license. Moved by Commissioner Akland, seconded by Commissioner Blaalid, to approve the license application. (Memorandum 15-90)

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

Action 15-131

This was the time and place for the public hearing on the application for a Special Malt Beverage (on-

sale) Retailers License for one day, May 22, 2015, from South Dakota Kayak Challenge, LLC (Jarett Bies, Officer), Picnic Shelter No.3, Riverside Park, Yankton, South Dakota. Moved by Commissioner Blaaid, seconded by Commissioner Sommer, to approve the license application. (Memorandum 15-91)

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

Action 15-132

This was the time and place for the public hearing on the application for the transfer of location of a Retail (on-off sale) Malt Beverage License for July 1, 2014, to June 30, 2015, from Torid, LLC dba 5 O’Clock Somewhere (Richard Dolejsi, Member), 1522 ½ Broadway to 2007 Broadway, Suite M, Yankton, South Dakota. No one was present to speak for or against approval of the application for transfer of the license. Moved by Commissioner Knoff, seconded by Commissioner Blaaid, to approve the license application. (Memorandum 15-92)

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

Action 15-133

This was the time and place for the public hearing on the application for the transfer of location of a Retail (on-off sale) Malt Beverage License for July 1, 2014, to June 30, 2015, from Torid, LLC dba 5 O’Clock Somewhere – Parrots Cove (Richard Dolejsi, Member), 1522 ½ Broadway to 2007 Broadway, Suite M-A, Yankton, South Dakota. No one was present to speak for or against approval of the license. Moved by Commissioner Blaaid, seconded by Commissioner Knoff, to approve the license application. (Memorandum 15-93)

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

Action 15-134

This was the time and place for the public hearing on the application for a New Retail (on-off sale) Wine License for January 1, 2015, to December 31, 2015, GNA Ventures, Inc. dba Happy Hourz (Neil Anderson, President), 311 Douglas, Yankton, South Dakota. No one was present to speak for or against approval of the license. Moved by Commissioner Blaaid, seconded by Commissioner Sommer, to approve the license application. (Memorandum 15-94)

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

Action 15-135

Moved by Commissioner Knoff, seconded by Commissioner Blaaid, to Adjourn Sine Die at 7:23 p.m.

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

City Attorney Den Herder administered the Oath of Office to re-appointed City Commissioners David Carda and David Knoff, and newly appointed City Commissioner Nathan Johnson.

In absence of a Mayor, City Manager Nelson called the meeting to order.

Roll Call: Present: Commissioners Blaaid, Carda, Ferdig, Gross, Hoffner, Johnson, Knoff, and Sommer. City Attorney Den Herder was also present. Absent: Commissioner Woerner. Quorum

present.

Finance Officer Viereck requested nominations for Office of the Mayor for the 2015-2016 term.

Commissioner Knoff nominated Commissioner Carda for the Office of Mayor, seconded by Commissioner Gross.

Action 15-136

With no other nominations, moved by Commissioner Knoff, seconded by Commissioner Gross, that nominations cease and a unanimous ballot be cast for Commissioner Carda for the position of the Mayor.

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

Motion adopted.

Finance Officer Viereck turned the meeting over to Mayor Carda at this time.

Action 15-137

Commissioner Gross introduced and Mayor Carda read the title of Ordinance No. 976, AN ORDINANCE AMENDING CHAPTER 17, PLANNING AND ZONING GENERALLY, ARTICLE III, SUBDIVISIONS, SECTIONS 17-42 AND 17-59 OF THE CITY OF YANKTON, SOUTH DAKOTA’S CODE OF ORDINANCES, ADDING A PROCEDURAL REQUIREMENT FOR THE INVOLVEMENT OF THE B-Y WATER DISTRICT IN AREAS OF THE CITY UNDER THEIR WATER SERVICE JURISDICTION, and set the date for the second reading and public hearing as May 26, 2015.

Action 15-138

Moved by Commissioner Knoff, seconded by Commissioner Sommer, to approve the “Residential Water System Joint Agreement” between the B-Y Water District and the City of Yankton. (Memorandum 15-103)

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

Motion adopted.

Action 15-139

Moved by Commissioner Blaalid, seconded by Commissioner Knoff, to approve two Right-of-Way Easements granting BY-Water approval to install trunk line water mains on two parcels of City owned property described as Lot 3 and the South 200 feet of Lot 2 except the North 61 feet thereof of Airport Addition to the City of Yankton, Yankton County, South Dakota, and Lot 5, of Airport Addition to the City of Yankton, Yankton County, South Dakota. (Memorandum 15-104)

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

Motion adopted.

Action 15-140

Commissioner Sommer introduced and Mayor Carda read the title of Ordinance No. 977, AN ORDINANCE TO REZONE PROPERTY DESCRIBED HEREIN, and set the date of the second reading and public hearing as May 26, 2015.

Action 15-141

Moved by Commissioner Blaalid, seconded by Commissioner Ferdig, to adopt Resolution 15-12.
(Memorandum 15-106)

RESOLUTION 15-12
A RESOLUTION PROVIDING FOR A PUBLIC HEARING ON THE CREATION
OF THE YANKTON COUNTY REGIONAL RAILROAD AUTHORITY

BE IT RESOLVED by the City of Yankton, South Dakota that a hearing shall be held at 7:00 PM on Tuesday, May 26, 2015, in the Yankton Community Meeting Room at 1200 West 21st Street, Yankton, South Dakota, to accept public comment on the creation of the Yankton County Regional Railroad Authority which will encompass the jurisdiction of the City of Yankton and that the Finance Officer shall cause to be published notice of such hearing not less than 10 days prior to the hearing.

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

Action 15-142

Moved by Commissioner Blaalid, seconded by Commissioner Sommer, to adopt Resolution 15-16.
(Memorandum 15-96)

RESOLUTION 15-16
A RESOLUTION TRANSFERRING A HANGAR LAND LEASE AGREEMENT FROM
THE ESTATE OF GERALD L. READE TO JACOB HOFFNER dba HOFFNER FLYING, INC

WHEREAS, The City of Yankton has been given the authority to approve the airport hangar ground lease agreement transfer for the airport hangar #14 owned by The Estate of Gerald L. Reade, JoAnn Jonas Personal Representative; and,

WHEREAS, Jacob Hoffner dba Hoffner Flying, Inc., wishes to assume ownership of the hangar from The Estate of Gerald Reade, JoAnn Jonas Personal Representative; and,

WHEREAS, Jacob Hoffner dba Hoffner Flying, Inc., has signed an agreement assuming the responsibilities and obligations of the current lease agreement; and,

WHEREAS, it is in the best interest of the City of Yankton and the operations of Chan Gurney Municipal Airport to approve the transfer of the ownership of this airport hangar and to approve the assignment of the land lease agreement to Jacob Hoffner dba Hoffner Flying, Inc.,

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota, that the transfer of the ownership of the airport hangar and the assignment of the land lease agreement from The Estate of Gerald L. Reade, JoAnn Jonas Personal Representative to Jacob Hoffner dba Hoffner Flying, Inc., is hereby approved.

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

Action 15-143

Moved by Commissioner Knoff, seconded by Commissioner Sommer, to set June 8, 2015, as the date for the Public Hearing for the Special Assessment Project for 15th Street from West City Limits Road to Dakota Street. (Memorandum 15-95)

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

Motion adopted.

Action 15-144

Moved by Commissioner Hoffner, seconded by Commissioner Gross, to approve the request from the Yankton Convention & Visitors Bureau and Yankton Chamber of Commerce for funding in the amount of \$5,000.00 from BBB monies to help with marketing for the First Annual “Rumble at the River” a ‘Biker Friendly Community” event planned for August 1, 2015, to coincide with the 75th Annual Sturgis Bike Rally. (Memorandum 15-98)

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

Motion adopted.

Action 15-145

Moved by Commissioner Blaalid, seconded by Commissioner Knoff, to adopt Resolution 15-15, Special Events Parking Request, and to suspend the open container law for the closed area of 3rd Street between Douglas and Capitol, on Saturday, August 1, 2015, as part of the First Annual “Rumble at the River” a “Biker Friendly Community” event. (Memorandum 15-99)

RESOLUTION 15-15
Special Events Parking Request

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

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

WHEREAS, Biker Friendly Community Committee has made a request to enact this no parking zone for their event on August 1, 2015.

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 3rd street from Douglas (intersection of Douglas & 3rd Street to remain open) to Capitol Street (intersection of Capitol Street and 3rd Street to remain open) to be closed from 5:00 p.m. to 2:00 a.m. on August 1.

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

Motion adopted.

Action 15-146

Moved by Commissioner Gross, seconded by Commissioner Sommer, to approve the request from the Yankton Convention & Visitors Bureau and Yankton Chamber of Commerce to allow free tent

camping at Riverside Park along the boulevard (between the street and sidewalk) and at the former Stern Oil Company property for overflow camping, if necessary, from July 29, through August 11, 2015; and to approve their request to close down both levels of the Meridian Bridge in order to hold a motorcycle parade from 2:00 to 3:00 p.m. on Saturday, August 1, 2015, as part of the First Annual "Rumble at the River" a "Biker Friendly Community" event. (Memorandum 15-100)

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

Action 15-147

This was the time and place to award the bid for the Raw Water Transmission Main and Treated Water Distribution Main Improvements. The following bids were received and opened on April 30, 2015: Feimer Construction, Yankton, South Dakota-\$2,223,377.85; Slowey Construction, Inc., Yankton, South Dakota-\$2,371,792.83; Thorstad Companies, Dell Rapids, South Dakota-\$2,872,492.98. (Memorandum 15-101) Moved by Commissioner Blaalid, seconded by Commissioner Knoff, to award the bid to the low bidder, Feimer Construction, Yankton, South Dakota, in the amount of \$2,223,377.85, subject to concurrence by the South Dakota Department of Environment and Natural Resources.

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

Action 15-148

Moved by Commissioner Blaalid, seconded by Commissioner Sommer, to approve the "Agreement for Land and Water Conservation Fund Assistance" between the State of South Dakota and the City of Yankton for funding assistance in the amount of \$40,000.00 for replacement of playground equipment in Riverside Park in 2016. (Memorandum 15-108)

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

Action 15-149

Moved by Commissioner Blaalid, seconded by Commissioner Johnson, to adjourn into Executive Session at 8:26 p.m. to discuss contractual matters under SDCL 1-25-2.

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

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

Roll Call: Present: Commissioners Blaalid, Ferdig, Gross, Hoffner, Johnson, Knoff, and Sommer. City Attorney Den Herder and City Manager Nelson were also present. Absent: Commissioner Woerner. Quorum present.

Action 15-150

Moved by Commissioner Gross, seconded by Commissioner Blaalid, to adjourn at 8:48 p.m.

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

David Carda
Mayor

ATTEST:

Al Viereck
Finance Officer



OFFICE OF THE CITY MANAGER

www.cityofyankton.org

VOL. 50, NUMBER 10

Commission Information Memorandum

The Yankton City Commission meeting on Tuesday, May 26, 2015, will begin at 7:00 pm.

Non-Agenda Items of Interest

1) Parks and Recreation Department Update

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

2) Finance Update

A team of six auditors from Williams & Company was on site the week of May 11 to meet with Finance, other departmental staff, and a city commissioner to complete the field work portion of the 2014 financial audit. Auditors are now preparing a draft document for our review before submission to the South Dakota Department of Legislative Audit for state approval.

Please see the enclosed Monthly Finance Report for April.

3) Human Resources Update

Along with our summer seasonal staff starting, we also had two new Police Officers begin their employment. Joseph Erickson and Samantha Rus started their duties on May 14, 2015, and have been in classroom training.

4) Library Update

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

5) Public Services Department Update

Enclosed with this packet is a public service announcement being published to announce that glass can now be accepted at the Yankton Recycling Center located at the transfer station - 1220 West 23rd Street.

6) Community Development Update

A Community Assistance Visit was conducted by FEMA for the City of Yankton on April 28, 2015 that evaluated the City's eligibility for continued participation in the National Flood Insurance Program. As part of the visit, FEMA evaluated the City's floodplain development permits, floodplain management procedures and the City's adoption of floodplain ordinances. As noted in the attached letter, FEMA has recognized the City as a member in good standing with the NFIP. The NFIP is the insurance program that offers insurance to properties that are located in floodplains.

The Senior Citizens Center assembly hall floor replacement project is moving forward. The project

includes replacing approximately 4,700 square of vinyl tile flooring in the main assembly area and hall ways of the Senior Citizens Center. The Community Development Staff will be taking sealed quotes from local flooring vendors and awarding the contract on July 8, 2015.

7) Environmental Services Department Update

The collector well project continues to move forward. The contractor completed the bottom plug of the collector well. The collector well is now pumped dry and the contractor is setting up the equipment to begin installing the 13 laterals.

The outfall project also continues to move forward. The concrete wetwell is complete and the new outfall pipe is in place. The contractor will be completing the plumbing for the emergency pump connections and will be working on the finish grading for the site.

Summer help started this week and they will begin painting hydrants. A little over 50% of the hydrants have been painted in the last three years. Staff is hoping to complete the hydrant painting this summer.

8) Information Services Update

City staff has received a proposal in response to the RFP for the proposed radio system upgrades. Staff will be reviewing the proposal and scope of work for the radio system analysis. The proposal includes an option for review of City services only and an optional review of County-wide needs.

9) Fire Department Update

The burn ban has been lifted for Yankton County.

Chief Kurtenbach attended the Federal Highway Administration's National Traffic Incident Management Responder Training Train-the-Trainer course in Mitchell. This course is intended to provide training to first responders, highway maintenance workers and tow truck operators on traffic management and safety during emergency highway incidents.

Chief Kurtenbach attended the Advanced Planning Concepts: Developing Incident Action Plans course in Yankton.

Ground has been broken for the Fire Museum which will be located on the southeast side of the east parking lot at Fire Station #2. Fundraising continues for the project. We have received enough cash and in-kind donations to begin the building project. We will keep you informed as the project progresses.

11) Monthly minutes

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

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

Sincerely,

Amy Nelson
City Manager

Commission Information Memorandum

PARKS AND RECREATION DEPARTMENT

SUMMIT ACTIVITIES CENTER and RECREATION PROGRAMS

1st -half of May information:

Fitness Classes-	
Early Bird Boot Camp class	42 participants
Power Abs	39 participants
Prime Time Senior class	33 participants
Tabata class	31 participants
Tiny Tots Play Club	Closed for the season
Tot Time Child Center	Closed for the season
Water aerobics	128 participants
Work-Out Express class	96 participants
Yoga classes	73 participants
Zumba class	47 participants

Rentals-	
o Birthday rentals-	6 parties
o SAC courts-	0 hours
o Theater-	72 hours
o Meeting rooms-	8 hours
o City Hall courts-	5 hours
o Capital Building-	6 dates
o Riverside shelters-	7 rentals
o Memorial shelters-	4 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 rentals

SAC members-	2,089 people
SAC memberships-	871
SAC attendance-	2,480 visits
New members-	17 people

Friday, May 8- Registration deadline.
Co-ed Softball – 27 teams (26 teams in 2014).
Co-ed Sand Volleyball – 11 teams (12 teams in 2014.)
Women’s Sand Volleyball – 15 teams (12 teams in 2014).

Lifeguard Training Class – 7 participants.

Todd is working with a few community members on making June Bike to Work – Bike to Play Month in Yankton.

Travel South Dakota has a new website. Todd is placing the Yankton Parks and Recreation Department on the website and will be listing events, attractions, and recreation facilities offered in Yankton.

PARKS

The Parks Department has started preparing the Fantle Memorial Pool for the summer swimming season in 2015. The low night time temperatures are making it hard to finish the caulking and painting inside the main pool basin.

The Parks Department prepared Riverside Park for the Educational Festival and the Outdoor Expo that took place on Friday, May 1 and Saturday, May 2.

The Parks Department prepared Sertoma Park for the youth softball tournament on Saturday, May 2, and Sunday, May 3.

The Parks Department worked with the Riverwalk Sculpture project to de-install sculptures on Friday morning, May 8 and installed the new sculptures on Friday afternoon.

The Parks Department prepared Sertoma Park for the youth baseball tournament on Saturday, May 9, and Sunday, May 10.

The Parks Department is preparing Riverside Park for the SD Kayak Challenge to be held on Saturday, May 23.

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

The summer seasonal help have started working for the department over the past couple of weeks.

TRAILS

The RR underpass project is scheduled to have a pre-construction meeting in mid-June.

GOLF

In a better effort to communicate with Fox Run patrons, the Golf Advisory Board agenda packets will now be sent by e-mail to the address list used by Kevin Doby for his golf course newsletter. It was done again with the May GAB packet.

The Parks Department prepared a document comparing the services provided to the City of Yankton and what it costs per person to offer these different divisions of the department. The document is attached.

Sign up for the Fox Run Golf Course Zombie Walking Program. It is FREE to sign up and you will receive a t-shirt. Win prizes for walking 50, 75, and 150 holes. The adult and junior that walks the most in 2015 will win a free membership for next year!

On the Radio: "The Fox Run Minute"

Check out the latest happenings, news, event info, etc. Tuesday mornings between 9:00 & 10:00 a.m. on 1570 AM ESPN Radio.

The 2015 event calendar is now available at www.cityofyankton.org. Go to the Fox Run Golf Course section and either use the calendar in the upper right-hand corner or click on the Calendar link on the left side.

FINANCE MONTHLY REPORT

ACTIVITY	APRIL 2015	APRIL 2014	APR 2015 YTD	APR 2014 YTD
UTILITY BILLING:				
Water				
Water Sold (in gallons per 1,000)	47,244	46,819	174,807	173,010
Water Billed	\$371,881.05	\$349,794.18	\$1,394,663.67	\$1,323,096.60
Basic Water Fee/Rate per 1000 ga	\$15.45/\$5.08	\$15.00/\$4.93		
Number of Accounts Billed	5,134	5,114	20,477	20,457
Number of Bills Mailed	5,134	5,114	20,477	20,457
Total Meters Read	5,570	5,532	22,257	22,114
Meter Changes/pulled	1	52	12	326
Total Days Meter Reading	1	1.5	4	6.5
Misreads found prior to billing	0	0	0	0
Customers requesting Rereads	0	0	0	2
Sewer				
Sewer Billed	\$269,217.62	\$258,549.55	\$1,037,900.87	\$979,052.86
Basic Sewer Fee/Rate per 1000 ga	\$8.37/\$5.06	\$7.97/\$4.82		
Solid Waste				
Solid Waste Billed	\$77,011.67	\$74,544.57	\$307,788.81	\$297,689.30
Basic Solid Waste Fee	\$16.63	\$16.15		
Total Utility Billing:	\$718,110.34	\$682,888.30	\$2,740,353.35	\$2,599,838.76
Adjustment Total:	(\$173.79)	(\$30.00)	(\$1,711.14)	(\$325.78)
Misread Adjustments	\$0.00	\$0.00	\$0.00	(\$24.65)
Other Adjustments	(\$93.79)	\$0.00	(\$881.14)	(\$1.13)
Penalty Adjustments OFF	(\$90.00)	(\$70.00)	(\$900.00)	(\$370.00)
Penalty Adjustments ON	\$10.00	\$40.00	\$70.00	\$70.00
New Accounts/Connects	65	41	176	174
Accounts Finaled/Disconnects	44	42	176	179
New Accounts Set up	4	2	15	4
Delinquent Notices	310	385	1534	1576
Doorknockers	142	133	542	560
Delinquent Call List	102	60	383	252
Notice of Termination Letters	20	13	62	56
Shut-off for Non-payment	7	7	21	15
Delinquent Notice Penalties	\$3,100.00	\$3,850.00	\$15,340.00	\$15,760.00
Doorknocker Penalties	\$1,420.00	\$1,330.00	\$5,420.00	\$5,600.00
Other Office Functions:				
Interest Income	\$7,487.75	\$4,354.93	\$23,598.09	\$17,583.75
Interest Rate-Checking Account	0.43%	0.29%		
Interest Rate-CDs	N/A	N/A		
# of Monthly Vendor Checks	171	179		
Payments Issued to Vendors	\$1,016,062.04	\$952,598.16	\$5,060,267.68	\$4,821,180.32
# of Employees on Payroll	215	206		
Monthly Payroll	\$372,407.16	\$347,083.15	\$1,722,990.56	\$1,604,776.89

Yankton Community Library

Summer Reading Kickoff:

We kick off our summer program on June 1. We are hosting an open house featuring heroes from our community from 1-3 p.m. We'll have a fire truck, police car, Highway Patrol car as well as other vehicles in the parking lot. In the meeting room, children can visit with directors from some of the United Way agencies who work daily to make life better for people in our community. The teen and adult programs begin that day as well.

Children's Art Fest:

The library will once again take part in the Children's Art Fest at Riverside Park on Tuesday, June 2, from 5-7:30 p.m. We'll have a craft to make and summer reading registrations available.

Adult Summer Reading Programs:

We are hosting *The Big Bang Theory* Trivia Night on June 2 for individuals and teams of two. On June 9, 6:30 p.m., Arthur L. Rusch will talk about his experience writing the book *County Capitols: The Courthouses of South Dakota*.

Memorial Day Close/Summer Hours:

The library is closed on May 24-25 in observance of Memorial Day. We open on May 26 with our summer hours which are:

- Monday/Tuesday, 9 a.m. to 8 p.m.
- Wednesday/Thursday, 9 a.m. to 6 p.m.
- Thursday/Friday, 9 a.m. to 5 p.m.
- Sunday, closed

Traffic Statistics:

2014	Total	2015	Total
January	14,067	January	13,741
February	13,614	February	12,428
March	13,970	March	11,455
April	14,868	April	13,633
May	14,869	May	
June	15,094	June	
July	14,730	July	
August	12,517	August	
September	11,112	September	
October	13,583	October	
November	9,111	November	
December	9,787	December	

Downloadable Books Circulation:

2014	OverDrive**	TumbleBooks*	2015	OverDrive	TumbleBooks
January	784	2,187	January	787	37
February	628	1,486	February	768	97
March	761	1,697	March	774	236
April	714	1,579	April	658	318
May	662	858	May		
June	771	348	June		
July	855	77	July		
August	687	48	August		
September	679	97	September		
October	739	529	October		
November	781	102	November		
December	706	27	December		

**OverDrive materials are young adult through adult.

*TumbleBooks are preschool through young adult materials.

Circulation Statistics:

2014	Adult	Juvenile	Total	2015	Adult	Juvenile	Total
Jan.	9,969	7,164	17,132	Jan.	9,138	3,658	12,796
Feb.	8,741	5,403	14,144	Feb.	7,967	3,646	11,613
Mar.	10,030	6,565	16,595	Mar.	8,774	4,125	12,899
April	9,151	5,924	15,075	Apr.	7,987	3,917	11,904
May	8,991	5,101	14,092	May			
June	9,675	7,047	16,722	June			
July	9,757	5,858	15,625	July			
Aug.	8,549	3,896	12,445	Aug.			
Sept.	8,531	3,903	12,434	Sept.			
Oct.	8,488	5,083	13,571	Oct.			
Nov.	8,271	3,971	12,242	Nov.			
Dec.	7,731	5,223	12,954	Dec.			

Yankton Recycling Center to accept glass for free

The Yankton Recycling Center will begin accepting glass for free on May 26, 2015. The following types of glass will be accepted:

All colors of glass bottles and jars that are emptied, rinsed, and free of contaminants; labels and lids may remain on the jars.

Drinking glasses and vases.

Unpainted plate glass (windows) as long as the framing is removed (just the glass).

The following will **not** be accepted:

Borosilicate lab glass

Windshields or safety glass

Ceramic or porcelain

Leaded crystal

Pyrex

Please bring all glass to the Recycling Center located at the transfer station-1200 W. 23rd St. for disposal during normal business hours Monday through Saturday 8am-3:45pm. **No glass will be accepted on the city curbside routes.** For more information, call 668-5212 or go to the City of Yankton website

<http://www.cityofyankton.org/>

5-18-15

Publishing Dates: May 14, 2015 & May 18, 2015

NOTICE TO BIDDERS

Sealed bids will be received by the City Commission of the City of Yankton, South Dakota, at 416 Walnut Street, Yankton, South Dakota, at the Office of the City Finance Officer of said City until 3:00 P.M. or may be hand delivered to the place of opening at 3:00 P.M. on the 28th day of May, 2015, at which time they will be publicly opened and read in the Second Floor Meeting Room of City Hall, Yankton, South Dakota. Disposition of said bid will be held on the 8th day of June, 2015 at 7:00 P.M. in the City of Yankton Community Meeting Room located in the Technical Education Center at 1200 W. 21st Street, Yankton, South Dakota.

Bids will be received on the following:

ANNUAL SUPPLY OF PETROLEUM PRODUCTS

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

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

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

Kevin Kuhl, PE
Director of Public Works
City of Yankton, South
Dakota

Dated: May 14, 2015

-THE CITY OF YANKTON IS AN EQUAL OPPORTUNITY EMPLOYER

Publishing Dates: May 14, 2015 & May 18, 2015

NOTICE TO BIDDERS

Sealed bids will be received by the City Commission of the City of Yankton, South Dakota, at 416 Walnut Street, Yankton, South Dakota, at the Office of the City Finance Officer of said City until 3:00 P.M. or may be hand delivered to the place of opening at 3:00 P.M. on the 28th day of May, 2015, at which time they will be publicly opened and read in the Second Floor Meeting Room of City Hall, Yankton, South Dakota. Disposition of said bid will be held on the 8th day of June, 2015 at 7:00 P.M. in the City of Yankton Community Meeting Room located in the Technical Education Center at 1200 W. 21st Street, Yankton, South Dakota.

Bids will be received on the following:

ANNUAL SUPPLY OF TRANSPORT – TANKWAGON PETROLEUM PRODUCTS

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

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

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

Kevin Kuhl, PE
Director of Public Works
City of Yankton, South
Dakota

Dated: May 14, 2015

-THE CITY OF YANKTON IS AN EQUAL OPPORTUNITY EMPLOYER-



FEMA

R8-MT

May 6, 2015

Ms. Amy Nelson
City of Yankton
City Manager
P.O. Box 176
Yankton, SD 57078

Re: City of Yankton Community Assistance Visit

Dear Ms. Nelson:

A Community Assistance Visit (CAV) was conducted for the City of Yankton on April 28th, 2015 that evaluated the City's eligibility for continued participation in the National Flood Insurance Program (NFIP). I appreciated the excellent cooperation you and your staff provided throughout this process. The City has established a thorough process for administering the requirements of their floodplain ordinance and has a better understanding how to manage any future floodplain development.

All the necessary documentation has been received. As a result, the CAV's findings concluded that City of Yankton is in compliance with the NFIP program as well as the City's Floodplain Ordinance and is considered a participating member in good standing with the NFIP. City of Yankton's files, floodplain development permits and floodplain management procedures align well with the minimum requirement of the NFIP program.

In reviewing your community's outstanding efforts, I would like to recommend the City of Yankton to consider joining the NFIP Community Rating System (CRS). The CRS program is a means of recognizing those communities that exceed the minimum requirements of the NFIP program, thus allowing discounts on NFIP insurance policies.

This letter officially closes the CAV for the City of Yankton.

I commend you and your staff for your commitment to floodplain management. If you should have questions or need further assistance with your floodplain management program, please contact me at 303.235.4802.

Sincerely,

A handwritten signature in blue ink that reads "Tom Birney". The signature is stylized and fluid.

Tom Birney
Natural Hazard Program Specialist – South Dakota

Description	Yankton Transfer	Vermillion Landfill	Total Joint	4 Month Budget	Legal 2015 Budget
Joint Power Transfer/Landfill					
<i>Total Revenue</i>	\$305,672.93	\$192,617.58	\$498,290.51	\$490,000.00	\$1,470,000.00
<i>Expenses:</i>					
Personal Services	68,888.59	98,852.82	167,741.41	192,894.67	578,684.00
Operating Expenses	86,803.88	108,141.42	194,945.30	249,324.00	747,972.00
Depreciation (est)	36,850.20	51,077.84	87,928.04	133,876.67	401,630.00
Trench Depletion	0.00	21,633.52	21,633.52	26,000.00	78,000.00
Closure/Postclosure Resrv	0.00	2,392.36	2,392.36	2,716.67	8,150.00
Amortization of Permit	0.00	313.41	313.41	366.67	1,100.00
<i>Total Operating Expenses</i>	192,542.67	282,411.37	474,954.04	605,178.67	1,815,536.00
<i>Non Operating Expense-Interest</i>	0.00	36,785.53	36,785.53	22,430.33	67,291.00
<i>Landfill Operating Income</i>	113,130.26	(126,579.32)	(13,449.06)	(137,609.00)	(412,827.00)
Joint Recycling Center					
<i>Total Revenue</i>	30,231.86	46,522.63	76,754.49	98,100.00	294,300.00
<i>Expenses:</i>					
Personal Services	6,642.41	61,009.71	67,652.12	75,115.67	225,347.00
Operating Expenses	14,427.67	19,664.08	34,091.75	55,354.67	166,064.00
Depreciation (est)	13,399.08	6,225.56	19,624.64	26,283.33	78,850.00
<i>Total Operating Expenses</i>	34,469.16	86,899.35	121,368.51	156,753.67	470,261.00
<i>Non Operating Expense-Interest</i>	3,274.28	0.00	3,274.28	0.00	0.00
<i>Recycling Operating Income</i>	(7,511.58)	(40,376.72)	(47,888.30)	(58,653.67)	(175,961.00)
<i>Total Operating Income</i>	\$105,618.68	(\$166,956.04)	(\$61,337.36)	(\$196,262.67)	(\$588,788.00)
Tonage in Trench:	<u>4/30/2014</u>	<u>4/30/2015</u>			
Asbestos	56.10	38.04	38.04	15.00	45.00
Centerville	85.78	95.88	95.88	88.33	265.00
Beresford	181.36	408.20	408.20	208.33	625.00
Clay County Garbage	3,273.68	3,219.83	3,219.83	4,400.00	13,200.00
Elk Point	305.95	322.75	322.75	340.00	1,020.00
Yankton County Garbage	6,261.45	6,789.68	6,789.68	7,266.67	21,800.00
<i>Total Tonage in Trench</i>	10,164.32	10,874.38	10,874.38	12,318.33	36,955.00
Operating Cost per ton			\$47.06	\$50.95	\$50.95

This report is based on the following:

Revenue accrual thru April 30, 2015
Expenses cash thru April 30, 2015 with May Bills

Description	Yankton Transfer	Vermillion Landfill	Total Joint	4 Month Budget	Legal 2015 Budget
Source of Funds					
<i>Beginning Balance</i>	\$426,842.00	\$1,351,279.00	\$1,778,121.00	\$1,675,317.00	\$1,675,317.00
<i>Operating Revenue:</i>					
Net Income	105,618.68	(166,956.04)	(61,337.36)	(196,262.67)	(588,788.00)
Depreciation	50,249.28	57,303.40	107,552.68	160,160.00	480,480.00
Trench Depletion	0.00	21,633.52	21,633.52	26,000.00	78,000.00
Amortization of Permit	0.00	313.41	313.41	366.67	1,100.00
<i>Non Operating Revenue:</i>					
Grant	0.00	43,809.97	43,809.97	0.00	0.00
Loan Proceeds	0.00	0.00	0.00	0.00	0.00
Contributed Capital	0.00	30.36	30.36	8,000.00	24,000.00
Sale Proceeds	0.00	0.00	0.00	1,666.67	5,000.00
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	288.26	667.75	956.01	1,666.67	5,000.00
<i>Cash Flow Transfer:</i>					
Joint Power Transfer/Landfill	(82,730.21)	82,730.21	0.00	39,333.33	118,000.00
Joint Recycling Center	(9,368.93)	9,368.93	0.00	0.00	0.00
<i>Total Funds Available</i>	<u>490,899.08</u>	<u>1,400,180.51</u>	<u>1,891,079.59</u>	<u>1,716,247.67</u>	<u>1,798,109.00</u>
Application of Funds Available					
<i>Joint Power Transfer/Landfill</i>					
Equipment	88,386.33	0.00	88,386.33	52,500.00	157,500.00
Trench	0.00	0.00	0.00	0.00	0.00
Closure/Postclosure Cash Res.	0.00	2,392.36	2,392.36	2,716.67	8,150.00
<i>Joint Recycling Center</i>					
Equipment	0.00	8,970.00	8,970.00	81,833.33	245,500.00
<i>Payment Principal</i>					
	8,736.11	0.00	8,736.11	62,210.33	186,631.00
<i>Appropriation to Reserve</i>					
	0.00	0.00	0.00	0.00	0.00
<i>Total Applied</i>	<u>97,122.44</u>	<u>11,362.36</u>	<u>108,484.80</u>	<u>199,260.33</u>	<u>597,781.00</u>
<i>Ending Balance</i>	<u>\$393,776.64</u>	<u>\$1,388,818.15</u>	<u>\$1,782,594.79</u>	<u>\$1,516,987.33</u>	<u>\$1,200,328.00</u>

Joint Power Transfer/Landfill	Yankton	Vermillion	Total	4 Month	Legal
Description	Transfer	Landfill	Joint	Budget	2015 Budget
<i>Revenue: (accrual)</i>					
Asbestos	\$0.00	\$2,472.61	\$2,472.61	\$1,933.33	\$5,800.00
Elk Point	0.00	14,523.75	14,523.75	13,600.00	\$40,800.00
Centerville	0.00	4,314.60	4,314.60	3,533.33	10,600.00
Bon Homme	0.00	0.00	0.00	0.00	0.00
Union County	0.00	0.00	0.00	0.00	0.00
Beresford	0.00	18,368.89	18,368.89	8,333.33	25,000.00
Clay County Garbage	0.00	151,823.67	151,823.67	170,000.00	510,000.00
Compost-Yd Waste-Wood	0.00	1,544.51	1,544.51	666.67	2,000.00
Contaminated Soil	0.00	43.37	43.37	166.67	500.00
White Goods	0.00	2,458.81	2,458.81	2,500.00	7,500.00
Tires	0.00	4,260.30	4,260.30	833.33	2,500.00
Electronics	0.00	1,517.90	1,517.90	1,000.00	3,000.00
Other Revenue	1,882.03	3,429.15	5,311.18	2,533.33	7,600.00
Less Recycling Tipping Fee	(19,807.71)	(12,139.98)	(31,947.69)	(36,766.67)	(110,300.00)
Cash long	0.00	0.00	0.00	0.00	0.00
Yard Waste	0.00	0.00	0.00	0.00	0.00
Rubble	13,219.00	0.00	13,219.00	16,666.67	50,000.00
Transfer Fees	310,379.61	0.00	310,379.61	305,000.00	915,000.00
Total Revenue	305,672.93	192,617.58	498,290.51	490,000.00	1,470,000.00
<i>Expenses: (cash)</i>					
Personal Services	68,888.59	98,852.82	167,741.41	192,894.67	578,684.00
Insurance	15,638.01	5,455.91	21,093.92	9,017.33	27,052.00
Professional Service/Fees	2,102.03	13,826.95	15,928.98	17,333.33	52,000.00
Non Professional Fees	0.00	0.00	0.00	0.00	0.00
Processing- Reduction	0.00	1,083.92	1,083.92	4,000.00	12,000.00
State Fees	0.00	10,874.38	10,874.38	12,318.33	36,955.00
Professional - Legal/Audit	0.00	0.00	0.00	83.33	250.00
Publishing & Advertising	0.00	91.67	91.67	600.00	1,800.00
Rental	0.00	0.00	0.00	166.67	500.00
Hauling fee	0.00	0.00	0.00	0.00	0.00
Equipment repair	2,991.38	6,338.93	9,330.31	18,666.67	56,000.00
Motor vehicle repair	94.29	665.11	759.40	7,733.33	23,200.00
Vehicle fuel & maintenance	34,213.39	12,242.41	46,455.80	84,666.67	254,000.00
Equip, Mat'l & Labor	9,899.39	0.00	9,899.39	4,000.00	12,000.00
Building repair	8,859.87	1,281.54	10,141.41	8,000.00	24,000.00
Facility repair & maintenance	0.00	3,435.04	3,435.04	8,333.33	25,000.00
Postage	166.28	51.08	217.36	266.67	800.00
Office supplies	778.99	326.13	1,105.12	1,166.67	3,500.00
Copy supplies	34.56	6.23	40.79	116.67	350.00
Uniforms	0.00	1,073.88	1,073.88	1,383.33	4,150.00
Small Tools & Hardware	16.99	0.00	16.99	83.33	250.00
Travel & Training	0.00	1,199.52	1,199.52	1,666.67	5,000.00
Operating supply	502.78	32,815.05	33,317.83	50,866.67	152,600.00
Electricity	2,311.79	5,805.30	8,117.09	6,833.33	20,500.00
Heating Fuel - Gas	7,868.68	10,808.19	18,676.87	10,000.00	30,000.00
Water	634.88	139.80	774.68	725.00	2,175.00
WW service	390.80	0.00	390.80	200.00	600.00
Landfill	66.52	0.00	66.52	66.67	200.00
Telephone	233.25	620.38	853.63	1,030.00	3,090.00
Depreciation (est)	36,850.20	51,077.84	87,928.04	133,876.67	401,630.00
Trench Depletion		21,633.52	21,633.52	26,000.00	78,000.00
Closure/Postclosure Resrv		2,392.36	2,392.36	2,716.67	8,150.00
Amortization of Permit		313.41	313.41	366.67	1,100.00
Total Op Expenses	192,542.67	282,411.37	474,954.04	605,178.67	1,815,536.00

Joint Power Transfer/Landfill Description	Yankton Transfer	Vermillion Landfill	Total Joint	4 Month Budget	Legal 2015 Budget
<i>Non Operating Expense-Interest</i>	0.00	36,785.53	36,785.53	22,430.33	67,291.00
<i>Operating Income (Loss)</i>	\$113,130.26	(\$126,579.32)	(\$13,449.06)	(\$137,609.00)	(\$412,827.00)
<i>Capital:</i>					
Capital Outlay	\$88,386.33	\$0.00	\$88,386.33	\$52,500.00	\$157,500.00
Landfill Development	0.00	194,259.46	194,259.46	50,000.00	\$150,000.00
Capital Lease	0.00	0.00	0.00	0.00	\$0.00
<i>Total Capital Expenditures</i>	\$88,386.33	\$194,259.46	\$282,645.79	\$102,500.00	\$307,500.00
<i>Grant Reimbursement</i>	\$0.00	\$43,809.97	\$43,809.97	\$0.00	\$0.00
<i>Equipment Sale Proceeds</i>	\$0.00	\$0.00	\$0.00	\$1,666.67	\$5,000.00
<i>Cash Flow Transfer</i>	(\$82,730.21)	\$82,730.21	\$0.00	\$0.00	\$0.00
<i>Tonage in Trench:</i>					
Asbestos		38.04	38.04	15.00	45.00
Beresford		408.20	408.20	208.33	625.00
Centerville Garbage		95.88	95.88	88.33	265.00
Clay County Garbage		3,219.83	3,219.83	4,400.00	13,200.00
Elk Point		322.75	322.75	340.00	1,020.00
Yankton County Garbage		6,789.68	6,789.68	7,266.67	21,800.00
<i>Total Tonage in Trench</i>		10,874.38	10,874.38	12,318.33	36,955.00
Operating Cost per ton			\$47.06	\$50.95	\$50.95

Joint Recycling Center	Yankton	Vermillion	Total	4 Month	Legal
Description	Transfer	Center	Joint	Budget	2015 Budget
<i>Revenue:</i>					
Tipping Fees	\$19,807.71	12,139.98	\$31,947.69	36,766.67	\$110,300.00
Magazines	0.00	1,962.18	1,962.18	3,000.00	9,000.00
Metal/Tin	1,055.22	(471.35)	583.87	4,833.33	14,500.00
Plastic	0.00	5,009.20	5,009.20	13,333.33	40,000.00
Aluminum	1,714.28	7,833.79	9,548.07	9,000.00	27,000.00
Newsprint	1,951.84	3,921.21	5,873.05	6,000.00	18,000.00
Cardboard	5,702.81	7,092.36	12,795.17	18,666.67	56,000.00
High Grade Paper	0.00	8,314.54	8,314.54	5,000.00	15,000.00
Other Material	0.00	720.72	720.72	1,500.00	4,500.00
Contributions/Operating Grants	0.00	0.00	0.00	0.00	0.00
Total Revenue	30,231.86	46,522.63	76,754.49	98,100.00	294,300.00
<i>Expenses:</i>					
Personal Services	6,642.41	61,009.71	67,652.12	75,115.67	225,347.00
Insurance	248.64	970.00	1,218.64	1,754.67	5,264.00
Professional Service/Fees	0.00	0.00	0.00	8,333.33	25,000.00
Hazardous Waste Collection	0.00	419.50	419.50	10,000.00	30,000.00
Professional-Legal	0.00	0.00	0.00	0.00	0.00
Publishing & Advertising	0.00	53.75	53.75	833.33	2,500.00
Rental	0.00	0.00	0.00	0.00	0.00
Equipment repair	0.00	4,412.47	4,412.47	3,750.00	11,250.00
Vehicle repair & maintenance	0.00	66.98	66.98	333.33	1,000.00
Vehicle fuel	142.08	1,039.00	1,181.08	4,733.33	14,200.00
Building repair & maintenance	0.00	528.23	528.23	1,833.33	5,500.00
Postage	0.00	1.18	1.18	216.67	650.00
Freight	0.00	630.00	630.00	666.67	2,000.00
Office supplies	74.61	84.98	159.59	383.33	1,150.00
Uniforms	0.00	0.00	0.00	266.67	800.00
Materials Purchases	0.00	2,353.21	2,353.21	3,000.00	9,000.00
Travel & Training	0.00	941.52	941.52	500.00	1,500.00
Operating Supplies	0.00	3,179.54	3,179.54	3,333.33	10,000.00
Copy Supply	0.00	6.23	6.23	116.67	350.00
Electricity	0.00	1,966.74	1,966.74	1,833.33	5,500.00
Heating Fuel-Gas	0.00	2,028.73	2,028.73	2,166.67	6,500.00
Water	0.00	192.56	192.56	200.00	600.00
WW service	0.00	521.75	521.75	333.33	1,000.00
Telephone	0.00	267.71	267.71	266.67	800.00
Revenue Sharing	0.00	0.00	0.00	4,000.00	12,000.00
Transportation to Vermillion	1,440.00	0.00	1,440.00	1,500.00	4,500.00
Processing Recyclables	12,522.34	0.00	12,522.34	5,000.00	15,000.00
Depreciation (est)	13,399.08	6,225.56	19,624.64	26,283.33	78,850.00
Total Op Expenses	34,469.16	86,899.35	121,368.51	156,753.67	470,261.00
<i>Non Operating Expense-Interest</i>	3,274.28	0.00	3,274.28	0.00	0.00
Operating Income (Loss)	(\$7,511.58)	(\$40,376.72)	(\$47,888.30)	(\$58,653.67)	(\$175,961.00)
Capital Outlay	\$0.00	\$8,970.00	\$8,970.00	\$81,833.33	\$245,500.00
Grant Reimbursement/Donations	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Cash Flow Transfer	(\$9,368.93)	\$9,368.93	\$0.00	\$0.00	\$0.00

This report is based on the following:

Revenue accrual thru April 30, 2015

Expenses cash thru April 30, 2015 with May Bills

2015 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	25,694.07	(24,471.56)	1,222.51	2,492.05	43.21	(1,442.46)	(2,616.99)	(4,059.45)	24,251.61	(27,088.55)	(2,836.94)
February	19,211.44	(27,824.36)	(8,612.92)	2,151.85	48.65	(2,982.21)	(15,048.26)	(18,030.47)	16,229.23	(42,872.62)	(26,643.39)
Subtotal	44,905.51	(52,295.92)	(7,390.41)	4,643.90	53.65	(4,424.67)	(17,665.25)	(22,089.92)	40,480.84	(69,961.17)	(29,480.33)
March	21,392.32	(10,523.44)	10,868.88	2,740.29	45.03	73.56	(15,596.93)	(15,523.37)	21,465.88	(26,120.37)	(4,654.49)
Subtotal	66,297.83	(62,819.36)	3,478.47	7,384.19	50.45	(4,351.11)	(33,262.18)	(37,613.29)	61,946.72	(96,081.54)	(34,134.82)
April	46,832.43	(26,974.43)	19,858.00	3,490.19	39.89	113.81	(7,114.54)	(7,000.73)	46,946.24	(34,088.97)	12,857.27
Subtotal	113,130.26	(89,793.79)	23,336.47	10,874.38	47.06	(4,237.30)	(40,376.72)	(44,614.02)	108,892.96	(130,170.51)	(21,277.55)

5/4/2015

City of Yankton Transfer Station
Recap of Customer Tonnage

Date	City	Licensed Haulers							Sub-Total	All Other	Total Transfer	Recycling
	Compactors (577)	Bartunek (587)	Janssen (547)	Arts (586)	Fischer (590)	Independence (627)	Loren Fischer (648)	Kortan (673)				Plastic Tonnage
January 2014	231.53	63.56	436.98	378.38	38.14	0.00	54.57	6.50	978.13	196.82	1,406.48	5.16
February 2014	184.91	53.05	394.87	333.59	42.94	0.00	45.57	0.00	870.02	220.35	1,275.28	2.50
March 2014	207.74	68.47	419.48	417.14	50.50	0.00	48.92	2.96	1,007.47	273.22	1,488.43	4.62
April 2014	232.44	100.98	465.81	496.93	47.12	0.00	59.16	7.28	1,177.28	631.01	2,040.73	4.88
May 2014	252.43	98.56	538.22	484.78	45.80	10.27	53.07	8.28	1,238.98	337.91	1,829.32	6.17
June 2014	249.31	126.00	509.27	494.25	49.82	0.00	56.88	5.83	1,242.05	330.78	1,822.14	5.35
July 2014	269.61	110.97	594.62	529.85	43.61	4.58	53.90	8.20	1,345.73	326.16	1,941.50	4.74
August 2014	262.11	97.24	553.90	484.18	73.11	0.00	61.71	4.41	1,274.55	328.10	1,864.76	5.50
September 2014	262.29	81.35	578.06	519.20	49.74	0.00	52.72	7.50	1,288.57	309.06	1,859.92	4.89
October 2014	248.86	87.63	518.85	438.01	55.98	0.00	52.69	0.00	1,153.16	339.04	1,741.06	5.96
November 2014	217.09	77.59	433.88	394.40	40.87	0.00	48.00	10.99	1,005.73	272.62	1,495.44	3.62
December 2014	264.02	83.39	443.17	435.23	56.73	0.00	51.65	10.04	1,080.21	223.92	1,568.15	6.04
2014 Total	2,882.34	1,048.79	5,887.11	5,405.94	594.36	14.85	638.84	71.99	13,661.88	3,788.99	20,333.21	59.43
January 2015	228.32	0.00	537.70	380.58	44.72	0.00	50.18	3.33	1,016.51	255.24	1,500.07	4.91
February 2015	188.52	0.00	476.61	351.74	32.51	0.00	47.29	6.86	915.01	215.54	1,319.07	3.91
March 2015	219.10	0.00	577.32	455.17	44.54	0.00	50.43	7.15	1,134.61	294.01	1,647.72	4.66
April 2015	235.49	0.00	609.05	540.52	41.41	0.00	51.08	4.03	1,246.09	654.13	2,135.71	4.88
2015 Total	871.43	0.00	2,200.68	1,728.01	163.18	0.00	198.98	21.37	4,312.22	1,418.92	6,602.57	18.36

Total Tons	2,135.71
X \$3	3.00
Recycling Fee	<u>6,407.13</u>

CITY OF VERMILLION
LANDFILL TONS

	2015	Independence Waste	Fischer Disposal	Verm. Garbage	City of Elk Point	Loren Fischer	Turner County	City of Beresford	Other	2015 Tons	
\$45.00 PER TON	Jan	268.49	113.11	41.76	82.53	199.71	26.77	106.70	123.70	962.77	
	Feb	230.93	109.12	39.98	68.24	187.06	21.79	79.56	52.29	788.97	
	Mar	308.67	129.33	43.59	88.90	232.92	24.11	107.68	143.52	1078.72	
	April	368.21	140.64	46.81	83.08	257.99	23.21	114.26	220.04	1254.24	
	May									0.00	
	June									0.00	
	July									0.00	
	Aug									0.00	
	Sept									0.00	
	Oct									0.00	
	Nov									0.00	
	Dec									0.00	
			----- 1176.30 =====	----- 492.20 =====	----- 0.00 =====	----- 172.14 =====	----- 322.75 =====	----- 877.68 =====	----- 95.88 =====	----- 408.20 =====	----- 539.55 =====

	2014	Independence Waste	Fischer Disposal	Giedds Sanitation	Verm. Garbage	City of Elk Point	Loren Fischer	Turner County	City of Beresford	Other	2014 Tons
\$40.00 PER TON	Jan	236.57	121.96	52.65	40.06	76.58	201.76	21.59	57.29	101.86	910.32
	Feb	224.60	101.15	41.79	34.02	65.09	179.10	20.05	36.67	89.37	791.84
	Mar	243.77	122.70	47.46	45.42	78.36	190.48	16.57	44.49	253.40	1042.65
	April	262.87	135.30	63.34	35.34	85.92	241.91	27.57	42.91	262.90	1158.06
	May	339.43	152.57	77.39	56.71	80.96	267.16	14.41	63.54	609.77	1661.94
	June	340.17	164.69	71.18	43.45	90.34	286.90	20.90	50.36	318.30	1386.29
	July	326.82	151.15	67.67	39.48	95.34	420.51	16.07	52.04	392.28	1561.36
	Aug	327.38	129.44	67.78	45.04	88.05	266.89	21.93	48.37	248.20	1243.08
	Sept	377.67	254.29	78.50	36.52	98.33	265.79	30.06	48.55	254.00	1443.71
	Oct	293.28	134.11	73.64	41.12	81.49	312.49	25.65	67.06	201.12	1229.96
	Nov	236.92	115.85	36.39	37.89	77.93	227.70	18.67	76.92	94.81	923.08
	Dec	275.54	132.33	0.00	45.60	91.05	315.55	24.69	61.44	89.33	1035.53
			----- 3485.02 =====	----- 1715.54 =====	----- 677.79 =====	----- 500.65 =====	----- 1009.44 =====	----- 3176.24 =====	----- 258.16 =====	----- 649.64 =====	----- 2915.34 =====

05/13/15

Fox Run Golf Course
Statement of Revenues & Expenses

	01Apr2015 30Apr2015	01Apr2014 30Apr2014	01Jan2015 30Apr2015	01Jan2014 30Apr2014	Legal Budget
Direct Revenues:					
Concessions	7,364.38	8,258.67	14,393.14	12,129.41	172,900.00
Pro Shop	12,993.58	17,641.35	34,890.60	34,732.35	192,350.00
Course	54,250.50	105,689.44	256,191.74	244,933.29	509,500.00
	-----	-----	-----	-----	-----
Total Direct Revenues	74,608.46	131,589.46	309,015.14	291,795.05	874,750.00
Direct Expenses:					
Concessions	3,081.14	2,394.02	4,023.55	3,193.02	68,575.00
Pro Shop	2,767.50	31,825.42	53,290.42	52,083.74	117,400.00
Course	24,455.81	24,455.81	24,455.81	25,607.76	37,500.00
	-----	-----	-----	-----	-----
Total Direct Expenses	30,304.45	58,675.25	81,769.78	80,884.52	223,475.00
Add Beginning Inventory					
Less Ending Inventory					
Net Direct Income (Loss)					
Indirect Revenues -	650.20	.05	650.36	(.47)	650.00
Indirect Expenses:					
Personal Services	22,931.61	21,219.47	89,508.63	78,309.88	360,227.00
Insurance			6,015.68	5,847.74	5,460.00
Professional Services	2,030.21	3,082.19	3,724.25	4,485.38	25,500.00
Advertising	3,735.60	235.48	3,968.70	4,230.93	6,100.00
Repair & Maintenance	7,472.63	4,586.84	10,796.81	10,951.32	57,500.00
Supplies & Materials	241.27	1,505.46	582.28	4,325.01	60,300.00
Travel, Conference & Dues	338.61		583.61	857.38	5,800.00
Utilities	2,275.33	2,714.35	5,896.25	7,073.90	34,400.00
Billing and Administration			33,670.00	33,670.00	67,340.00
Depreciation	4,877.22	4,880.71	19,508.88	19,522.84	55,745.00
	-----	-----	-----	-----	-----
Total Indirect Expenses	43,902.48	38,224.50	174,255.09	169,274.38	678,372.00
Net Operating Income	1,051.73	34,689.76	53,640.63	41,635.68	40,893.00
	=====	=====	=====	=====	=====
Capital Outlay	1,692.00		1,692.00	1,302.33	114,000.00
	=====	=====	=====	=====	=====

Fox Run Golf Course
Statement of Revenues

	01Apr2015 30Apr2015	01Apr2014 30Apr2014	01Jan2015 30Apr2015	01Jan2014 30Apr2014	Legal Budget
Concessions					
CASH Long	27.00	29.53	456.46	274.38	600.00
PREPARED FOOD	882.42	1,399.80	1,436.27	1,432.22	39,600.00
PRE-PACKAGED FOOD	900.49	621.14	1,358.27	827.72	7,700.00
BEER	3,652.19	4,580.42	8,169.66	7,384.14	99,000.00
BOTTLED POP	1,902.28	1,627.78	2,972.48	2,210.95	26,000.00
MISCELLANEOUS CONCESSIONS					
Total Concessions	7,364.38	8,258.67	14,393.14	12,129.41	172,900.00
Pro Shop					
GOLF BALLS	1,497.55	1,411.31	2,874.24	2,108.20	26,000.00
GLOVES	497.16	489.82	820.43	641.77	7,000.00
GOLF CAPS/VISORS	635.14	539.57	1,006.37	916.48	8,000.00
MERCHANDISE	1,730.41	2,242.78	3,849.79	4,132.51	50,000.00
MERCHANDISE NON-TAX	95.98	456.00	95.98	456.00	2,000.00
GOLF EQUIPMENT	5,935.67	8,500.34	17,990.72	19,642.46	65,000.00
MISCELLANEOUS MERCHANDISE		1.41		21.40	50.00
CLUB REPAIRS	1,394.12	988.47	2,571.91	2,326.41	11,000.00
LESSONS	1,207.55	2,111.65	2,981.16	2,687.12	8,000.00
GOLF CART ADS		900.00	2,700.00	1,800.00	15,300.00
Total Pro Shop	12,993.58	17,641.35	34,890.60	34,732.35	192,350.00
Course					
SEASON PASS	27,332.01	67,780.58	154,866.09	155,921.65	195,000.00
SEASON PASS NON-TAX		3,386.82	3,446.69	3,386.82	3,500.00
GREEN FEES-WEEKENDS/HOLIDAYS	3,233.45	4,111.48	6,793.40	6,228.77	75,000.00
GRREN FEES NON-TAX	1,650.00	250.00	1,650.00	250.00	6,500.00
GREEN FEES - WEEKDAYS	5,208.47	3,545.78	10,377.64	9,390.03	70,000.00
GOLF CAR RENTAL	5,783.72	9,570.49	16,167.12	16,255.48	75,000.00
GOLF CAR STORAGE (NON-TAX)	2,334.87	3,130.46	25,164.71	18,775.45	21,500.00
TRAIL FEES	4,243.20	7,317.88	26,323.49	23,687.36	30,000.00
PULL CART RENTAL	14.96	3.74	33.66	11.22	300.00
GOLF CLUB RENTAL	15.54	15.54	15.54	15.54	1,100.00
DRIVING RANGE	2,373.28	2,921.55	5,052.88	4,018.33	15,000.00
DRIVING RANGE NON-TAX	268.16	349.68	568.16	449.68	600.00
HANDICAPING	1,792.84	3,305.44	5,732.36	6,542.96	9,000.00
LEAGUES					1,500.00
JUNIOR GOLF PROGRAM					4,000.00
Total Course	54,250.50	105,689.44	256,191.74	244,933.29	509,500.00
Total Direct Revenues	74,608.46	131,589.46	309,015.14	291,795.05	874,750.00

Fox Run Golf Course
Statement of Expenditures

	01Apr2015 30Apr2015	01Apr2014 30Apr2014	01Jan2015 30Apr2015	01Jan2014 30Apr2014	Legal Budget
Concessions					
CASH SHORT	28.39	106.61	201.44	332.00	500.00
PREPARED FOODS	487.23	559.31	525.19	780.52	27,000.00
CANDY	338.77	93.50	338.77	93.50	4,000.00
BEER	1,619.55	1,380.10	2,327.35	1,732.50	28,000.00
POP	607.20	254.50	630.80	254.50	9,000.00
	-----	-----	-----	-----	-----
Total Concessions	3,081.14	2,394.02	4,023.55	3,193.02	68,575.00
Pro Shop					
GOLF BALLS	67.50	7,669.45	23,300.95	9,465.25	19,000.00
GLOVES	156.96		847.67	717.48	3,200.00
GOLF CAPS/VISORS	151.20	757.94	1,558.38	1,001.37	4,200.00
MERCHANDISE	463.38	8,112.82	4,048.73	12,310.26	36,000.00
GOLF EQUIPMENT	1,928.46	14,213.38	22,702.59	25,665.87	49,000.00
TRADE IN GOLF EQUIPMENT					
CLUB REPAIRS		1,071.83	832.10	2,923.51	6,000.00
	-----	-----	-----	-----	-----
Total Pro Shop	2,767.50	31,825.42	53,290.42	52,083.74	117,400.00
Course					
GOLF CAR RENTAL	24,455.81	24,455.81	24,455.81	24,455.81	26,000.00
REIMBURSEMENT-GOLF SHED RENTAL					
PULL CART RENTAL				852.00	900.00
DRIVING RANGE					2,500.00
HANDICAPING					7,100.00
JUNIOR GOLF PROGRAM				299.95	1,000.00
	-----	-----	-----	-----	-----
Total Course	24,455.81	24,455.81	24,455.81	25,607.76	37,500.00
Total Direct Expenditures	30,304.45	58,675.25	81,769.78	80,884.52	223,475.00
	=====	=====	=====	=====	=====

MINUTES

FOX RUN GOLF ADVISORY BOARD

Monday, April 20, 2015
Fox Run Golf Course Clubhouse – 12:00 P.M.

Routine Business

Roll Call:

Present: Mike Brinkerhoff, Warren Erickson, Kim Auch, Dick Erickson, Adam Maska, Dan Kortan, City Commissioner Jake Hoffner

Absent:

Also present were PGA Pro/Course Manager Kevin Doby, Assistant Club House Manager Jim Gevens, Course Superintendent Rockie Wampol, and Director of Parks and Recreation Todd Larson.

Public Appearances: Trevor Woods, Bob Hansen, Dennis Wentz

Minutes:

March 16, 2015 minutes had some changes proposed. Approved with changes. K. Doby motioned, K. Auch second.
Motion carried 7-0.

Old Business

A. No old business.

New Business

- A. Monthly round report and season pass report from course software. Kevin provided three sheets. Pass sales compares back against 2013 and 2014 year-to-date. (attachments)
- B. Revenue report from course software. Report from course software not available. City financial report through 3/31/15 was prepared as of 4/20/15 and is attached. (attachment)
- C. Course event calendar and updates. Updated on City website and posted in clubhouse. Need volunteers to help with May 18 and 19 State Boys golf tournament. May 4 is a pre-region tournament in preparation for the state tournament. May 8 and May 11 are region tournaments at the course in preparation for the state tournament. May 17 is a practice day for the state tournament.
- D. 2015 ó 2019 Proposed Capital Improvement Plan (attachment). The first step in the 2016 budgeting process is to meet with the Commission and examine the 2015 and 2016 Capital Improvement Plans. Then in the next couple of months, the review of the entire 2015 ó 2019 CIP will take place at another meeting. Finally, the review and establishment of the 2016 operating budget will take place. The current proposed CIP plan and 2015 adopted budget (with prior years financials) are attached. Other ideas brought up were for security cameras to monitor gas tank by cart shed and to monitor parking lot by cart shed, and having a lighted display/sign at the entrance east of the practice putting green to give event info versus the banners that currently are used.
- E. Course conditions and projects óRockie. Dry spring so irrigation has been utilized constantly the last few weeks. All pre-emergents have been applied as no areas have been re-seeded this spring. Cool night time temps have grass going dormant again.

Greens have been fertilized with quick release chemicals to get them strong with all the spring play. Fairways have not been fertilized yet. Hills around greens and tee boxes have some spots that are dead and need repair and eventual re-seeding.

- F. Other Discussion- Trevor Woods wondering if course improvements and expenditures can be posted at course. The tack boards in the hallway can be utilized to post Golf Advisory Board documents, Capital Improvement Plan, and Operating Budget. Also suggested to post yearly totals of rounds played at Fox Run. Dennis Wentz has concerns about the trees along the driveway leading to Cart Shed 3 and that kids have forts built in there. These kids may be throwing rocks at vehicles. Also, would like to have the parking area paved so no loose gravel as some people spin their tires and throw rocks against other vehicles parked in that lot.

Other Business

- A. Next Meeting Date ó Wednesday, May 20, 2015. Moved due to the State Boys óBö Golf Tournament.

June meeting date will also be moved to Wednesday, June 17 due to a tournament on the course on June 15.

Meeting Adjourned

- A. D. Erickson motioned, K. Doby second. Motion carried 7-0.

~ P R O C L A M A T I O N ~



WHEREAS, June 3 & 4, 2015, are the dates when Yankton Area Mental Wellness, Inc. will host the 17th Annual Yankton Regional Mental Wellness Conference at Mount Marty College in Yankton, South Dakota; and,

WHEREAS, the overall mission is “Caring For Self...Caring For Community” and the 2015 conference theme is *“Bridging Systems of Care”*, reflecting the need for holistic care which can be attained through collaboration between community services, educational systems and mental health treatment; and,

WHEREAS, the commitment to training and networking is evident in Yankton, a community that is extremely concerned about serving those in need, strives to educate students for future employment in healthcare and mental health, and represents a region rich in resources and professional expertise to educate others; and,

WHEREAS, Yankton Area Mental Wellness, Inc. and professionals from Yankton, from South Dakota, from the Midwest, and beyond have joined forces to present a variety of sessions to educate conference participants with current information, available resources, a network of support, regional expertise, and professional credit;

NOW, THEREFORE, I, Dave Carda, the Mayor of Yankton, do hereby proclaim June 3 & 4, 2015, as **“YANKTON AREA MENTAL WELLNESS CONFERENCE DAYS”** in Yankton, South Dakota, and call upon all the residents of this great city to join me in supporting mental wellness awareness.

MAYOR DAVE CARDA

DATE

ATTEST:

AL VIERECK, FINANCE OFFICER

DATE

Proclamation

WHEREAS, Catholic Daughters of the Americas engage in creative and spiritual programs which provide its members with the opportunity to develop their God-given talents in meaningful ways that positively influence the welfare of the church and all people throughout the world; and

WHEREAS, Court Willard #967 was established at Sacred Heart Parish in Yankton on May 17, 1925 by Father Link; and

WHEREAS, Currently, there are 134 members of the court made up of members from both Catholic Parishes in Yankton; and

WHEREAS, Court Willard supports local, state and national charities such as, Lewis & Clark Behavioral Program, Women's Shelter, Military Project, Leadership Training, Disaster Relief Fund, and Smile Train just to name a few; and

WHEREAS, this is the 90th Anniversary of Catholic Daughters of the Americas Court Willard.

NOW, THEREFORE, I, DAVID CARDA, Mayor of the City of Yankton, South Dakota, on behalf of all residents of the community, do hereby declare with deep gratitude our appreciation to:

Catholic Daughters of the Americas Court Willard

For the wonderful service it continues to provide for the community.

Dated this 26th day of May, 2015.

David Carda
Mayor

ATTEST:

Al Viereck
Finance Officer

Yankton - Bike to work–Bike to play month

Whereas, For more than a century the bicycle has been an utilitarian, economical, environmentally sound and effective means of personal transportation, recreation and fitness; and

Whereas, the **City of Yankton** encourages the use of bicycles as a means of transportation; and

Whereas, the **City of Yankton** recognizes bicyclists as a legitimate roadway users and therefore are entitled to legal and responsible use of all public roadway facilities in South Dakota except highways constructed to interstate standards; and

Whereas, the **City of Yankton** encourages the increased use of the bicycle, benefiting all citizens of Yankton by improving air quality, reducing traffic congestion and noise, decreasing the use of and dependence upon finite energy sources, and fostering exercise; and

Whereas, the **City of Yankton** recognizing the use of bicycles as a viable mode of transportation, endeavors to promote safe and responsible bicycling and is committed to incorporating the development of bicycle facilities in the vision for the future of Yankton; and

Whereas, the League of American Bicyclists has established a National Bicycle Month, the Yankton Parks and Recreation Department and the local Bike Yankton group have established June as Yankton Bike to work – Bike to play month; and

Whereas, the Mayor and City Commission encourage all citizens to ride their bicycles to work, to the store, to the park, around their neighborhoods and with friends and family to promote the personal and societal benefits achieved from bicycling.

Now, **therefore**, I, David Carda, Mayor of the City of Yankton, do hereby proclaim June 2015, as:
“Bike to work – Bike to play month” in the City of Yankton, South Dakota.

Mayor David Carda

May 26, 2015 Finance Officer Al Viereck

May 26, 2015

NOTICE OF PUBLIC HEARING ON APPLICATIONS
FOR SALE OF MALT BEVERAGES FOR 2015-2016

NOTICE IS HEREBY GIVEN THAT: The Board of City Commissioners will consider the following renewal of applications for the 2015-2016 Malt Beverages Licenses, at their regular session on Monday, the 8th day of June, 2015, at 7:00 p.m.. in the City of Yankton Community Meeting Room at the Technical Education Center, 1200 West 21st Street, Yankton, South Dakota. Said applications have been presented to the Board of City of Commissioners and filed in the Finance Officer's Office.

RETAIL (ON-OFF SALE) MALT BEVERAGE:

Hanten, Inc. dba Ben's Brewing Company, 222 West 3rd St.
Charlies Pizza House, Inc., dba Charlie's Pizza House, 804 Summit St.
Cheers Bar & Grill, LLC, dba Cheers Bar & Grill, 1208 Broadway
Chuck Stop, LLC, dba Chuck Stop, 800 Summit Street
City of Yankton, dba Fox Run Golf Course, 600 West 27th St.
Cork 'N Bottle, Inc., dba Cork 'N Bottle, 1500 Broadway
CCC II, Inc., dba Custom Computer II, 2217 Broadway, Suite B
Czechers, Inc., dba Czechers, Inc., 407 Walnut
Diggers Inc., dba Diggers Casino, 2020 Elm St. #7
El Tapatio Family Mexican Restaurant, Inc., dba El Tapatio Family Mexican Restaurant, 2502 Fox Run Parkway
Fryn' Pan of Yankton, Inc., dba Fryn'Pan Family Restaurant, 502 West 21st St.
Freedom Valu Center, Inc., dba Goldmine, 301 Broadway
J & J Convenience, LLC, dba Gramps, 700 East 4th St.
GNA Ventures, Inc., dba Happy Hourz, 311 Douglas
SYMS, LLC, dba Holiday Inn Express, PO Box 113
SMM DESAI, LLC, dba JR's Oasis, 2400 East Hwy 50
King Buffet Mongolian Grill, Inc., dba King Buffet, 3013 N. Broadway, Suite 5
San Jose, Inc., dba Mexico Viejo, 1809 Broadway
WR Capital I, LLC, dba Minerva's Grill & Bar, 1607 E. Hwy 50, Suite A
Annis Properties, Inc., dba Patriot Express, 2217 Broadway
TST, Inc., dba Phinney's Pub & Casino, Yankton Mall
NPC International, Inc., dba Pizza Hut #2791, 2003 Broadway
Pump-N-Stuff Yankton, Inc., dba Pump-N-Stuff, 215 West 2nd St.
Pure Ice Partners, LLC, dba Pure Ice Company, 101 Capital St.
TST, Inc., dba River City Harbor, Yankton Mall
Bernard Properties, LLC dba Riverfront Events Center & Emporium, 121-113 W. 3rd
Bernard Properties, LLC dba The Brewery, 200-204 Walnut
Zacon, Inc., dba Roadrunner Convenience Mart, 300 West 23rd St.
Drotzmann & Portillo, LLC, dba Rounding 3rd Bar & Casino, 304 West 3rd St.
Kathy J. Shelburg, dba Shelburg's Concessions, Sertoma Park
Morgen, LLC, dba South Point, 1101 Broadway, Suite 109
Morgen, LLC, dba South Point, 1101 Broadway, Suite 107A
Morgen, LLC, dba South Point, 1101 Broadway, Suite 107B

RETAIL (ON-OFF SALE) MALT BEVERAGE (continued):

Flusswerks, LLC, dba The Landing, 104 Capital St.
Tward, LLC, dba Tucker's Tavern, 2901 Broadway, Suite C
Tokyo Japanese Cuisine of Yankton, Inc., dba Tokyo Japanese Cuisine of Yankton, Inc., 2007 Broadway, Suite J
Gerstner Oil Company, Inc., dba Triple Time Rudy's, 1606 Broadway
Dave Tunge, dba Mule Train, 901 Broadway, Suite A
Dave Tunge, dba Kankota's, 901 Broadway, Suite C
Dave Tunge, dba Sportsman's, 901 Broadway, Suite B
Upper Deck, Inc., dba Upper Deck, 311-315 Broadway
Walnut Tavern, Inc., dba Walnut Tavern, 100 West 3rd St.
Yankton Morning Optimist, Inc., dba Yankton Morning Optimist, Riverside Park
Yesterday's Inc., dba Yesterday's Café, 2216 Broadway
Dayhuff Enterprises, Inc., dba Zebra Club & Cockatoo II & Safari Club, 106-112 East 3rd St.
5 O'Clock Somewhere LLC, dba 5 O'Clock Somewhere, 2007 Broadway, Suite M
5 O'Clock Somewhere LLC, dba 5 O'Clock Somewhere, Parrots Cove, 2007 Broadway, Suite M-A

RETAIL (ON-OFF SALE) MALT BEVERAGE & SD FARM WINE

East Eight, LLC, dba EconoLodge, 611 West 23rd St.
Annis Properties, Inc., dba Prairie Pumper, 909 Broadway
Annis Properties, Inc., dba Patriot Express 02, 100 East 4th Street
KA-CHING KA-CHING, Inc., dba KA-CHING KA-CHING, 807 Bill Baggs Road

PACKAGE (OFF-SALE) MALT BEVERAGE:

Freedom Valu Centers, Inc., dba Freedom Valu Center, 301 Broadway
Hy-vee Inc., dba Hy-vee Gas, 2110 Broadway
Wal-Mart Stores, Inc. dba Wal-Mart SuperCenter #1483, 3001 Broadway
Walgreen Co., dba Walgreens #09806, 2020 Broadway

PACKAGE (OFF-SALE) MALT BEVERAGE & SD FARM WINE:

Boomers, Inc., dba Boomers Lounge, 100 East 3rd St.
Casey's General Stores, Inc., dba Casey's General Store, 1000 Broadway
Casey's General Stores, Inc., dba Casey's General Store, 801 Burleigh
Casey's General Stores, Inc., dba Casey's General Store, 515 West 4th St.
JoDeans Corp. dba JoDeans, 2809 Broadway

NOTICE IS FURTHER GIVEN THAT any person, persons or their attorney may appear and be heard at said scheduled Public Hearing, who are interested in the approval or rejection of any such application.

Dated at Yankton, South Dakota, this
26th day of May, 2015

Al Viereck
Finance Officer

____ Voice vote

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 Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for 1 day, July 18, 2015 from Yankton Area Arts, (Julie Amsberry, Executive Director) Meridian Bridge, rain date set for Avera Sacred Heart Pavilion Center, Avera Campus, changed to City Hall Auditorium, 416 Walnut, Yankton, S.D.

NOTICE IS FURTHER GIVEN that a Public Hearing upon the application will be held on Monday, June 8th, 2015 at 7:00 p.m. in the City of Yankton Community Meeting Room at the Technical Education Center, 1200 West 21st Street, Yankton, South Dakota, where any person or persons interested in the approval or rejection of the above application may appear and be heard.

Dated at Yankton, South Dakota,
this 26th day of May, 2015.



Al Viereck
FINANCE OFFICER

Memorandum #15-123

To: City Manager
From: Finance Officer
Date: May 20, 2015
Subject: Special Events Dance for Dayhuff Enterprises

We have received the following application for a Special Event Dance License:

Dayhuff Enterprises, Inc.

Dayhuff Enterprises, Inc., (Jeff Dayhuff, President) has applied for a license to hold a street dance on August 1, 2015, The Block of 3rd Street between Douglas & Capital Street, Yankton, S.D.

A license fee of \$5.00 has been paid.

This license is contingent on submission of proof of insurance.



Al Viereck
Finance Officer

NOTICE OF HEARING UPON APPLICATION
FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN that an application has been received by the Board of City Commissioners of the City of Yankton, South Dakota, for a Special Events (on-sale) Liquor License for August 1, 2015 from Dayhuff Enterprises, Inc., (Jeff Dayhuff, President) d/b/a Dayhuff Enterprises, The block of 3rd Street between Douglas & Capital Street, Yankton, S.D.

NOTICE IS FURTHER GIVEN that a Public Hearing upon the application will be held on Monday, June 8, 2015, at 7:00 p.m. in the City of Yankton Community Meeting Room at the Technical Education Center, 1200 West 21st Street, Yankton, South Dakota, where any person or persons interested in the approval or rejection of the above application may appear and be heard.

Dated at Yankton, South Dakota,
this 26th day of May, 2015.



Al Viereck
FINANCE OFFICER

Second Reading and Public Hearing

Memorandum #15-111

To: Amy Nelson, City Manager
From: Dave Mingo, AICP Community Development Director
Subject: Proposed Amendment, Ordinance #976, Subdivision Ordinance Amendment related to B-Y Water
Date: May 13, 2015

The attached Ordinance 977 would amend two sections of the current Subdivision Ordinance to recognize B-Y Water District's involvement in the review and approval of new subdivisions. This would apply only to those areas within the City limits that are in B-Y's service area.

If approved, the ordinance requires B-Y's engineers to be involved in the plan review and construction inspection process of water lines that they will eventually accept into their system. This ordinance does not change the specifications for water lines in the City as they will all be required to continue to meet City standards.

Hearing Schedule:

May 11, 2015	The City Commission established May 26, 2015 as the date for a public hearing on the ordinance.
May 26, 2015	The City Commission holds a public hearing and takes action on the proposed ordinance.
June 5, 2015	Estimated date that the record of City Commission action is published in the newspaper.
June 25, 2015	Estimated date that the City Commission action is effective.

Respectfully submitted,

Dave Mingo, AICP
 Community Development Director

Recommendation: It is recommended that the City Commission approve Ordinance #976.

I concur with this recommendation.

I do not concur with this recommendation.



 Amy Nelson, City Manager

ORDINANCE NO. 976

AN ORDINANCE AMENDING Chapter 17, Planning and Zoning Generally, Article III, Subdivisions, Sections 17-42 and 17-59 of the City of Yankton, South Dakota's Code of Ordinances, adding a procedural requirements for the involvement of the B-Y Water District in areas of the City under their water service jurisdiction.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF YANKTON, SOUTH DAKOTA that

Section 1.

Chapter 17, Planning and Zoning Generally, Article III, Subdivisions, Section 17-42 Procedures, be amended to add part (3) as follows:

Sec. 17-42. Procedures.

(3) In instances where developments are proposed in B-Y Water District's service area, the subdivider shall also consult with and obtain approval from B-Y Water District's Manager or authorized representatives concerning the design of, and method by which water service shall be provided to the subdivision. The design and specification of the distribution system shall meet B-Y Water District's and city specifications.

Chapter 17, Planning and Zoning Generally, Article III, Subdivisions, Section 17-59 Inspection, be amended to read as follows:

Sec. 17-59. Inspection. Each facility installed shall be under inspection of the city engineer, and if the facility consists of water lines installed within B-Y Water District's territory, the facility installed shall also be under inspection of B-Y Water District's engineer.

Section 2. Saving Clause.

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

Section 3. Effective Clause.

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

Adopted:

1st Reading:

2nd Reading:

Publication Date:

Effective Date:

David Carda, Mayor

Attest:

Al Viereck, Finance Officer

Second Reading and Public Hearing

Memorandum #15-112

To: Amy Nelson, City Manager
From: Dave Mingo, AICP Community Development Director
Subject: Proposed Rezoning, Ordinance #977, Proposed Westbrook Estates, Phase I
Date: May 13, 2015

PROPOSED REZONING

PLANNING COMMISSION ACTION NUMBER: 15-17

E.T.J. MEMBER ACTION REQUIRED: No

APPLICANT / OWNER: Yankton Area Progressive Growth / Bob Law, Inc.

ADDRESS / LOCATION: West side of the 2400 – 2600 Block of West City Limits Road.

REZONING REQUEST & PROPERTY DESCRIPTION:

From R-2 Single Family Residential to R-4 Multiple Family Residential The East 362 feet of the East Half of the Northeast Quarter of the Southeast Quarter (E 312', E 1/2, NE 1/4, SE 1/4) except the North 857 feet.

From B-2 Highway Business to R-4 Multiple Family Residential The East 700 feet of the East Half of the Southeast Quarter of Southeast Quarter (E 700', E 1/2, SE 1/4, SE 1/4) except the South 560 feet.

All in Section 2, Township 93 North, Range 56 West of the 5th P.M., Yankton County, South Dakota. Location, west side of the 2400 – 2600 Block of West City Limits Road. Bob Law, Inc., and Yankton Area Progressive Growth, owner / applicant.

PREVIOUS ACTION: None.

COMMENTS: Yankton Area Progressive Growth and their development partners are requesting a rezoning to establish appropriate zoning districts for their proposed development west of West City Limits Road (WCLR). The City Commission's action on April 13th initiated the hearing process. Attached is a map of the proposed rezoning. The area inside the heavier black dashed lines on the attached "Proposed Zoning" map indicates Phase I of the development and the requested R-4 multiple family and R-2 single family zoning districts. Much of the surrounding area is already zoned correctly as R-2 Single Family through the transition from the City's extraterritorial zoning jurisdiction. Zoning change requests for future phases are not included in this request.

The rezoning is recommended for the following reason:

1. The proposed zoning districts are in general conformance with the residential vision for the area set forth in the City of Yankton's Comprehensive Plan.

Staff has not received any calls about the proposal subsequent to sending out the required mailing and publishing the notice for the Planning Commission and City Commission hearings.

HEARING SCHEDULE:

April 13, 2015	The Planning Commission established May 11, 2015 as the date for a public hearing.
May 11, 2015	The Planning Commission holds a public hearing to consider the issue. All appropriate notices have been published and mailed.
May 11, 2015	The City Commission establishes May 26, 2015 as the date for a public hearing.
May 26, 2015	The City Commission holds a public hearing to consider the issue. All appropriate notices will have been published and mailed. A super majority (6-3) vote of the City Commission cannot be protested out by the neighborhood. A simple majority (5-4) could be.
June 5, 2015	Estimated date that the record of City Commission action is published in the newspaper.
June 25, 2015	Estimated date that the City Commission action is effective.

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

ORDINANCE NO. 977

AN ORDINANCE TO REZONE PROPERTY DESCRIBED HEREIN

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

Section 1.

From R-2 Single Family Residential to R-4 Multiple Family Residential The East 362 feet of the East Half of the Northeast Quarter of the Southeast Quarter (E 312', E 1/2, NE 1/4, SE 1/4) except the North 857 feet.

From B-2 Highway Business to R-4 Multiple Family Residential The East 700 feet of the East Half of the Southeast Quarter of Southeast Quarter (E 700', E 1/2, SE 1/4, SE 1/4) except the South 560 feet.

All in Section 2, Township 93 North, Range 56 West of the 5th P.M., Yankton County, South Dakota. Location, west side of the 2400 – 2600 Block of West City Limits Road.

As depicted on the associated Rezoning Location Map.

Section 2. Saving Clause.

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

Section 3. Effective Clause.

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

Adopted:

1st Reading:

2nd Reading:

Publication Date:

Effective Date:

David Carda, Mayor

ATTEST:

Al Viereck, Finance Officer

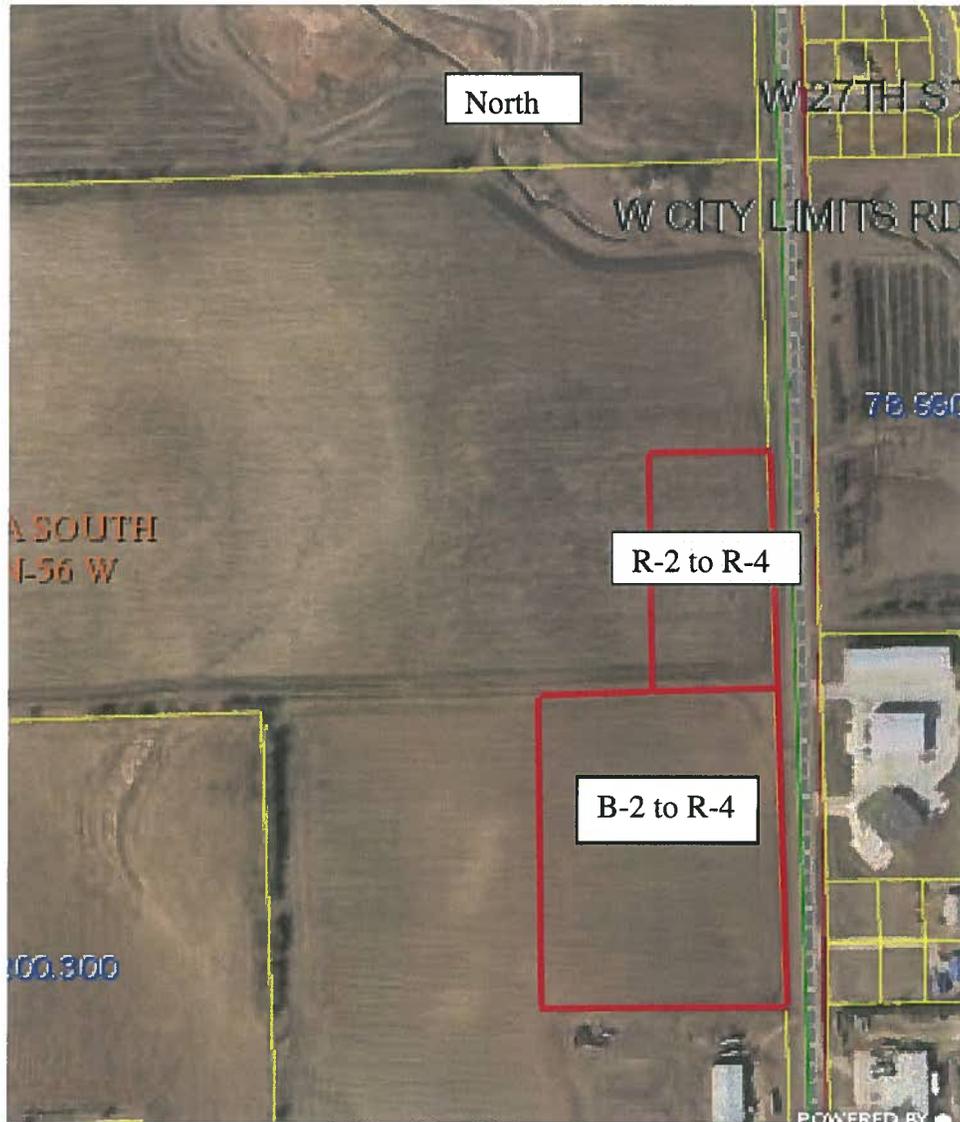
Rezoning Location Map

From R-2 Single Family Residential to R-4 Multiple Family Residential The East 362 feet of the East Half of the Northeast Quarter of the Southeast Quarter (E 312', E 1/2, NE 1/4, SE 1/4) except the North 857 feet.

From B-2 Highway Business to R-4 Multiple Family Residential The East 700 feet of the East Half of the Southeast Quarter of Southeast Quarter (E 700', E 1/2, SE 1/4, SE 1/4) except the South 560 feet.

All in Section 2, Township 93 North, Range 56 West of the 5th P.M., Yankton County, South Dakota. Location, west side of the 2400 – 2600 Block of West City Limits Road. Bob Law, Inc., and Yankton Area Progressive Growth, owner / applicant, as shown in Exhibit A.

Exhibit A



B-2 = Highway Business

R-4 = Multiple Family

R-2 = Single Family

The balance of the annexed area will remain as previously zoned in the ETJ through the transition into the corporate limits.

Public Hearing and Consideration of Resolutions

Memorandum #15-113

To: Amy Nelson, City Manager
From: Dave Mingo, AICP Community Development Director
Subject: Yankton County Regional Rail Authority Hearing
Date: May 15, 2015

May 26th is the date set for a City Commission public hearing regarding the City's involvement in the proposed Yankton County Regional Railroad Authority. Toby Morris from Dougherty and Company will be in attendance to provide the Commission information about the proposal and help answer any questions that the Commission or public in attendance may have. The attached legal memo from City Attorney Ross DenHerder is also very helpful in understanding the proposal.

Attached are Resolutions #15-13 and #15-14. Approval of the resolutions authorizes the City's membership in the proposed Yankton County Regional Railroad Authority and authorizes the execution of an agreement with Yankton County establishing the authority. The resolutions and agreement are developed in accordance with South Dakota Codified Law.

The schedule for consideration of membership in the Authority is as follows:

Hearing Schedule:

May 11, 2015	The City Commission established May 26, 2015 as the date for a public hearing.
May 26, 2015	The City Commission holds a public hearing to consider the issue and takes action on the associated resolutions.
May 29, 2015	Estimated date that the record of City Commission action is published in the newspaper.
June 18, 2015	Estimated date that the City Commission action is effective.

Respectfully submitted,

Dave Mingo, AICP
 Community Development Director

Recommendation: It is recommended that the City Commission approve Resolutions #15-13 and #15-14 agreeing to create and be a member of the Yankton County Regional Railroad Authority.

I concur with this recommendation.

I do not concur with this recommendation.



 Amy Nelson, City Manager

_____ Separate Roll Call votes on Resolutions #15-13 and #15-14

Resolution #15-13

AUTHORIZATION TO EXECUTE AN AGREEMENT TO BECOME A MEMBER OF THE
YANKTON COUNTY REGIONAL RAILROAD AUTHORITY.

BE IT RESOLVED, that the City of Yankton, South Dakota, hereby joins the YANKTON
COUNTY REGIONAL RAILROAD AUTHORITY pursuant to a proposed agreement as
provided for in SDCL Chapter 49-17A as amended.

BE IT FURTHER RESOLVED, that the Mayor and the City Finance Officer are hereby
authorized and directed to execute the Agreement referred to above, and any and all other
necessary documents to effectuate the Agreement and create the YANKTON COUNTY
REGIONAL RAILROAD AUTHORITY.

BE IT FURTHER RESOLVED, that _____ and
_____ are hereby designated as representatives of the CITY OF
YANKTON to the YANKTON COUNTY REGIONAL RAILROAD AUTHORITY.

Dated this _____ day of _____, 2015

David Carda, Mayor

ATTEST:

Al Viereck, Finance Officer

(SEAL)

Resolution #15-14

A RESOLUTION AUTHORIZING AN AGREEMENT TO CREATE THE
YANKTON COUNTY REGIONAL RAILROAD AUTHORITY AND THE
EXECUTION THEREOF.

WHEREAS, a public hearing was held May 26, 2015, after public notice thereof was published in the official newspaper of the City on May 15, 2015; and

WHEREAS, the public was given opportunity to give public comment on the creation of a rail authority encompassing the jurisdiction of the City; and

WHEREAS, the City finds and does hereby declare it necessary for the creation of a rail authority.

NOW THEREFORE, BE IT RESOLVED by the City Commission of the City of Yankton, South Dakota (the "City"), as follows:

1. Authorization of Agreement. The City does hereby authorize the execution of an agreement by and between the City of Yankton and Yankton County in substantially the form on file with the Finance Officer and open to public inspection.
2. Authorization of Officers. The Mayor and Finance Officer are authorized to take such action as they deem necessary to carry out the intent of this resolution, including but not limited to the execution of the agreement described herein.
3. Designation of persons representing City. The following individuals are appointed as the initial representatives of the City to act as commissioners under the agreement:
 - a. Amy Nelson, City Manager
 - b. Chris Ferdig, City Commissioner

David Carda, Mayor

ATTEST:

Al Viereck, Finance Officer (SEAL))

**AGREEMENT ESTABLISHING THE
YANKTON REGIONAL RAILROAD AUTHORITY**

This agreement, made as of this _____ day of _____, 2015, among the political subdivisions which have executed this agreement (the “Members”) pursuant to the resolution governing body of each political subdivision authorizing such execution attached hereto as Exhibit “A” and by this reference made a part hereof as if fully set forth herein.

**WITNESSETH:
ARTICLE I**

CREATION, NAME, PURPOSES AND POWERS

- 1.1 There is hereby created and incorporated a regional railroad authority under the provisions of SDCL 49-17A (the “Act”) which shall be a political subdivision of the State of South Dakota, to exercise thereunder a part of the sovereign powers of the State.
- 1.2 The name of the regional railroad authority created and incorporated by the agreement shall be **YANKTON REGIONAL RAILROAD AUTHORITY** (the “Authority”).
- 1.3 Except as specifically provided to the contrary in this agreement or in the Authority’s rules as the same may be amended from time to time, the Authority shall conduct its affairs in accordance with the Act for the purposes authorized therein and to that end shall be empowered to exercise all powers granted by the Act as the same may be hereinafter amended from time to time.

ARTICLE II

- 2.1 The names of the Political Subdivisions of the State of South Dakota which have approved this agreement are the initial members of the Authority are **YANKTON COUNTY** and the **CITY OF YANKTON**.
- 2.2 Any political subdivision qualified under the Act which desires to join the Authority subsequent to the date of this agreement shall so indicate its desire by depositing with the Chairman of the Authority a supplement to the agreement executed by such political subdivision and a resolution of the governing body (as defined in the Act) of such political subdivision authority such execution. Thereafter, a political subdivision shall become a Member of the Authority upon the unanimous approval of the agreement by the Commissioners of the Authority in accordance with SDCL 49-17A-11 and the filing of the same with the Secretary of the State of South Dakota.

ARTICLE III
REPRESENTATIVES

- 3.1 The names and addresses of the persons initially appointed by the resolutions approving this agreement to act as the Representatives of the subdivisions respectively, in the exercise of their powers as Members of the Authority are as follows:

City Representatives: City Manager Amy Nelson, and City Commissioner Chris Ferdig.

County Representatives: _____, _____

Joint City and County Representative: _____

ARTICLE IV
BOARD OF COMMISSIONERS

- 4.1 The Board of Commissioners of the Authority shall be comprised of five (5) Representatives of the Members, two of which shall be selected by the governing body of the City of Yankton, two of which shall be selected by the governing body of the County of Yankton, and the final Representative shall be a joint representative selected by approval of both governing bodies of the parties hereto. In order to select the joint City and County Representative, the County Commission shall approve and submit a list of names of at least five (5) acceptable individuals to the City Commission. The City Commission may approve one name from that list as the final Representative or direct the County to approve and submit another list of names of at least five (5) acceptable individuals for consideration by the City Commission. This process shall be repeated until the final Representative has been selected. The names and addresses of the initial Representatives serving as the Board of Commissioners, each of whom shall serve for a term of three (3) years, until his or her successor is appointed and qualified in accordance with SDCL 49-17A-6, are as follows:

Name
Amy Nelson, City Manager

Address
Yankton City Hall
416 Walnut Street
Yankton, SD 57078

Chris Ferdig, City Commissioner

1107 Jackson Street
Yankton, SD 57078

ARTICLE V

REGISTERED OFFICE

- 5.1 The Registered Office of the Authority shall be the Yankton County Auditor's Office, 321 West 3rd Street, Yankton, SD 57078, and its registered agent at such office is the Yankton County Auditor.

ARTICLE VI

LIABILITY OF MEMBERS

- 6.1 The political subdivision which are Members of the Authority and its Commissioners, officers and agents shall not be liable for obligations of the Authority.

ARTICLE VII

BYLAWS

- 7.1 The Commissioners of the Authority shall adopt and amend such rules and bylaws as they may deem appropriate to govern the operation of the Authority.

ARTICLE VIII

AMENDMENTS

- 8.1 This agreement may be amended upon approval by the Commission of the Authority and by the governing bodies of the members; provided, however, a unanimous vote of the Commission of the Authority and of all governing bodies of the members shall be required to amend Article 10.1.

ARTICLE IX

VOTING AND INTERPRETATION

- 9.1 Each signatory member of this Agreement shall be entitled to vote, to be exercised by its appointed member. In the event of any dispute or disagreement as to any of the provisions of this Agreement, a majority vote of the Members shall control.

ARTICLE X
TAX CERTIFICATION

10.1 The Authority shall have the authority to certify to the governing bodies the amount of tax to be levied by said governing bodies for railroad purposes pursuant to SDCL 49-17A-21, *et. seq.*

IN WITNESS WHEREOF, the undersigned have executed this agreement as of the date first written above, in counterpart copies, each of which shall constitute an original copy but all of which together shall constitute one and the same instrument.

YANKTON COUNTY, SOUTH DAKOTA

ATTEST:

Patty Hojem, Auditor

By _____
Todd Woods, Chairman

[SEAL]

CITY OF YANKTON, South Dakota

ATTEST:

Al Viereck, Finance Officer

By _____
David Carda, Mayor

[SEAL]

DATE FILED WITH SECRETARY OF STATE:

Legal Memorandum 15-1

To: City Manager and City Commission
From: Ross K. Den Herder, City Attorney
Date: April 13, 2015
Subject: Regional Railroad Authority.

The City Manager was approached by County Commissioner Bodenstedt to consider a partnership between the City and County to create a Yankton Regional Railroad Authority. The City Manager asked me to review the statutes governing a regional railroad authority ("RRA"), which I have done. I also attended the County Commission meeting on April 7, during which Commissioner Bodenstedt introduced the idea of creating a RRA in partnership with the City. The County Commission unanimously approved a motion to begin the process of exploring the formation of a RRA with the City. The purpose of this memorandum is to educate the City Commission on the subject, including powers, responsibilities and formation.

In general, a RRA is a new governmental entity formed by agreement of two other governmental subdivisions (i.e. the City of Yankton and Yankton County) for the purpose of improving and regulating the railroads within the geographic regions of such subdivisions (all of Yankton County). A RRA appears to have broad-reaching powers to acquire, improve and regulate railroad infrastructure within its jurisdiction (i.e. a railroad loop and industrial park of the type envisioned by the promoters of the Napa Junction project). As such, a RRA could be a very powerful economic development tool for the City and County and structured in such a manner that both the City and County have a "seat at the table."

Powers of a Regional Railroad Authority

A RRA may plan, establish, acquire, develop, construct, purchase, enlarge, improve, maintain, equip, operate, regulate and protect its own railroads and railroad facilities used or useful in the operation of the railroad. The RRA may acquire real or personal property for such purposes by purchase, gift, lease or condemnation (powers of eminent domain). SDCL § 49-17A-16. However, the powers of condemnation do not generally extend to property owned by another governmental subdivision or by a railroad corporation unless certain prerequisites are met. SDCL § 49-17A-18. A RRA may also dispose of any of its property by sale, lease or otherwise. SDCL § 49-17A-39.

The RRA may construct and maintain terminal buildings, causeways, roadways, and bridges for approaches to or connecting with such railroads. SDCL § 49-17A-17.

By default, a RRA has lawful authority to levy a tax; however, this power may be prohibited by the RRA formation agreement described below. SDCL § 49-17A-3.1. It may also issue bonds or notes in such amounts as it may deem necessary to carry out any of its purposes and powers.

SDCL § 49-17A-27. As security for such bonds, the RRA may mortgage any of its property.
SDCL § 49-17A-30.

A RRA may accept, receive and expend federal or state public or private money made available by grant or loan to accomplish any purposes of the RRA. SDCL § 49-17A-25. It may also designate the Secretary of Transportation as its agent to receive and disburse its funds and to contract for and supervise the operation of the RRA's railroad or railroad facility. State monies may be available to a RRA through programs initiated by the SD Department of Transportation under SDCL Chap. 49-16C ("Railroad Trust Fund") and 49-17 ("State Aid to Railroads").

A RRA may enter into contracts, leases and other arrangements and charge fees and/or rentals and set terms and conditions for:

1. Granting the privilege of using, operating, or improving the railroad or any portion or facility or space for commercial purposes;
2. Conferring the privilege of supplying goods, commodities, services, or facilities along the railroad; and
3. Making available services to be furnished by the RRA.

SDCL § 49-17A-36 and 37.

In aid of a RRA, the City and the County may:

1. Lend or donate money to the authority;
2. Transfer or pay over to the authority all or a portion of taxes or funds available to the subdivision for railroad purposes;
3. Dedicate, sell, convey, lease or grant easements, licenses or other privileges to the RRA;
4. Furnish, dedicate, close, pave, install, grade, or plan streets and sidewalks to the RRA facilities; and
5. Aid and cooperate with the RRA in the planning, undertaking, construction or operation of the RRA facilities.

SDCL § 49-17A-14.

Formation of a Regional Railroad Authority

A RRA may be formed by a written agreement between the City and County, which is approved by resolution of both governing Commissions. SDCL § 49-17A-2. These entities are considered the "members" of the RRA. In addition to other terms agreed to between the City and County, the written agreement must contain the following terms:

4. The RRA is incorporated under the provisions of SDCL Chap. 49-17A;
5. The name of the RRA;
6. The names of the governmental subdivisions creating the RRA;
7. The names and addresses of the initial "representatives" appointed by the approving resolutions of the City and County (the representatives elect the Commissioners to govern the RRA);
8. The number and representation of "commissioners" to be elected by the "representatives";
9. The address of the RRA's "registered office" and the name of the "registered agent" at such office; and
10. A statement that neither the City, nor the County (or either's Commissioners, Officers, or agents) are liable for the RRA's obligations.

SDCL §§ 49-17A-3 and 49-17A-6.

Prior to the adoption of the agreement, the City and County must each hold a public hearing with no less than 10 days published notice. SDCL § 49-17A-5. Upon approval by both City and County, the agreement and a certified copy must be filed with the SD Secretary of State. The SD Secretary of State issues a Certificate of Incorporation, which formally gives the RRA a lawful existence as a new governmental entity. SDCL § 49-17A-4.

The "representatives" of the City and County elect the "commissioners" that govern the RRA in the number set forth in the written agreement. Commissioners serve for 3-year term, and vacancies are filled in the same manner as the original elections. (SDCL § 49-17A-6).

The RRA commissioners may adopt and amend rules for its own operations (and the exercise of its powers set forth above), subject to the governing written agreement and SDCL Chap. 49-17A. SDCL § 49-17A-7. The RRA commission elects a chairperson and secretary-treasurer among its commissioners. SDCL § 49-17A-8. The RRA commission may also appoint or elect an executive director and other officers, agents, and employees, to whom it may delegate its authorities. SDCL § 49-17A-9.

The RRA must certify annually to the governing bodies the amount of tax to be levied by the governing bodies for railroad purposes. The City and County shall then levy the amount certified, not to exceed \$2.40 per thousand dollars of taxable valuation. SDCL § 49-17A-21 and 22. At its option, it appears that the RRA also may designate "zones of benefit" or geographic portions of the member subdivisions that are benefited by projects and levy the taxes only against such benefited area, instead of the entire jurisdiction of the member subdivisions. SDCL § 49-17A-21.1.

Food for Thought

Using a RRA to develop an intermodal railroad facility and industrial park only a few miles from Yankton could be very beneficial for the future growth of the City and County. The formation of a RRA seems simple enough and provides access to potential state and federal funding sources, as well as tax revenues. However, much education and planning, including a very thorough cost-benefit analysis, should go into any such development. If not supported by an appropriate need or demand, the cost of a "if we build it, they will come" philosophy could be unsuccessful and financially wasteful. According to Bruce Lindholm, the apparent head of the SD DOT's rail financing division, demand should not be a problem.

Another major consideration in the formation of the RRA is what role it is to play in any such development. The level of RRA involvement will have a large impact on the size and structure of the RRA. A RRA can act as the developer and has broad powers to develop. However, most RRAs simply act as financing agencies for corporate developers, providing access to low interest governmental loans. For instance, typically the State loans money to the RRA and the RRA loans it on to the corporate developer. If the developer defaults, the RRA must cover the payments, but Mr. Lindholm acknowledged this to be an unlikely scenario when the corporate developer is investing over \$40 million to build a rail facility project. Usually, they pay their loans off early.

Any such development will also require some amount of assistance and cooperation from the State and the operator of both rail lines passing through Napa Junction. It appears that we also need to establish the Dakota Southern Railroad Company (DSRC) (the State's rail line operator) as carrier for the facility in order to operate a facility. Necessary project upgrades include a couple new switches at the rail intersection and a couple hundred feet of heavy rail running west from the switch on the State's line, plus the cost of the anticipated rail loop. Although that does not seem like much, these are very significant expenditures. For instance, according to the South Dakota DOT, the refurbishment of existing lines costs more than \$500,000.00 per mile. New heavy rail lines costs over \$1 million per mile.

While not essential to the project, significant upgrades to State's line running West from Napa Junction are required to make that line viable again. According to the SD DOT, it will cost an estimated \$27.5 million to repair the rail lines and bridges from Napa Junction to Wagner to make the line viable for the heavy rail traffic.

Additionally, a RRA is a *non-elected body* with a powerful taxing powers. RRA Commissioners cannot be voted out of office. Depending on your perspective, this could be viewed as a good thing or a bad thing. On one side, there are few obstacles to RRA development. On the other hand, such an entity may be more susceptible to allegations of corruption or abuse (picture scenes of the Boston Tea Party with angry crowds of people shouting "no taxation without

representation”). Careful thought needs to go into the City’s role and the formation, structure and funding of the RRA to prevent, minimize or mitigate abuses of power and public alienation.

Helpful Notes On My Conversation With Bruce Lindholm (SD DOT):

- Yankton County Napa Junction Site:
 - East-West line is State-owned and operated by the DSRC
 - Burlington Northern (“BN”) owns the Northwest-Southeast line
 - The attraction of Napa Junction is that you can have direct access off BN lines like a BN facility (a “BN shipper”).
 - With a switch in a Napa Junction rail loop, shippers have access to contractual provisions or advantages for shippers on the BN line due to the State’s contract applying to shipments on its line:
 - May ship material in and out over the BN line under previously negotiated “haulage rates” to other carriers nationwide
 - A “haulage rate” obligates the BN to move the material for a “set rate” to another carrier. It provides price certainty.
 - Without a “haulage rate”, if you want something to go to the east coast (i.e. a destination served by Union Pacific), you must negotiate a rate with BN in order to hand it off to the Union Pacific. This is higher rate and operates similar to a tariff.
 - Plus there are service obligations that prevent BN from letting trains just sit idle. They have deadlines in which to pick up and haul trains under the State’s agreement.
 - Need a short-line carrier to be able to access the rails (Dakota Southern Railroad Company (DSRC). DSRC would contract with the RRA to operate or ship from its facilities.
 - There is demand here.
 - The Napa Junction model is similar to the successful Mitchell to Rapid City project, which has worked well for fertilizer trains shipping in and “Manifest Trains” shipping out (single cars with individual manifests)
 - Demand exists for shipping to and from non-BN destinations.
 - Not a pipe dream at all!
 - Nothing but Good possibilities for Napa Junction.
- Projected work on State rail west of Yankton:
 - \$27.5 Million in repairs – Not currently slated to be done.
 - Was dreamed up based upon an ethanol plant near Wagner that never materialized.
 - Most of these repairs are not necessary to make the Napa Junction project go.

- The rail-served industrial park/intermodal facility at Napa Junction only needs a couple hundred feet of heavy rail and a switch to trigger the haulage rates shipment guarantees for the material shipped from the facility.
 - Still very expensive: at least \$500,000 per mile for repairs and \$1,000,000 per mile for new rail.
- Ways to form RRA:
 - Taxing Authority
 - Preferable
 - Non-Taxing Authority
 - No point in being a RRA without taxing authority!
 - Marshall County RRA is the only RRA to ever tax its residents
 - They tax on a project-by-project basis.
 - Who develops facility?
 - If rail facility is owned directly by the RRA, the RRA needs to work out leases, maintenance agreements, etc. Much more hands-on and requires significantly more effort, planning and oversight by the RRA.
- Pros for creating a RRA.
 - Ability to tax for development purposes.
 - Access to low-interest loans (industrial trackage for a facility (loading track) – Not participated in directly by the State – Loans only).
 - This is the type of financial assistance the State would give Napa Junction’s rail loop facility.
 - Sample loan to a RRA for development purposes:
 - 3 million loaned on loop track
 - Loan is issued to the RRA.
 - The RRA loans to elevator/developer.
 - If loans to elevator/developer defaults, RRA still needs to repay State loans.
 - Joint states projects
 - Main-line track construction – some direct financial participation by the state with loans paid back on a per-car basis or through low interest loans.
 - Napa would not likely qualify for this type of financial assistance.
- Cons for creating a RRA:
 - Bruce still cannot see any down-side!
- Other helpful facts:
 - In recent history, only one state RRA loan went bad:
 - RRA was formed between a very small town and an organized township for an ethanol plant.
 - Loan defaulted when the ethanol plant burned.

- Never had another default.
- Folks who are going to borrow state funds for the creation of a \$40 Million plus grain facility are financially sophisticated and know what they are getting into.
 - They usually pay off their loans early.
- Dakota Plains remains interested.

Memorandum # 15-118

To: Amy Nelson, City Manager
From: Brad Bies, Code Enforcement Official
Subject: Introduction of 2015 Assessment Roll-First Reading -Snow Removal & Tree Trimming.
Date: May 15, 2015

In order for City staff to begin the special assessment process it is recommended that the City Commission, at their meeting on May 26, 2015, set a public hearing date on the special assessment roll for June 22, 2015.

The following schedule of events should be undertaken to complete the special assessment process:

- May 14, 2015 Department of Community Development files special assessment roll with Finance Officer.
May 26, 2015 City Commission sets public hearing for June 22, 2015
June 4, 2015 Department of Community Development sends notice of hearing to affected property owners.
June 4, 2015 Department of Community Development publishes notice of hearing in Press & Dakotan. Publishing dates of June 4th and June 9th, 2014.
June 22, 2015 City Commission holds public hearing on assessment roll and approves resolution.
June 23, 2015 Finance Department sends notice to property owners giving amount of assessment, installments, etc.
July 2015 Finance Department publishes resolution with June 22nd Commission Minutes.
December 14, 2015 Final date property owners can pay entire assessment without interest.
January 1, 2016 First special assessment installment due.

Recommendation: It is recommended that the Board of Commissioners set June 22nd 2015 as the date for a public hearing for the special assessment roll.

Respectfully submitted,

Handwritten signature of Brad Bies
Brad Bies
Code Enforcement Official

Attachments

[checked] I concur with the recommendation.
[] I do not concur with the recommendation.

Handwritten signature: Amy Nelson FOR Amy
Amy Nelson
City Manager

Roll Call

**2015 SPECIAL ASSESSMENT ROLL
FOR
SNOW REMOVAL AND TREE TRIMMING
CITY OF YANKTON, SOUTH DAKOTA**

TO THE CITY FINANCE OFFICER OF THE CITY OF YANKTON

I, Brad Bies, Code Enforcement Official, herewith file with you, as provided by law, the Special Assessment Roll for snow removal and tree trimming 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) Mailing Address	PROPERTY DESCRIPTION Legal Description	PROPERTY ADDRESS	ASSESSMENT AMOUNT	ABATEMENT CATEGORY
GENE CHARETTE 410 DOUGLAS AVE YANKTON SD 57078	LT 4 BLK 4 LOWER YANKTON	410 Douglas Avenue	127.20	Sidewalk Snow Removal
KELLY ROWLEY 413 BURLEIGH ST YANKTON SD 57078	LT 16 BLK 68 LOWER YANKTON	413 Burleigh Street	128.31	Street Tree Trimming
MICHAEL MURPHY 310 EAST 5 ST YANKTON SD 57078	LT 10 EXC W57' BLK 29 LOWER YANKTON	310 East 5th Street	75.31	Street Tree Trimming
JAMES LEE 1022 WEST 9 ST YANKTON SD 57078	S150' W50' LT 7 BLK 17 WEST YANKTON	1022 West 9th Street	75.31	Street Tree Trimming
ZACHARY & BROOKE JACKSON 1231 PASQUE CIR YANKTON SD 57078	LT 11 BLK 3 PARCEL A FOX RUN SUBDIVISION	1231 Pasque Circle	75.31	Street Tree Trimming
MARY OLSON 1020 WALNUT ST YANKTON SD 57078	LT 8 & LT 9 EXC E30' BLK 1 TRIPP & HARRIS	1020 Walnut Street	75.31	Street Tree Trimming
NIC KELLEN 812 DOUGLAS AVE YANKTON SD 57078	S11' LT 2 & ALL LT 3 BLK 8 LOWER YANKTON	812 Douglas Avenue	128.31	Street Tree Trimming
TOTAL ASSEMENTS			\$685.08	

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

The above assessments may be paid without interest to the City Finance Officer on or before December 14, 2015, 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 Bies
Code Enforcement Official

Filed in the office of the City Finance Officer on May 14, 2015.

Al Viereck
Finance Officer

First Reading and Establish the Date for a Hearing

Memorandum #15-114

To: Amy Nelson, City Manager
From: Dave Mingo, AICP Community Development Director
Subject: Planning Commission Action #15-18 / Ordinance #978
Date: May 14, 2015

PROPOSED REZONING

ACTION NUMBER: 15-18

E.T.J. MEMBER ACTION REQUIRED: No

APPLICANT / OWNER: Lonnie L. Huber and Merry J. Huber Irrevocable Trust.

ADDRESS / LOCATION: Address, 706 W. 15th Street.

PROPERTY DESCRIPTION & REZONING REQUEST:

From R-1 Single Family to I-1 Industrial on the North 82.5' except the East 33' and except the West 30' of Outlet 131, Auditor's Outlots, City and County of Yankton, South Dakota.

PREVIOUS ACTION: None.

COMMENTS: The proposed rezoning area is located in the back portion of residential lots, north of 15th Street, west of the unimproved Green Street right-of-way. This is an owner petitioned rezoning proposal. The owner obtained the signature of five surrounding property owners of the 12 eligible to sign the petition making the request valid. The applicant is requesting a rezoning of the described area from R-1 Single Family Residential to I-1 Industrial to allow the construction and operation of a self-storage facility. If the rezoning is approved, the proposed development would also require a private petitioned assessment process for improvements to Green Street to provide access to the site.

Reasons that the proposed change is not recommended for approval include:

- The area is surrounded by residentially zoned property and in close proximity to residential uses.
- All uses permitted in an industrial district must be considered as possible in the future, not just the initial use being proposed.
- The Comprehensive Plan promotes an expansion of residential uses in the area, not a transition to industrial uses.

____ Introduce

Prior to submitting the application, the owner was made aware of what staff's recommendation would need to be based on the associated issues.

The appropriate public notice was published and 12 individual notifications have been sent out prior to the public hearing. Staff has been contacted by three neighbors subsequent to receiving notice. They were opposed to the proposed rezoning (see the attached comments).

Staff recommends that the zoning designation remain unchanged.

HEARING SCHEDULE:

April 1, 2015	Private rezoning petitions received.
April 13, 2015	The Planning Commission established May 11, 2015 as the date for a public hearing.
May 11, 2015	Planning Commission holds a public hearing to consider the issue. All appropriate notices have been published and mailed.
May 26, 2015	City Commission establishes June 8, 2015 as the date for a public hearing.
June 8, 2015	The City Commission holds a public hearing to consider the issue. All appropriate notices will have been published and mailed. A super majority (6-3) vote of the City Commission cannot be protested out by the neighborhood. A simple majority (5-4) could be.
June 19, 2015	Record of City Commission action published in the newspaper.
July 9, 2015	City Commission action is effective.

Planning Commission results: The Planning Commission recommended that the zoning at the location remain unchanged. Recommended the rezoning request be denied.

ORDINANCE NO. 978

AN ORDINANCE TO REZONE PROPERTY DESCRIBED HEREIN

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

Section 1.

From R-1 Single Family to I-1 Industrial on the North 82.5' except the East 33' and except the West 30' of Outlet 131, Auditor's Outlots, City and County of Yankton, South Dakota.

As depicted on the associated Rezoning Location Map.

Section 2. Saving Clause.

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

Section 3. Effective Clause.

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

Adopted:

1st Reading:

2nd Reading:

Publication Date:

Effective Date:

David Carda, Mayor

ATTEST:

Al Viereck, Finance Officer

Proposed Rezoning Location Map

R-1 Single Family to I-1 Industrial
The North 82,5' except the East 33' and except the West 30' of Outlot 131,
Auditor's Outlots, City and County of Yankton, South Dakota
706 W. 15th Street



 = Proposed Rezoning, R-1 Single Family Residential to I-1 Industrial

R-1 = R-1 Single Family
R-4 = R-4 Multiple Family
I-1 = I-1 Industrial

1"=400'

Proposed Rezoning Location Map

R-1 Single Family to I-1 Industrial
The North 82,5' except the East 33' and except the West 30' of Outlot 131,
Auditor's Outlots, City and County of Yankton, South Dakota
706 W. 15th Street



1"=200'

City of Yankton
City Planning Commission
Yankton, SD 57078

Re: **Rezoning of Property**

Dear Commission Members:

This letter is a formal request for the Planning Commission and City Commission to take action that will change the zoning of the following described property:

Address: 706 W. 15th St.

Legal Description: North 82.5' except the East 33' and except the West 30' of Outlot 131, Auditor's Outlots, City and County of Yankton, South Dakota

which I own, from the **existing zoning** of R-1 Single Family Residential, to a new a **new zoning classification** of I-1 Industrial.

The reason for the zoning change is: To Permit the construction and operation of a self storage facility.

Thank you for your consideration.,

Dated this 1 day of April, 2015

Lonnie Huber
signature

Lonnie Huber
printed / typed name

706 W 15th
Yankton S.D.
57470

address

**ZONING ORDINANCE NO. 711 SECTION XIII
REZONING**

Prior to the introduction of any ordinance proposing changes in the Zoning Ordinance there shall first be filed with the City Finance Officer the written consent of forty (40) percent of the owners of equity in the lots included in any proposed district and the lands within two hundred and fifty feet (250) from any part of such proposed district measured by excluding streets and alleys.

A corporation shall be construed to be a sole owner. When parcels of land are in the name of more than one person, ownership representation shall be in proportion to the number of signers who join in the petition in relation to the number of owners.

Proposed changes introduced by the City of Yankton, a municipal corporation and properties within one year after annexation shall be exempt from the provisions of this Section.

A fee of one hundred dollars, (\$150), is required for processing this Rezoning request. If it is a second request for the same property in less than twelve (12) months, the fee is two hundred dollars (\$300).

City Receipt Account Number 101.3231

Dave Mingo

From: Dan Wheeler <danwheeler9@gmail.com>
Sent: Wednesday, May 6, 2015 12:05 PM
To: Dave Mingo
Subject: Rezoning of property

Hello Mr. Mingo

I would like to provide you with my position on the consideration of the rezoning of the property owned by the Lonnie and Merry Huber Trust at 706 W. 15th. I am in the process of purchasing the neighboring property, 708 W. 15th, owned by my mother, with plans of remodeling and relocating to a Yankton.

As I told Mr Huber, I would not be in support of a rezoning and / or construction of storage facilities in this residential area. I think there are many areas around the Yankton community which are much better suited and quite possibly already zoned for this type of development. Additionally, my concern goes beyond the short term utilization of the property for storage but the potential for numerous other industrial classified type activities which would then be possible.

I would prefer this area maintain a residential zoning. Thank you for your consideration in this matter.

Sincerely,

Dan Wheeler

May 11, 2015. 3:20PM

Rebecca Neuhalfen, 1403 Maple Street comment regarding proposed Huber rezoning.

Requested that a phone statement be recorded and provided to the Planning Commission since she is unable to attend the hearing and comment personally. And, where she works does not let her send personal emails.

“I am against the change because I do not want commercial traffic in the area. I do not want any trees removed for the project. My husband and I walk the trail a lot and consider the trail a park and don’t want to see this type of change there.”

May 11, 2015. 2:00 PM

Lowell Tjeerdsma, 702 W, 15th Street Comment regarding proposed Huber rezoning.

Owns the house. His daughter lives in it. He is opposed to the rezoning. Does not think storage buildings should be that close to residential. There are other, more appropriate places.

Memorandum #15-116

To: Amy Nelson, City Manager
From: Dave Mingo, AICP Community Development Director
Subject: Planning Commission Action #15-21 / Resolution #15-19
Date: May 13, 2015

PLAT REVIEW

ACTION NUMBER: 15-21

E.T.J. MEMBER ACTION REQUIRED: No

APPLICANT / OWNER: Dena M. Heeney and Dawn R. Kabella, Trustees of the Heeney Family Trust.

ADDRESS / LOCATION: 502 Deer Boulevard. Please reference the attached map.

PROPERTY DESCRIPTION: Tract A, B, C and D, in Lots 1, 2 and 3 of Block 2, Riverside Acres North Addition, in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 22, T93N, R56W of the 5th P.M., Yankton County, South Dakota.

ZONING DISTRICT: County jurisdiction.

PREVIOUS ACTION: Original Riverside Acres North plat in the 1990's.

COMMENTS: The location of the proposed parcels within the City's three mile platting jurisdiction allow the City to require the dedication of right-of-way along the extension of the planned street grid. The proposed plat is located in a previously approved subdivision with Nome Street, Riverside Drive and Deer Boulevard serving as the primary access to the property. The previous right-of-way dedications meet the requirements of the City's review process for the location.

The proposal will be subject to county platting and land use approval requirements as it moves forward through that process.

Staff recommends approval of the proposed plat.

HEARING SCHEDULE:

- May 11, 2015: The Planning Commission reviews the plat and makes a recommendation to the City Commission.
- May 26, 2015: The City Commission reviews the plat and makes a final decision.

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

_____ Roll call

RESOLUTION #15-19

WHEREAS, it appears from an examination of the plat of Tract A, B, C and D, in Lots 1, 2 and 3 of Block 2, Riverside Acres North Addition, in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 22, T93N, R56W of the 5th P.M., Yankton County, South Dakota prepared by Thomas Lynn Week, a registered land surveyor in the State of South Dakota, and

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

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

Adopted:

David Carda, Mayor

ATTEST:

Al Viereck, Finance Officer

Plat Location Map

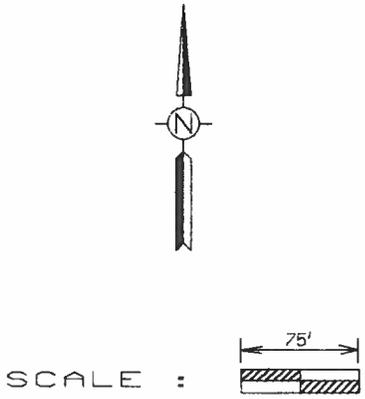
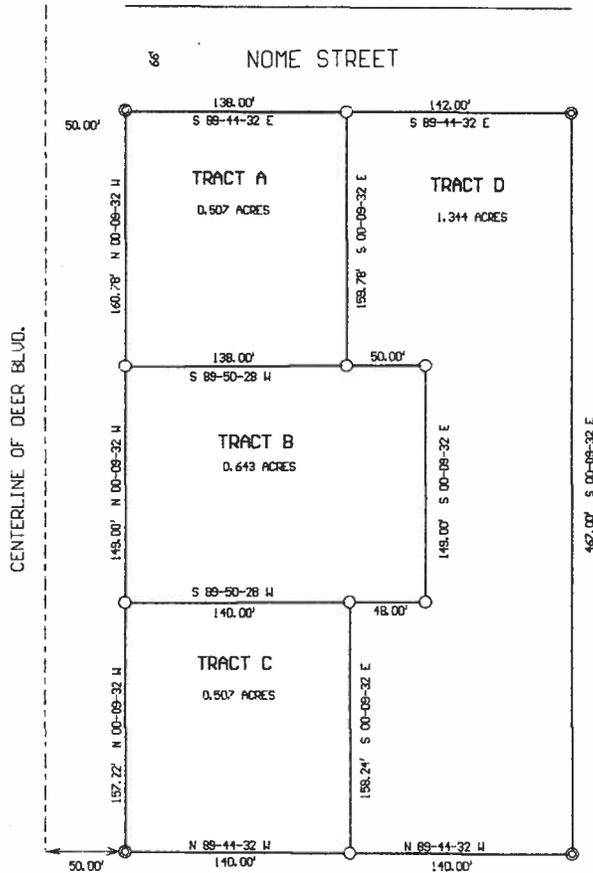
Tract A, B, C and D, in Lots 1, 2 and 3 of Block 2, Riverside Acres North Addition, in the SW ¼ of the NW ¼ of Section 22, T93N, R56W of the 5th P.M., Yankton County, South Dakota

North



Copy

PLAT OF TRACT A, B, C AND D, IN LOTS 1, 2 AND 3 OF BLOCK 2, RIVERSIDE ACRES NORTH ADDITION, IN THE S.W.1/4 OF THE N.W.1/4 OF SECTION 22, T93N, R56W OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA



- ⊙ FOUND REBAR WITH CAP
- SET 5/8" REBAR WITH CAP STAMPED TOM WEEK PELS 2912



SURVEYORS CERTIFICATE

I, THOMAS LYNN WEEK, REGISTERED LAND SURVEYOR IN YANKTON, SOUTH DAKOTA, HAVE AT THE DIRECTION OF THE OWNER, MADE A SURVEY OF TRACT A, B, C AND D, IN LOTS 1, 2, AND 3 OF BLOCK 2, RIVERSIDE ACRES NORTH ADDITION, IN THE S.W.1/4 OF THE N.W.1/4 OF SECTION 22, T93N, R56W, OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA. SAID SURVEY AND PLAT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.
 DATED THIS 6TH. DAY OF MAY, 2015.

Thomas Lynn Week
 THOMAS LYNN WEEK
 REGISTERED LAND SURVEYOR
 REG. NO. 2912

OWNERS CERTIFICATE

WE, DENA M. HEENEY AND DAWN R. KABELLA, AS TRUSTEES OF THE HEENEY FAMILY TRUST, DO HEREBY CERTIFY THAT THE HEENEY FAMILY TRUST IS THE ABSOLUTE AND UNQUALIFIED OWNER OF THE ABOVE DESCRIBED REAL PROPERTY: TRACT A, B, C AND D, IN LOTS 1, 2, AND 3 OF BLOCK 2, RIVERSIDE ACRES NORTH ADDITION, IN THE S.W.1/4 OF THE N.W.1/4 OF SECTION 22, T93N, R56W, OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA. THAT THE ABOVE SURVEY AND PLAT WAS MADE AT MY REQUEST AND UNDER MY DIRECTION FOR THE PURPOSE OF LOCATING, MARKING AND PLATTING THE SAME, AND THAT SAID PROPERTY IS FREE FROM ALL ENCUMBRANCES. THE DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING SUBDIVISION AND EROSION AND SEDIMENT CONTROL REGULATIONS.

DATED THIS _____ DAY OF _____, 2015.

STATE OF SOUTH DAKOTA
 COUNTY OF YANKTON

 DENA M. HEENEY,
 TRUSTEE

 DAWN R. KABELLA,
 TRUSTEE

ON THIS _____ DAY OF _____, 2015, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED DENA M. HEENEY AND DAWN R. KABELLA, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND WHO ACKNOWLEDGED TO ME THAT THEY AS TRUSTEES, EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED.
 MY COMMISSION EXPIRES _____

NOTARY PUBLIC

Memorandum #15-115

To: Amy Nelson, City Manager
From: Dave Mingo, AICP Community Development Director
Subject: Planning Commission Action #15-20 / Resolution #15-18
Date: May 13, 2015

PLAT REVIEW

ACTION NUMBER: 15-20

E.T.J. MEMBER ACTION REQUIRED: No

APPLICANT / OWNER: Steven A. and Lori R. Drotzmann.

ADDRESS / LOCATION: West side of the 2200 Blocks of Douglas Ave. Future 100 Block of Cole Drive.

PROPERTY DESCRIPTION: Lots 1 – 20 of Block 1, and Lots 1-4 of Block 2, Drotzmann's Addition to the City of Yankton, South Dakota.

ZONING DISTRICT: R-2 Single Family Residential.

PREVIOUS ACTION: Land sale from City to Drotzmann in 2014.

COMMENTS: The proposed plat and associated Developer's Agreement meet the requirements of the City's Subdivision Ordinance and Zoning Ordinance with the exception of the length of the cul-de-sac. The cul-de-sac is proposed to be slightly over 600 feet long. Our standard for a cul-de-sac is 400 feet. As a matter of policy in the past, we have determined that over length cul-de-sacs do not create a problem if they are standard width, do not curve and if they do not have substantial grade changes. We have many cul-de-sacs like this in the City.

The Developer's Agreement also references the Covenants and General Conditions of Sale that were associated with the transfer of the property to Drotzmann.

Construction plans for the associated infrastructure have been presented to the City Engineer for review and they have been approved.

Staff recommends approval of the plat and associated Developer's Agreement.

HEARING SCHEDULE:

May 11, 2015: Planning Commission reviews plat and makes recommendation to the City Commission.

May 26, 2015: City Commission reviews the preliminary plat and makes a final decision.

Planning Commission results: The Planning Commission recommended approval of the proposed plat and associated Developer's Agreement.

RESOLUTION #15-18

WHEREAS, it appears from an examination of the plat of Lots 1 – 20 of Block 1, and Lots 1-4 of Block 2, Drotzmann’s Addition to the City of Yankton, South Dakota prepared by Travis J. Kropuenske, a registered land surveyor in the State of South Dakota, and

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

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

Adopted:

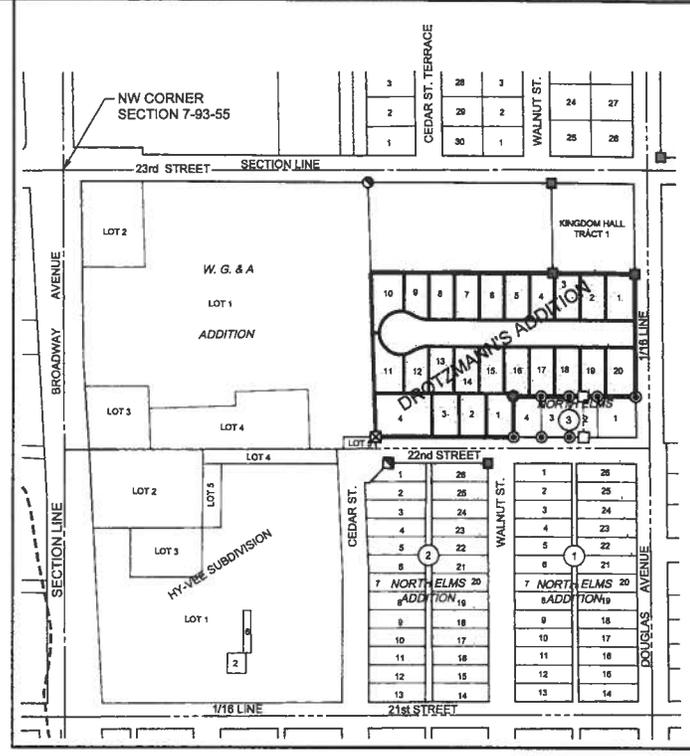
David Carda, Mayor

ATTEST:

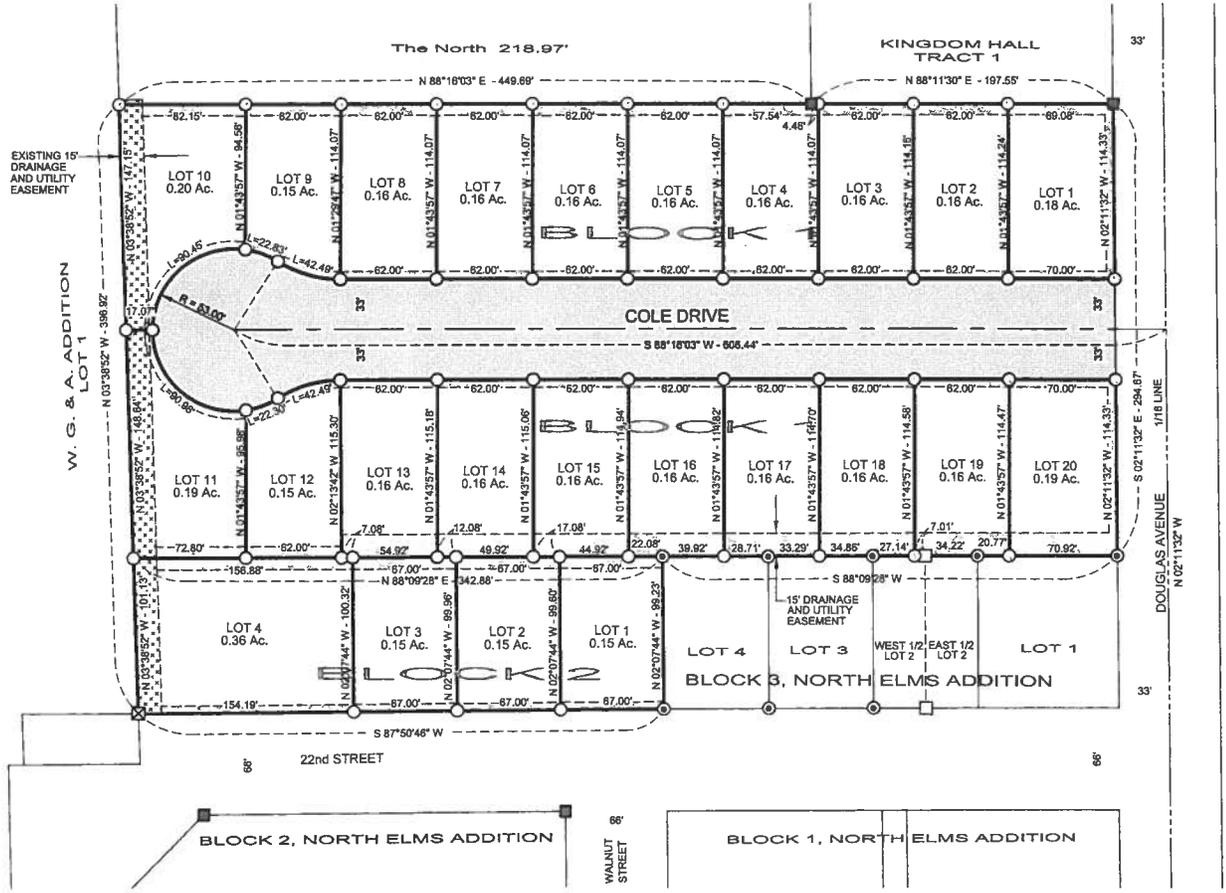
Al Viereck, Finance Officer

PLAT OF
LOTS 1 - 20 OF BLOCK 1
AND LOTS 1 - 4 OF BLOCK 2,
DROTZMANN'S ADDITION TO THE
CITY OF YANKTON, SOUTH DAKOTA

- LEGEND**
- FOUND 3/4" PIPE
 - FOUND 5/8" REBAR
 - ⊠ FOUND REBAR W/ CAP STAMPED "SDRLS 2185 GFF"
 - ⊞ FOUND REBAR W/ CAP STAMPED "KENNEDY LS 5350"
 - FOUND REBAR W/ CAP STAMPED "TOM WEEK PELS 2912"
 - ⊙ FOUND 3/4" X 16" STEEL PIPE W/ CAP STAMPED "JOHNSON LS 2919"
 - ⊚ FOUND 3/4" X 16" STEEL PIPE W/ CAP STAMPED "TJK RLS 6841"
 - SET 5/8" X 24" REBAR W/ CAP STAMPED "TJK RLS 6841"
- AREA TO BE DEDICATED AS STREET RIGHT OF WAY
- UTILITY EASEMENT, 5' ON ALL STREETS AND 7.5' ON ALL REAR LOT LINES EXCEPT AS SHOWN



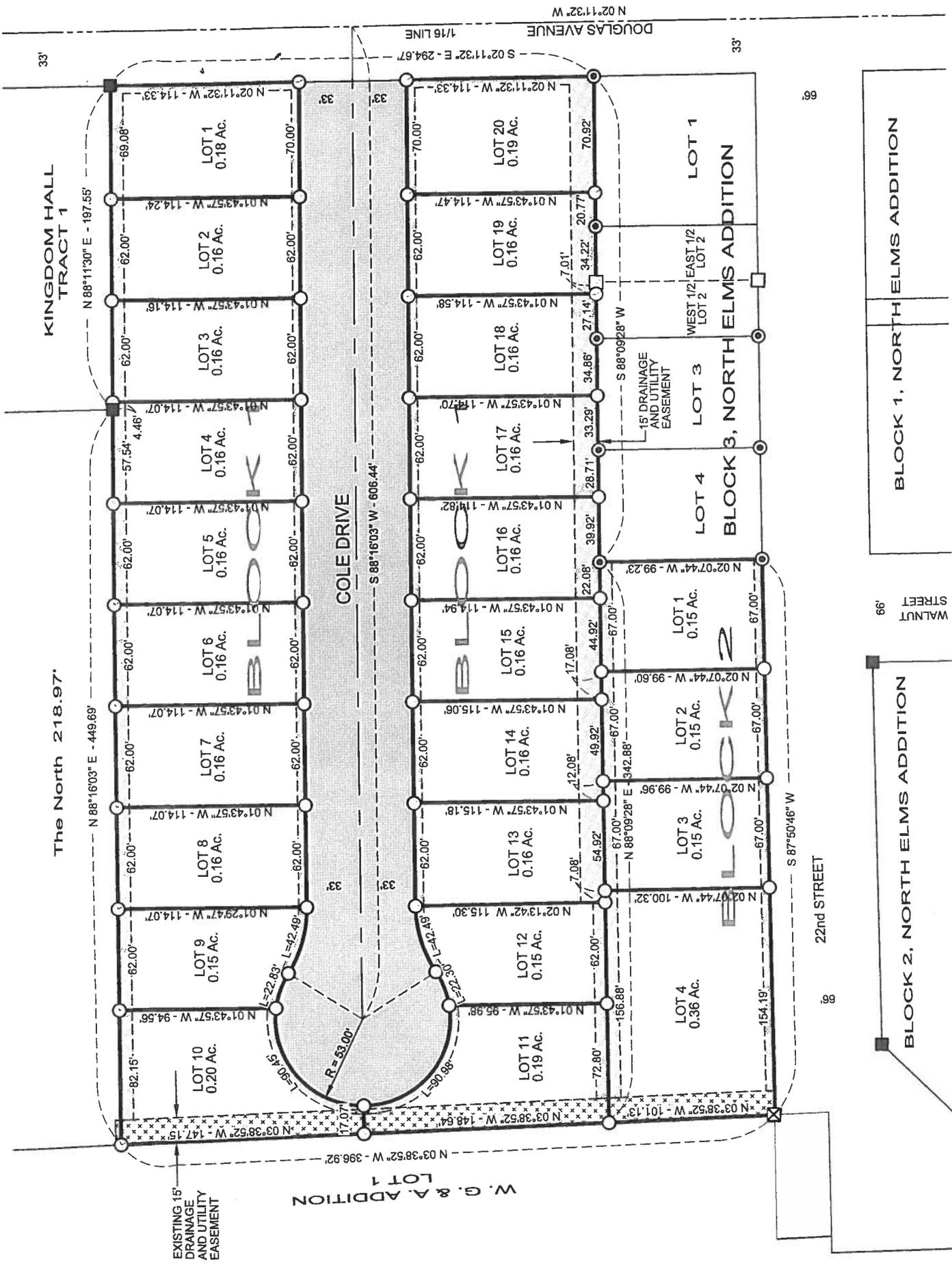
LAYOUT OF THE NW 1/4 OF THE NW 1/4, SECTION 7-93-55
 SCALE: 1" = 300'



PLAT
 SCALE: 1" = 80'

Document prepared by:
 Johnson Engineering Co.
 1800 Broadway Ave.
 Yankton, SD 57078
 (605)665-5571

AREA OF TRACTS PLATTED
 ON THIS PLAT IN THE NW 1/4 OF THE NW 1/4, SECTION 7-93-55
 LOTS 5.14 AC.±
 DEDICATED RIGHT-OF-WAY 1.00 AC.±



BLOCK 1, NORTH ELMS ADDITION

BLOCK 2, NORTH ELMS ADDITION

BLOCK 3, NORTH ELMS ADDITION

PLAT

SCALE: 1" = 80'

Prepared by:
The City of Yankton
PO Box 176
Yankton, SD 57078
(605) 668-5252

Developer's Agreement

Lots 1 – 20 of Block 1 and Lots 1 – 4 of Block 2, Drotzmann's Addition to the City of Yankton, South Dakota

This agreement made this 6 day of May, 2015, between ^{STEVEN}~~Stephen A.~~ Drotzmann and Lori Drotzmann, hereinafter called "Developer" and the City of Yankton, a municipal corporation of the State of South Dakota, located in Yankton County, hereinafter called the "City".

WHEREAS, the Developer is the owner of approximately 5.6 acres of land in the City, said land being described as follows to wit:

Lots 1 – 20 of Block 1 and Lots 1 – 4 of Block 2, Drotzmann's Addition to the City of Yankton, South Dakota.

WHEREAS, the Developer desires to improve land for residential purposes; and

WHEREAS, the City approval process will include a recommendation by the Planning Commission to the City Commission and action by the City Commission thereof related to the associated plat and this Developer's Agreement defining the manner and method by which said land is to be developed; that the developer not be in default as to said agreement and all laws and regulations governing said development; and

WHEREAS, the Developer agrees to develop said land as herein described in accordance with this agreement, all City Ordinances, and all laws, plans and regulations governing said development.

NOW, THEREFORE, IN CONSIDERATION OF THE GRANTING OF APPROVAL OF A PLAT OF THE ABOVE DESCRIBED LAND AND THE DEVELOPMENT THEREOF BY THE CITY COMMISSION, the Developer does hereby agree to improve and develop said land as follows and as otherwise regulated by City Ordinances and all laws, plans and regulations governing said development.

Section I. Improvements. Standard for all Subdivisions

A. Roads and Streets. The Developer hereby agrees:

1. To grade and surface all roads and streets in the above described property in accordance with the plat of said subdivision and the plans and specifications on file in the Office of the Director of Public Works.
2. That roads and streets will be completed and presented to the City before occupancy is permitted.
3. That no occupancy will be permitted until roads and streets have been dedicated to and accepted by the City.

B. Sanitary Sewer. The Developer hereby agrees:

1. To construct, furnish, install and provide a complete sewerage system throughout the entire subdivision, all in accordance with the plans, specifications and drawings on file in the Office of the Director of Public Works. Materials oversizing expenses resulting from City service requirements that are over what the developer would normally be responsible for will be reimbursed to the developer by the City.
2. That construction of a sanitary sewer will be completed and acceptable to the City before any occupancy is permitted.
3. That no occupancy will be permitted until the sanitary sewer lines have been dedicated to and accepted by the City.

C. Water. The Developer hereby agrees:

1. To construct, install, furnish and provide a complete system of water distribution throughout the entire subdivision in accordance with the plans and specifications on file in the office of the Director of Public Works. Materials oversizing expenses resulting from City service requirements that are over what the developer would normally be responsible for will be reimbursed to the developer by the City.
2. That construction of the system of water distribution will be completed and acceptable to the City before any occupancy is permitted.
3. That no occupancy will be permitted until the water distribution system has been dedicated to and accepted by the City.

D. Surface Water Drainage. The Developer hereby agrees:

1. To construct, install, furnish and provide adequate facilities for storm and surface water drainage in accordance with the City's Storm Water Management Plan throughout the entire subdivision in accordance with the plans and specifications on file in the office of the Director of Public Works.
2. That construction of surface and storm water drainage facilities shall be completed and acceptable to the City before occupancy is permitted.
3. To provide facilities to transmit the existing surface drainage across the subdivision. These facilities shall be designed to accommodate the anticipated storm water flows resulting from development of the adjacent property if applicable. The Developer further agrees to provide proper facilities to transmit the surface drainage from the subdivision to a stream, waterway or dedicated easement that has adequate capacity to transmit the anticipated flows from the subdivision and adjacent property.

E. Sidewalks. The Developer hereby agrees:

1. To construct, install, furnish and provide a complete system of sidewalks along all public streets and dedicated pedestrian walkways within the entire subdivision in accordance with the plans and specifications on file in the office of the Director of Public Works.
2. The construction of all sidewalks shall be completed for each lot by either the Developer or owner prior to permitting occupancy of the property.

F. Street Lights. The Developer hereby agrees:

1. To install a street lighting system in the subdivision according to a plan prepared by the Northwestern Energy Company and on file in the office of the Director of Public Works.

G. Landscaping. The Developer hereby agrees:

1. To plant street trees (one per lot) at least six (6) feet in height and one and one half (1 1/2) inches in diameter at four feet above grade in accordance with the species and the time schedule on file in the Department of Parks and Recreation.

Section II. Provisions Specific to This Subdivision

1. The development of the described property is subject to all provisions set forth in the applicable "Covenants" and "General Conditions" associated with the City sale of the property to the Developer.
2. The Cul-De-Sac in the proposed subdivision exceeds the maximum length set forth in the City of Yankton's Subdivision Ordinance. The City agrees that the over length cul-de-sac is allowable because of the configuration of the overall parcel and the street does not have any curves or substantial grade changes.

Section III. Dedication

Subject to all of the other provisions of this agreement and the exhibits hereto attached the Developer shall, without charge to the City, upon completion of all of the above described improvements, unconditionally give, grant, convey and fully dedicate the same to the City, its successors and assigns forever free and clear of all encumbrances. After such dedication, the City shall have the right to connect or integrate other sewer or water facilities provided hereunder as the City decides, with no payment or award to, or constitute acceptance of any improvement by the City.

Section IV. Miscellaneous Requirements.

A. Deed Restrictions. The Developer hereby agrees to execute and record all deed restrictions, if any, before approval of the final plat and file a copy thereof in the office of the City Finance Officer.

B. Survey Monuments. The Developer hereby agrees to properly place and install all survey or other monuments required by statute or ordinance prior to final plat approval. Interior piping shall be installed after the improvements are completed; before the sale of any lot and prior to the City's final street acceptance.

C. Grade. The Developer hereby agrees to furnish to the Director of Public Works a copy of a plan showing the street grade in front of each lot and/or finished yard grade. This information shall be provided prior to the issuance of any building permits for each phase of the project.

D. Reimbursement of Costs to the City.

The Developer hereby agrees to reimburse the City for any costs incurred by the City for engineering, inspection, administrative and legal expenses.

1. Engineering and administrative costs shall be based on regular City pay rate (or overtime, if applicable) plus all fringe benefits for any time actually spent on the project with a maximum of 2 1/2% of construction costs to be charged to the Developer. Any costs for outside consultants shall be charged at the rate the consultant charges the City.

2. Legal costs shall be based on the statements of the City Attorney with no overhead added by the City. Legal costs shall not be incurred without prior notice given to the Developer.

3. The City shall immediately inform the Developer of any excessive or unusual costs which may arise under this section.

Section V. Roads, Sanitary Sewer, Water and Storm Water Guaranty.

The Developer shall guarantee the improvement described in this agreement against defect due to faulty materials or workmanship which appear within a period of one year from the date of acceptance by the City as herein provided and shall pay for any damages resulting there from to City property.

Section VI. Method of Improvement.

The Developer hereby agrees to engage contractors for all work included in this agreement who are qualified to perform the work and who shall be listed as qualified for such work by the City. The Developer further agrees to use materials and make the various installations in accordance with the approved plans and specifications made a part of this agreement by reference and including those standard specifications of the City.

Section VII. Issuance of Occupancy Permits.

The Developer hereby agrees no occupancy shall be permitted until all streets, public utilities and improvements have been installed and are approved for connection by the City of Yankton. No building permits shall be issued until the improvements in Section I., A.,B.,C. and D. are contracted for and copies of the executed contract are supplied to the City.

The Developer agrees to cooperate with the City to prevent the occupancy of any dwelling units before required improvements have been accepted. The City will not be obligated to provide any services to any unit built in the Subdivision until all required improvements have been accepted and may terminate any services provided during construction if a unit is occupied before an occupancy permit is issued by the City.

Section VIII. City Responsibility.

The Developer hereby agrees the City will perform no repair, maintenance or snow removal or provide utility services on any improvements until accepted by the City.

Section IX. Transferability.

The Developer hereby agrees that it is further acknowledged that this agreement shall be binding upon any grantees, heirs, devisees, legatees or assigns of the undersigned with the same force and effect and validity as agreed by the undersigned personally.

6 IN WITNESS WHEREOF, the Developer has caused this Agreement to be signed this day of May, 2015.

1
by: Steve Drotzmann Signature, ~~Stephen~~ Steven A. Drotzmann
by: Lori Drotzmann Signature, Lori Drotzmann

ss: State of South Dakota
County of Yankton

Be it remembered that on this 6 day of May, 2015, before me the undersigned, a notary public within and for the County and State aforesaid, personally appeared Steve Drotzmann and Lori Drotzmann known to me to be the persons who are described in and who executed the within and foregoing instrument and certificate and acknowledged to me that he executed the same.

Clark Schilling seal
Notary Public

Yankton County, South Dakota
My commission expires on: 12-15-15

Accepted pursuant to Resolution adopted by the Board of City Commissioners of the City of Yankton this _____ day of _____, 2015.

, Mayor

ATTEST:

Al Viereck, Finance Officer

Memorandum #15-109

To: Amy Nelson, City Manager
From: Todd R. Larson, Director of Parks and Recreation
Date: May 19, 2015
Subject: Fish Grinding Station

The 2015 budget provided for the installation of a new water main in to the south side of Fantle Memorial Park. The Parks Department would like to move that project into the 2016 budget and move forward the replacement of the fish cleaning station at Riverside Park that was budgeted for 2016.

The State of South Dakota has completed their bidding of fish cleaning stations and the bid includes a fish grinding unit that meets the City's needs also.

The Parks Department would like to purchase a 2015 Barracuda I Model 60115M for \$34,283.50.

There was \$30,000 budgeted for the water main project in 2015. During the first budget session, the Parks Department requested the 2015 line item be changed to the fish grinding unit purchase and be increased to \$40,000 to cover the costs of the unit and installation costs.

Recommendation: It is recommended that the City Commission allow the Parks Department to purchase the Barracuda I Model 60115M for the price of \$34,283.50 from Quality Control Equipment Company, 4280 E. 14th Street, Des Moines, IA, 50313.

Respectfully submitted,

Todd R Larson

Todd R. Larson
Director of Parks and Recreation

I concur with this recommendation.

I do not concur with this recommendation.

Amy Nelson FOR AMY

Amy Nelson, City Manager

____ Roll call

Memorandum #15-110

To: Amy Nelson, City Manager
From: Todd R. Larson, Director of Parks and Recreation
Date: May 19, 2015
Subject: Jacobsen Greensking IV Mower for Fox Run Golf Course

The golf course would like to purchase a 2015 Jacobsen Greensking IV mower which is used to mow the greens. The current greens mower that will be replaced was purchased in 2003. The adopted replacement plan for greens mowers is five years so this mower should have been replaced in 2008. The 2003 mower will not be traded-in but will be moved to tee box mowing. It will replace a 1998 mower that is currently used for tee-box mowing. The 1998 mower will be used for spare parts.

There is \$20,000 budgeted in the 2015 Capital Improvement Plan budget to replace a greens mower.

The new mower costs \$24,999. A Toro Greensmater 3150Q was quoted at \$25,393.

Recommendation: It is recommended that the City Commission allow Fox Run Golf Course to purchase the Jacobsen Greensking IV Mower for the price of \$24,999.

Respectfully submitted,

Todd R Larson

Todd R. Larson
Director of Parks and Recreation

I concur with this recommendation.

I do not concur with this recommendation.

AJ Nelson FOR AMY

Amy Nelson, City Manager

____ Roll call

Memorandum #15-119

To: Amy Nelson, City Manager
From: Mike Roinstad, Airport Supervisor
Subject: Chan Gurney Municipal Airport-Project No. 3-46-4600-20-2014
Date: May 15, 2015

The South Dakota Department of Transportation Aeronautics Commission has approved the State of South Dakota's Financial Assistance Agreement for Pavement Maintenance at Chan Gurney Municipal Airport. Maintenance being done includes route and seal cracks, crack leveling, and repaint runway markings. These maintenance items will extend the life of the asphalt pavement and provide more visible markings for the crosswind runway. The total estimated project cost is \$90,744.40. The attached Agreement with the State provides 95% funding of the project. The City local match at 5%, totals \$4,537.22. A summary of the project costs is included in the Agreement.

It is recommended that the Agreement between the State of South Dakota and the City of Yankton be approved and the Mayor be authorized to execute the attached Project No. 3-46-4600-20-2014 Agreement.

Respectfully submitted,

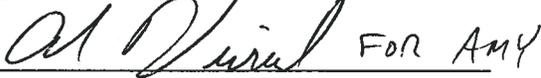


Mike Roinstad
Airport Supervisor

Recommendation: It is recommended the City Commission approve the attached Project No. 3-46-4600-20-2014 Agreement with the SD DOT and authorize the Mayor to execute the Agreement.

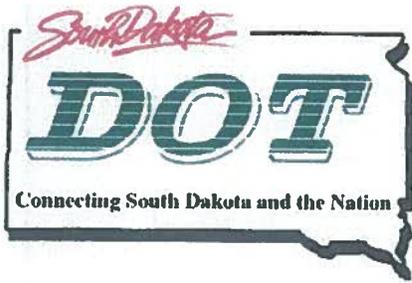
I concur with the recommendation.

I do not concur with the recommendation.


Amy Nelson
City Manager

cc: Kevin Kuhl PE

____ Roll call



Department of Transportation
Division of Finance & Management
Office of Air, Rail & Transit
700 East Broadway Avenue
Pierre, South Dakota 57501-2586
OFFICE: 605/773-3574
FAX: 605/773-2804

May 11, 2015

Al Viereck, Finance Officer
City of Yankton
PO Box 176
Yankton, SD 57078

RE: Chan Gurney Airport
Project No. 2014 Pavement Maintenance
State Financial Assistance Agreement

Dear Ms. Viereck:

Please be advised that the South Dakota Aeronautics Commission approved a state financial assistance agreement for the above referenced project. Enclosed you will find two (2) copies of the agreement. If acceptable, please obtain proper signature, date, attach seal, and return all copies to this office.

Please be sure to return with the agreements, an executed copy of the minutes of the SPONSOR's Commission authorizing the execution of this Agreement by the Mayor as the authorized representative for the SPONSOR.

A fully executed copy will be returned for your files. If you have any questions, please contact me at (605) 773-4430 or email me at jennifer.boehm@state.sd.us

Sincerely,

A handwritten signature in blue ink that reads "Jennifer Boehm". The signature is written in a cursive, flowing style.

Jennifer Boehm, Aeronautics Program Assistant

Enclosures

AGREEMENT NO. _____

**MAINTENANCE AND FINANCIAL AGREEMENT
BETWEEN
SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION
AND
CITY OF YANKTON**

This Agreement is made and entered into by and between the State of South Dakota, acting by and through its Department of Transportation, referred to in this Agreement as the "STATE," and the city of Yankton, South Dakota, referred to in this Agreement as the "SPONSOR."

BACKGROUND:

- A. The SPONSOR wants the STATE to let an airport pavement maintenance project on the Yankton Municipal Airport as a part of Project Number 3-46-4600-20-2014, referred to in this Agreement as the "Project."
- B. The STATE will construct the Project, including pavement maintenance.

THE STATE AND THE SPONSOR MUTUALLY AGREE AS FOLLOWS:

- 1. The STATE will advertise, let to contract, award, and be the contracting party for the Project.
- 2. The STATE will bill the SPONSOR for final Project costs based on the amount of work completed and accepted, and the SPONSOR will make said payments to the STATE within thirty (30) days of billing. Actual costs will be based upon bids and final quantities.
- 3. The SPONSOR will reimburse the STATE Five percent (5%) of the actual and final costs of the total Project. The estimated cost of the SPONSOR'S share of the Project is Four Thousand, Five Hundred Thirty-seven Dollars and Twenty-two Cents (\$4,537.22).
- 4. This Agreement may not be amended, except in writing, which writing will be expressly identified as a part of this Agreement, and will be signed by an authorized representative of each of the parties.
- 5. The STATE may terminate this Agreement on thirty (30) days' written notice. If the SPONSOR breaches any of the terms or conditions of this Agreement, the STATE may terminate this Agreement at any time with or without notice.
- 6. Upon reasonable notice, the SPONSOR will allow the STATE or U.S. Department of Transportation representatives to examine all records of the SPONSOR related to this Agreement during the SPONSOR'S normal business hours. The SPONSOR will keep all such records for a period of three (3) years after the date of final payment by the STATE under this Agreement and all other pending matters are closed.
- 7. If the SPONSOR expends Five Hundred Thousand Dollars (\$500,000) or more in federal funds during any SPONSOR fiscal year covered, in whole or in part, under this Agreement, the SPONSOR will be subject to the single agency audit requirements of the U. S. Office of Management and Budget (OMB) Circular A-133. If the SPONSOR expends less than \$500,000 in federal funds during any SPONSOR fiscal year, the STATE may perform a more limited program or performance audit related to the completion of Agreement objectives, the allowability of services or costs and adherence to Agreement provisions. The CFDA Number for funds used under this Agreement is 20.106.
- 8. This Agreement depends upon the continued availability of appropriated funds and expenditure authority from the Legislature for this purpose. If for any reason the Legislature fails to appropriate funds or grant expenditure authority, or funds become unavailable by operation of law or federal

funds reductions, the Agreement may be terminated by the STATE. Termination for any of these reasons is not a default by the STATE nor does it give rise to a claim against the STATE.

9. The SPONSOR certifies, to the best of the SPONSOR'S knowledge and belief, that: No Federal appropriated funds have been paid or will be paid, by or on behalf of the SPONSOR, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of a Federal contract, grant, loan, or cooperative agreement. If any funds other than Federal appropriated funds have been paid or will be paid to any of the above mentioned parties, the SPONSOR will complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

The SPONSOR will require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients will certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification will be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

10. The SPONSOR certifies, by signing this Agreement, that neither the SPONSOR nor the SPONSOR'S principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this Agreement by any federal department or agency.
11. In accordance with Executive Order 13513, Federal Leadership on Reducing Text Messaging While Driving, October 1, 2009, and DOT Order 3902.10, Text Messaging While Driving, December 30, 2009, the SPONSOR is encouraged to:
 - A. Adopt and enforce workplace safety policies to decrease crashes caused by distracted drivers, including policies to ban text messaging while driving when performing any work for or on behalf of the federal government, including work relating to a grant or subgrant.
 - B. Conduct workplace safety initiatives in a manner commensurate with the size of the business, such as:
 - i. Establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving; and,
 - ii. Education, awareness, and other outreach to employees about the safety risks associated with texting while driving.
12. The SPONSOR has designated its Mayor as the SPONSOR'S authorized representative and has empowered the Mayor with the authority to sign this Agreement on behalf of the SPONSOR. A copy of the SPONSOR'S Commission minutes or resolution authorizing the execution of this Agreement by the Mayor as the SPONSOR'S authorized representative is attached to this Agreement as Exhibit B.
13. The effective date of this Agreement is **July 22, 2014**.

The SPONSOR and the STATE, by signing this Agreement, evidence authority to enter into this Agreement through formal action of their governing bodies.

City of Yankton, South Dakota

State of South Dakota
Department of Transportation

By: _____

By: _____

Its: Mayor

Its: Program Manager
Office of Air, Rail, and Transit

Date: _____

Date: _____

Attest:

City Auditor/Clerk

(City Seal)

2014 Airport Pavement Maintenance
FAA Grant # 3-46-4600-20-2014

Yankton	
Estimated Costs	
\$65,950.00	Construction
9.48%	% Share of Eng. & Admin
\$23,397.52	Engineering
\$1,396.88	Admin
<hr/>	
\$90,744.40	Total
\$81,669.96	Federal (90%)
\$4,537.22	State (5%)
\$4,537.22	Local (5%)

A final bill will be sent when the project is complete.

Memorandum #15-122

To: Amy Nelson, City Manager
From: Kevin Kuhl, PE Public Works Director
Subject: 8th Street-Broadway Avenue to Summit Street-State Funding Assistance
Date: May 19, 2015

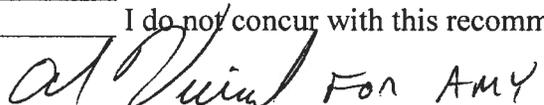
An increase in state revenues for street and highway improvements approved at the 2015 South Dakota legislative session provided the Department of Transportation more flexibility in funding local government projects. The previously used Exchange Program has once again been made available at what is referred to as a 90/10 Exchange. Details on the options available for the Yankton urban fund account balance were outlined in an April 6, 2015 letter from the Secretary Darin Bergquist. A copy of the letter was included in the April 27, 2015 city commission packet.

Attached Resolution #15-21, if approved by the City Commission, would remove the proposed 8th Street project between Broadway Avenue and Summit Street from the State Transportation Improvement Program (STIP). Being removed from the STIP, the project would be completed using State funds in exchange for federal funds, streamlining project requirements. Streamlining the project requirements will result in cost savings in project development, administration, design, and construction. The State reduces its match of 18.05% to 9.025% in the exchange of the federal funds to State funds. This is considered an appropriate approach for funding the reconstruction of an existing street the size of the 8th Street project.

Respectfully submitted,


 Kevin Kuhl PE
 Public Works Director

Recommendation: It is recommended that Resolution #15-21 be approved and State funds be accessed to fund the 8th Street project.

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

 Amy Nelson
 City Manager

cc: Al Viereck

____ Roll call

RESOLUTION# 15-21

FEDERAL AID SURFACE TRANSPORTATION PROGRAM DELETE RESOLUTION FOR COUNTY AND URBAN PROJECTS

WHEREAS, City of Yankton wishes to delete the referenced project from the Statewide Transportation Improvement Program (STIP):

LOCATION AND LENGTH (PROJECT NUMBER & PCN IF AVAILABLE):

8th Street from Broadway Avenue to Summit Street.

Project # 4758(02) / PCN 04U0

NOW THEREFORE BE IT RESOLVED:

That the South Dakota Department of Transportation be and hereby is authorized and requested to withdraw from the STIP that project described above.

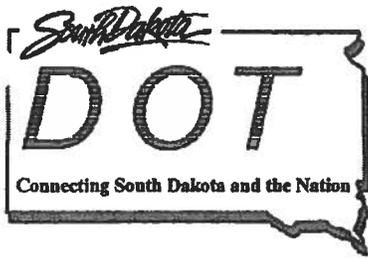
Vote of Commissioners/Council: Yes _____ No _____

Dated at _____, SD, this _____ day of _____, _____.

ATTEST:

County Auditor/City Finance Officer

Chairman/Mayor



Department of Transportation

Office of the Secretary

700 E Broadway Avenue

Pierre, South Dakota 57501-2586

PHONE: 605/773-3265 FAX: 605/773-3921

April 6, 2015

County Commissions and County Highway Superintendents
Class I City Councils and City Engineers / Administrators

RE: Surface Transportation Program (STP) Payout Program

Greetings:

On December 22, 2014, I sent you a letter indicating the South Dakota Department of Transportation (Department) would again be offering the Exchange Program where cities and counties could exchange their federal Surface Transportation Program (STP) allocation funds for state funds for this federal fiscal year. Under the previous program, you were allowed to exchange your federal funds for state funds, but not receive any of the state matching funds (which are equal to 18.05% of the total annual allocation). On February 2, 2015, I sent you an additional letter placing the 2015 funding exchange on hold pending the resolution of legislative issues involving state highway funding. Due to the Governor's signing of Senate Bill 1, those issues have been resolved. As a result, the Department and South Dakota Transportation Commission will be moving forward with the proposal outlined in the Governor's State of the State Address by exchanging all annual federal STP allocations to counties and cities with state highway funds. The details for implementation of this new program and related issues are outlined below:

Annual STP Funding Exchange

- The exchange of your annual federal STP funds allocation will begin with FFY15's allocation for those entities that do not have a federal aid project programmed in the current 2015-2018 STIP.
- Funding provided will be state highway funds which must be used for highway and bridge construction, maintenance and repair.
- Checks will be issued on or about July 1st of 2015 and each year thereafter.
- The amount of the payment will be equal to your annual federal STP allocation plus 50% of the previously provided state matching funds.

Payout of STP Fund Balances in Excess of Annual Allocation

- In addition to the annual exchange of each year's federal STP allocation, unobligated STP account balances will also be exchanged and paid out at the same rate. The payout of these funds will depend on the unobligated balance in your account and the total amount to be paid by the Department to all entities, but in no case over more than a five year period.
- Payments for the STP account balances will be made yearly prior to September 30th.

Projects in the Current 2015-2018 STIP

- Projects currently programmed in the 2015-2018 STIP will proceed as federal aid projects to be let and administered by the Department as currently planned, unless you choose to proceed in a different manner by cancelling the planned project(s). Those entities with projects currently in the STIP will not begin receiving the annual STP funding exchange until the programmed projects are complete.

- If you wish to cancel your programmed federal aid project(s) and instead take the annual STP funding exchange, you must provide the Department a resolution to this effect prior to July 1st, 2015 in order to be eligible for this year's exchange.

Existing Statewide Infrastructure Bank (SIB) Loans

- If you currently have an agreement providing for repayment of a State Infrastructure Bank (SIB) loan, those agreements will be completed consistent with the terms of the existing agreement. You will begin receiving your annual STP funding exchange payment upon completion of repayment of the SIB loan.

The Department understands there may be specific situations that will need to be addressed and we look forward to working through those on a case by case basis. We appreciate your patient and understanding as we work through the details of transitioning to this new program.

If you have questions or need additional information regarding these changes please feel free to contact Laurie Schultz at 605-773-8149 or any of her staff.

Sincerely,



Darin P. Bergquist
Secretary

Memorandum #15-120

To: Amy Nelson, City Manager
From: Dave Mingo, AICP Community Development Director
Subject: HSC Property Phase #2 Purchase
Date: May 15, 2015

State officials have obtained an appraisal of \$395,000 for an 11.27 acre tract of land that is located on the northwest corner of the land that the City previously purchased from the state at the Human Services Center (HSC). As you may remember, this tract of land was in consideration for purchase by the City during the original purchase process but the location of buildings and other state improvements at the time made it impractical to consider at the time. The attached map shows the location of the tract and previous locations of the buildings.

If the City Commission moves ahead with the purchase, there are two options available for payment. One is a lump sum payment similar to what was used for the initial purchase. The funds for that payment were borrowed from the 506 account. The second option would be to make payments with interest to the state over a period of five or six years. There will be a payment schedule spreadsheet available at the meeting if the commission wishes to further discuss that option.

Also attached are the transaction related documents associated with a transfer of the property. Please remember that the process of the City buying or selling property requires a super majority vote based on prior City Commission action related to the establishment of rules for property transfers.

Ryan Brunner, The Commissioner of School and Public Lands will be in attendance at the meeting to discuss the proposed transfer with the Commission.

Respectfully submitted,

Dave Mingo, AICP
Community Development Director

Recommendation: It is recommended that the City Commission consider the purchase and if approved, authorize the City Manager to execute the documents necessary to complete the transaction.

I concur with this recommendation.

I do not concur with this recommendation.

Amy Nelson
FOR AMY

Amy Nelson, City Manager

_____ Roll Call

STATE OF SOUTH DAKOTA
OFFICE OF SCHOOL AND PUBLIC LANDS
PURCHASE AGREEMENT

Date May 26th, 2015

PURCHASE AGREEMENT, made and entered into this 26th day of May, 2015, by and between the State of South Dakota, ACTING THROUGH ITS Commissioner, Office of School and Public Lands, 500 East Capitol Avenue, Pierre, South Dakota 57501 (herein "State"), and the City of Yankton, 416 Walnut Street, Yankton, South Dakota, 57078 (herein "Purchaser".)

WITNESSETH:

1. In consideration of payment by the Purchaser to State of the sum of \$395,000.00 State agrees to grant, bargain, convey, transfer, and sell, and Purchaser agrees to purchase, all of the following real property situated in County of Yankton, State of South Dakota, described as follows, to wit:

Tract 3 in Lot A in the Southeast Quarter (SE1/4) Containing Eleven and 27/100 (11.27) acres more or less, Section Thirty Six (36), Township Ninety Four (94) North, Range Fifty Six (56) West of the Fifth Principal Meridian.

Together with all, improvements, and appurtenances located thereon, reserving, however, to the State of South Dakota right-of-way for irrigation ditches, canals, etc., as provided by SDCL 5-4-2, and subject to reservations and rights relating to deposits of coal, ores, metals and other minerals, asphaltum, oil, gas and other like substances, provided by the South Dakota Constitution Art. VIII, §19, SDCL 5-7-3 to 5-7-6, inclusive, and SDCL 5-2-12, and in any law of the State of South Dakota reserving rights of any kind in said State or any of its departments, institutions, subdivisions, funds or accounts.

2. The purchase price shall be paid as follows: the purchaser shall pay at least thirty percent of the purchase price in cash and the remaining seventy percent of the purchase price shall be paid in five equal installments of fourteen percent of the total purchase price on the anniversary of closing, each succeeding calendar year until the whole is paid with interest thereon at a rate of 4.75%. The purchaser shall have the right or option of paying the balance or any number of installments on any date. The State will transfer and convey all of its right, title and

interest in the property to Purchaser upon receipt of the purchase price by delivery of a Patent. The State will furnish Purchaser with a plat of survey for the property but will not furnish a title commitment for an owner's title insurance policy. The transfer shall be subject to existing liens, encumbrances, easements, restrictions or reservations of record. Purchaser shall pay all recording and transfer fees.

3. Upon payment of the full purchase price and contingent upon the Governor's approval pursuant to SDCL 5-9-13 and 5-9-14 the state will make delivery of the Patent to the County for recording and then deliver the Patent to the Purchaser. The Purchaser shall be entitled to possession of the property and shall bear all taxes, assessments or other charges with respect to the property upon recording of said Patent.
4. This Purchase Agreement constitutes the entire agreement between the parties. No promise or undertaking has been made by any party, and no understanding exists with respect to the property, except as expressly set forth herein. The parties agree that the Purchase is purchasing the property "as is", and the State makes no warranties or representations concerning the condition of the property. Purchaser accepts the property in its present condition. Purchaser has examined the property, buildings, and improvements, is purchasing the property based upon that examination and in reliance on Purchaser's own judgment, and not based on any representations, statements, or declarations made by the State, its agents or employees.
5. This Purchase Agreement shall be governed by and construed in accordance with the laws of the State of South Dakota. Any lawsuit pertaining to or affecting this Purchase Agreement shall be venued in Circuit Court, Sixth Judicial Circuit, Hughes County, South Dakota.
6. Time is of the essence in the performance of the covenants, terms and conditions contained in this Purchase Agreement. This Purchase Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective transferees, successors and assigns.

IN WITNESS WHEREOF the parties hereto have set their hands and seals effective the day and year above first written.

OFFICE OF THE COMMISSIONER OF SCHOOL AND PUBLIC LANDS

(SEAL)

BY: _____
ITS: Commissioner of School and Public Lands

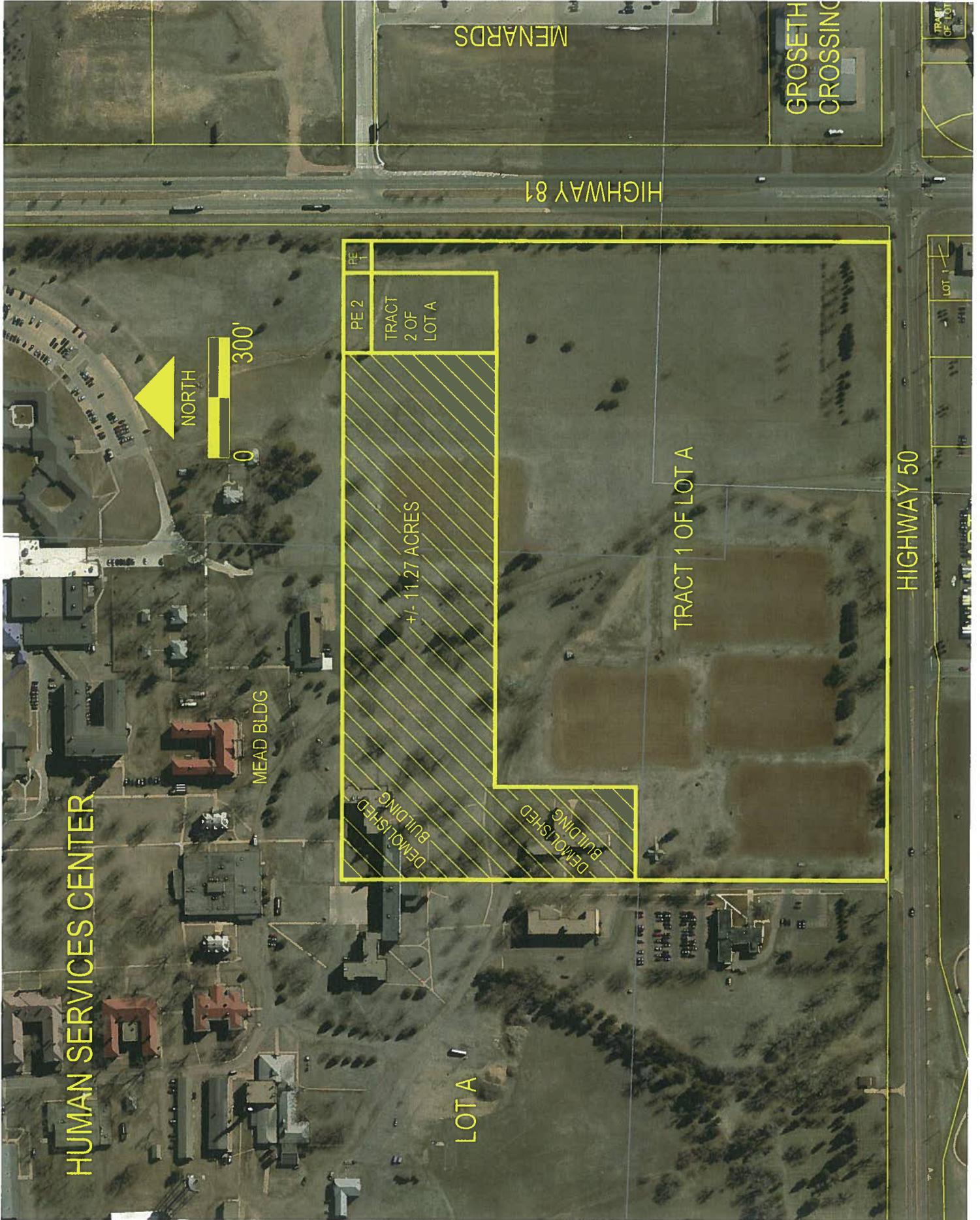
PURCHASER

City of Yankton

(SEAL)

BY: _____
ITS: _____

NOTE: Corporate Purchasers must execute Purchase Agreement, in corporate name, by duly authorized officer, and seal must be affixed and duly attested; Limited Liability Company Purchasers must execute Purchase Agreement by duly authorized Manager or by all members; Partnership Purchasers must execute Purchase Agreement in firm name, together with signature of an authorized general partner.



HUMAN SERVICES CENTER

MEAD BLDG

LOT A

DEMOLISHED BUILDING

DEMOLISHED BUILDING

+/- 11.27 ACRES

TRACT 2 OF LOT A

TRACT 1 OF LOT A

HIGHWAY 81

HIGHWAY 50

MENARDS

GROSEETH CROSSING

NORTH

0 300'

PE 2

PE 1

LOT 1

TRACT OF LOT 1

Memorandum #15-121

To: Amy Nelson, City Manager
From: Dave Mingo, AICP Community Development Director
Subject: Consideration of Fox Run Land Sale to JTG Properties LLC
Date: May 15, 2015

JTG Properties, LLC has submitted an offer to purchase the west two acres of Parcel B in Fox Run Subdivision. They are interested in the location to construct and operate a convenience store. This would be the west end of the commercial lot between 30th Street and 31st Street; West City Limits Road (WCLR) and Adkins Drive (see attached illustrations). If approved, the proposal would leave approximately two acres left between the proposed convenience store and the new Costello apartment building property.

The City has the property listed for sale at \$1.00 per square foot (\$43,560 / acre). JTG Properties is offering \$0.85 per square foot which would be \$37,026 per acre. This is the same amount / per square foot that Costello paid for a site on the east side of the lot. In total for the two acres, the property is listed at \$87,120 and the offer to purchase is for \$74,052. Please be aware that the size of the lot may decrease slightly once the design for the facility is fine tuned.

JTG Properties contracted with an architect for some preliminary site planning and elevation renderings (attached). They do a good job of depicting what the facility would look like on the site if approved. Important elements that were incorporated as a result of preliminary discussions with staff included:

- Access points to 30th Street. Access to Highway 50 will not be permitted at the location. Access to WCLR may be possible but is not desirable from a traffic safety standpoint.
- Building facade architectural elements that are representative of the vision for development in Fox Run.

It is recommended that any sale, if approved, be subject to the following conditions which are similar to other sales of City development property:

- The final development be representative of the one depicted in the attached concept drawings.
- A reversionary clause that stipulates commencement of construction within three years and completion of construction within one year thereafter.
- A closing within 60 days of City Commission approval.
- A transfer through Yankton Area Progressive Growth.

Please remember that the process of the City selling or buying property requires a super majority vote based on prior City Commission action related to the establishment of rules for property transfers.

Respectfully submitted,

Dave Mingo, AICP
Community Development Director

Recommendation: It is recommended that the City Commission consider the purchase and if approved, authorize the City Manager to execute the documents necessary to complete the transaction.

I concur with this recommendation.

I do not concur with this recommendation.



Amy Nelson, City Manager

____ Roll call

TO: City of Yankton

FROM: JTG Properties LLC

RE: The Fox Stop Conceptual Plans and Proposal

Please see the attached conceptual plans and 3-dimensional renderings of a proposed convenience store. Our wish is to pursue this project and locate it at the corner of West City Limits Road and 30th Street in Yankton.

Our proposed business will be selling fuel, beverages, candy, grocery items, tobacco, alcohol, and lottery products as well as fresh food prepared on-site. Our target market will be mainly residential traffic that is either on their commute home or to work, passing through coming to the lake or going home after their vacation, as well as neighborhood people needing that fill-in grocery item. Light duty trucks pulling campers and boats would be the largest vehicles we would see utilizing this convenience store.

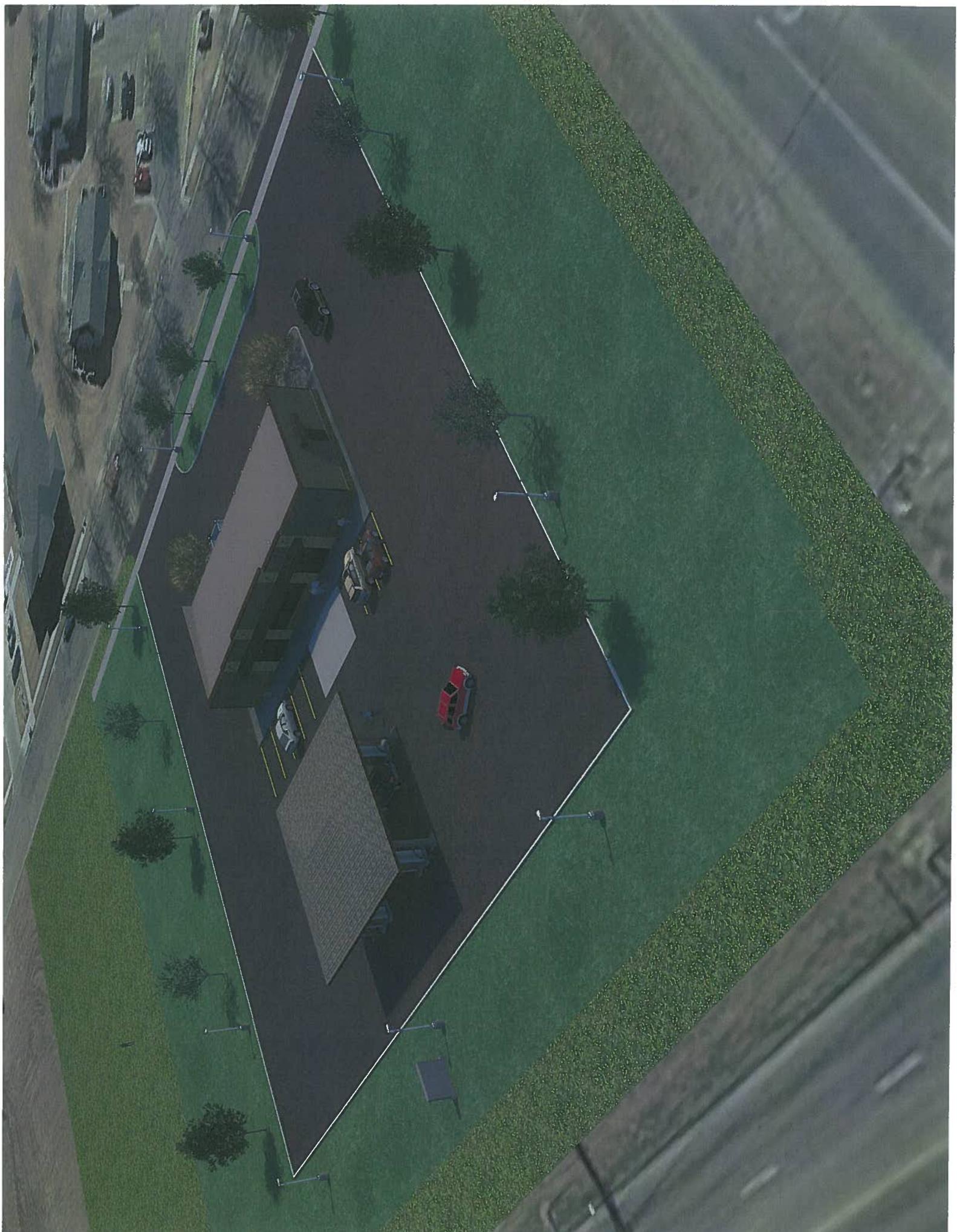
This business would create approximately 2 full-time jobs as well as 6-8 part-time jobs for the community, as well as provide a much needed amenity of a fueling and quick stop station in the expanding northwest corner of town. The exterior finishes of the building will be aesthetically pleasing to fit in with the neighborhood surroundings to give it the 'neighborhood store' appearance that is warm and inviting.

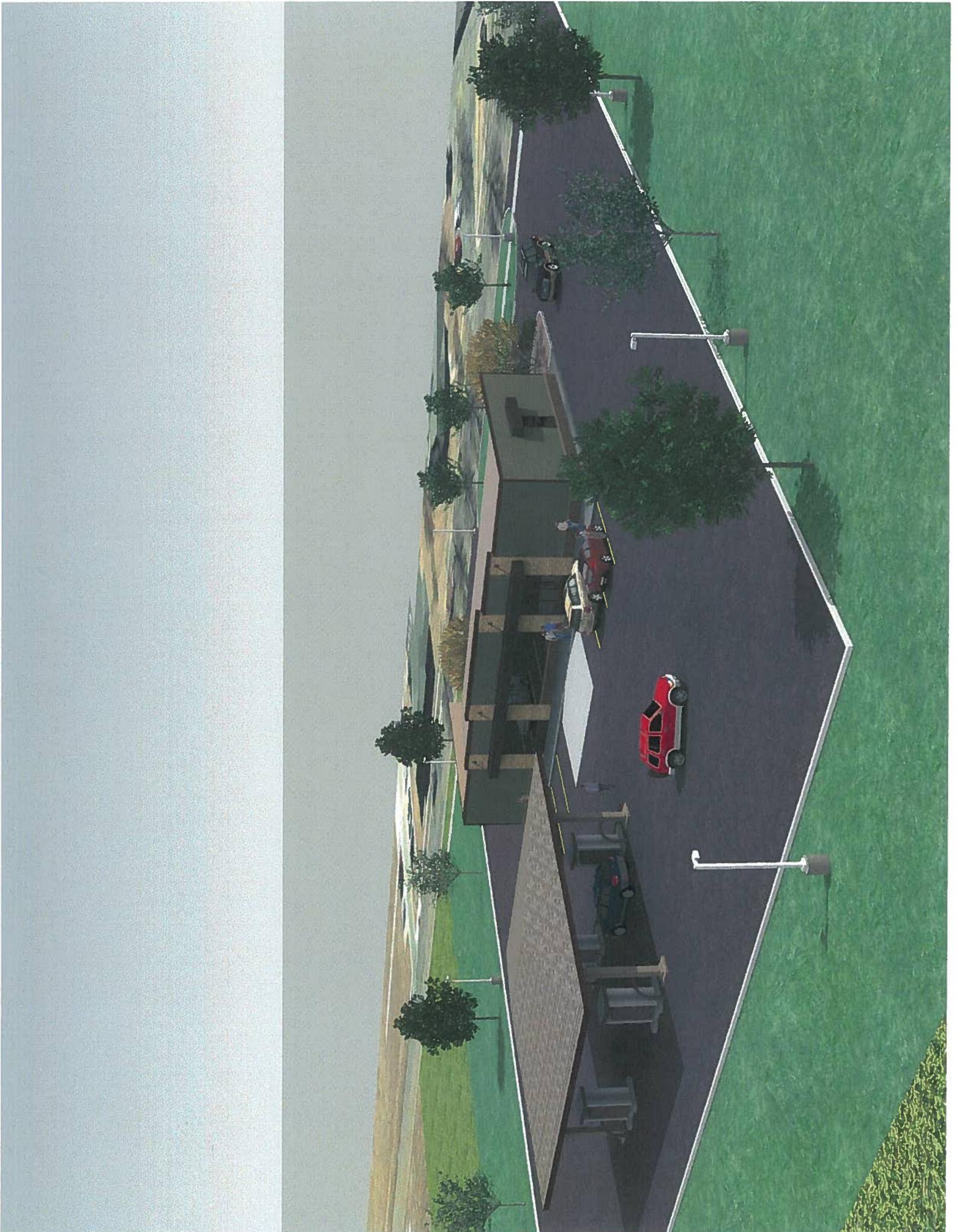
Our proposal to the City of Yankton is for the sale of the west half of parcel #78.245.000.020 that is located on the corner of West City Limits Road and 30th Street to us in the amount of .85 per square foot. This is approximately 2 acres of ground more or less. A site survey will determine the exact total sales price as calculated by the square feet times the per square foot price.

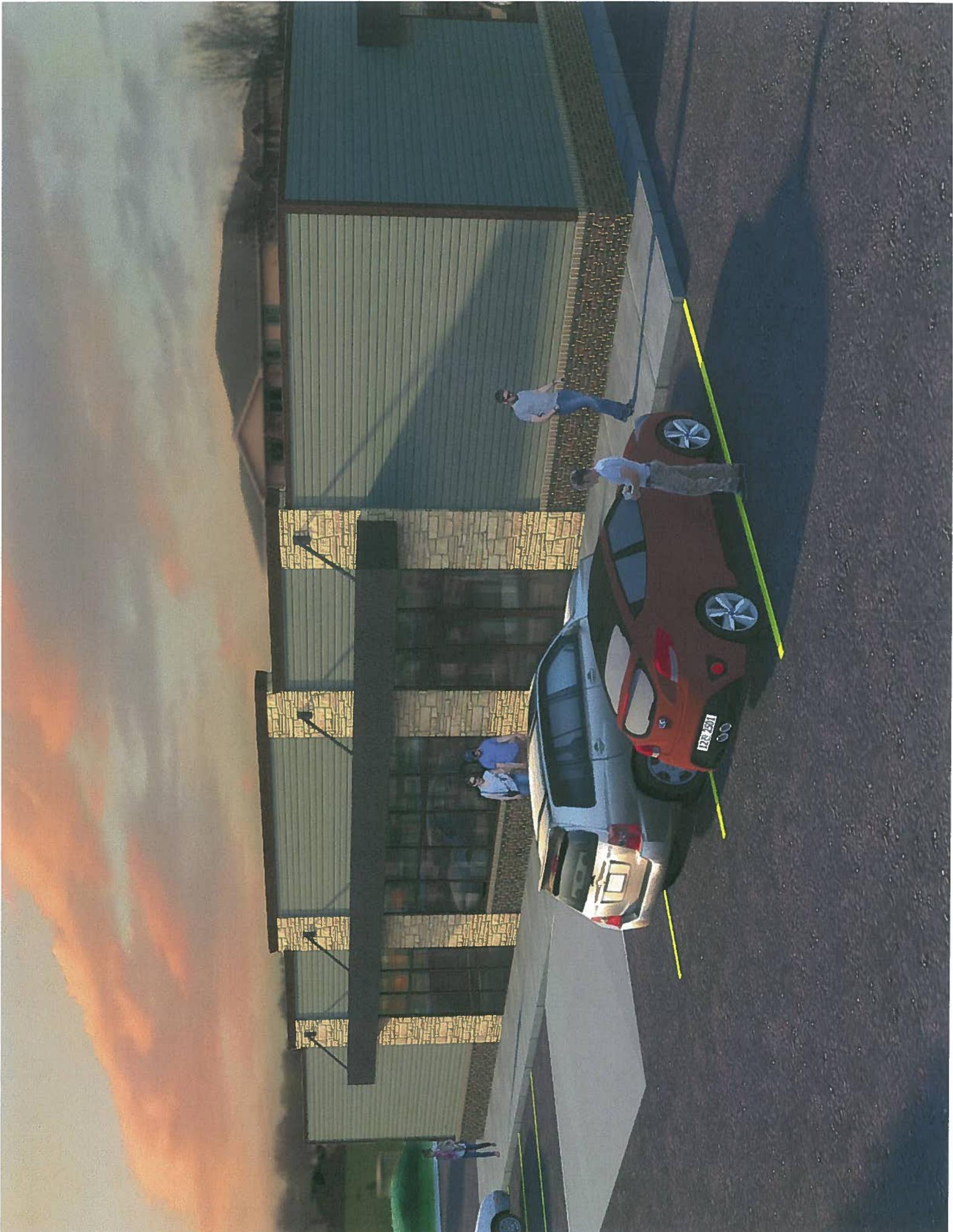
If there are any questions, please don't hesitate to contact me at the following listed contact points in the signature of this letter. Thank you for your consideration.

JTG Properties LLC



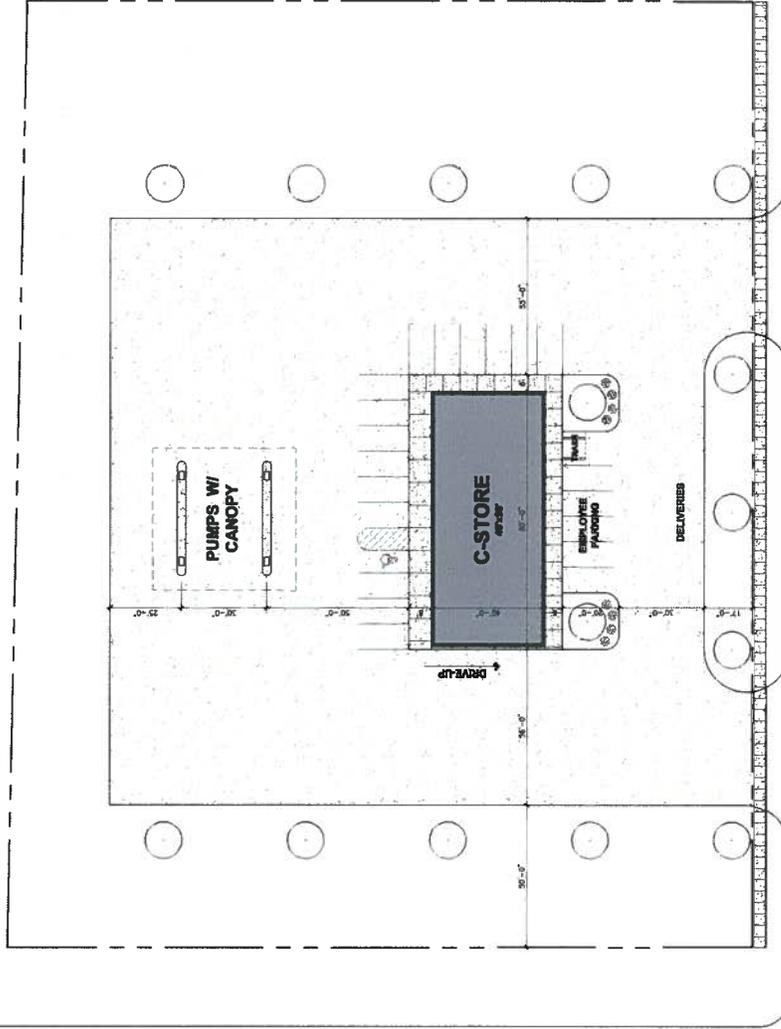






CONVENIENCE STORE YANKTON, SOUTH DAKOTA

W 31ST STREET



WEST CITY LIMITS ROAD

W 30TH STREET



CONCEPTUAL SITE PLAN

SCALE: 1" = 20.0'



A1

CONCEPTUAL SITE PLAN
CONVENIENCE STORE
YANKTON, SOUTH DAKOTA

REVIEW SET
NOT FOR
CONSTRUCTION

Project No 0615
Date 04-09-15
Drawn by

Jim Schramm Architect, LLC
211 Walnut Street Yankton, SD 57078
605-668-0883

Memorandum #15-124

To: City Commissioners
From: Mayor Dave Carda
Subject: Advisory Board Appointments
Date: May 21, 2015

The following are the Commissioners' Boards and Commissions that I have selected for each City Commissioner to advise for the 2015-2016 session. I will complete the citizen selection at the next City Commission meeting.

Planning Commission

Chris Ferdig – City Commission Representative

Yankton Community Library Board

Nathan Johnson – City Commission Representative

Park Advisory Board

Craig Sommer – City Commission Representative

Fox Run Golf Advisory Board

Jake Hoffner – City Commission Representative

Airport Advisory Board

Brad Woerner - City Commission Representative

Yankton Housing and Redevelopment Commission

Brad Woerner - City Commission Representative

Joint Powers Solid Waste Advisory Board

Jake Hoffner – City Commission Representative

CVB

Brooke Blaalid – City Commission Representative

City/ School Summit Activities Center Committee

David Carda – City Commission Representative
Brooke Blaalid- City Commission Representative
David Knoff - City Commission Representative

Human Services Center Advisory Commission

Brooke Blaalid – City Commission Representative

_____ Roll call

Yankton Rural Fire Association / Yankton Volunteer Fire Department

Nathan Johnson - City Commission Representative
Chris Ferdig - City Commission Representative

Yankton County Courthouse and Safety Center Advisory Board

Craig Sommer – City Commission Representative
Charlie Gross – City Commission Representative

Federal Prison

Nathan Johnson – City Commission Representative

Economic Development Council (EDC)

Dave Knoff – City Commission Representative
Dave Carda – City Commission Representative

Dakota Territorial Museum

Nathan Johnson– City Commission Representative

Towing Committee

David Knoff – City Commission Representative
Chris Ferdig – City Commission Representative

City County Planning

Craig Sommer – City Commission Representative
Charlie Gross – City Commission Representative

B-Y Water Committee

Chris Ferdig – City Commission Representative
Dave Carda – City Commission Representative
Dave Knoff – City Commission Representative
Charlie Gross – City Commission Representative

I-29 Task Force

Charlie Gross – City Commission Representative

Respectfully submitted,

Dave Carda
Mayor

_____ Roll call

**ZONING BOARD OF ADJUSTMENT
YANKTON, SOUTH DAKOTA
JULY 8, 2013**

Regular meeting of the Zoning Board of Adjustment of the City of Yankton was called to order by Chairman Wenande.

Roll Call: Present: Members Akland, Blaalid, Carda, Gross, Hoffner, Knoff, and Sommer. City Manager Nelson and City Attorney Hosmer were also present. Absent: Member Woerner. Quorum present.

Action 13-10

Moved by Member Hoffner, seconded by Member Blaalid, to approve the Minutes of the June 24, 2013, meeting.

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

Action 13-11

This was the time and place for the public hearing to consider a variance from front yard setback requirements in an R-3, Two-Family Residential District on the East 1/2, of the South 14 feet of Lot 6 and the East 1/2 of Lots 7 and 8, Block 6, Hillcrest Park Addition to the City of Yankton, South Dakota, address, 206 East 16th Street, Matthew Welter, owner. No one was present to speak for or against approval of the variance application. Moved by Member Knoff, seconded by Member Carda, to approve the variance request.

Roll Call: Members present voting "Aye:" Blaalid, Carda, and Hoffner; voting "Nay:" Akland, Gross, Knoff, Sommer, and Wenande.
Motion failed.

Action 13-12

Moved by Member Akland, seconded by Member Carda, that the meeting adjourn at 7:59 p.m.

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

Nancy Wenande
Chair

ATTEST:

Al Viereck
Finance Officer

Introduction and Establish the Date for a Public Hearing

Memorandum #15-117

To: Amy Nelson, City Manager
From: Dave Mingo, AICP Community Development Director
Subject: Establish a Hearing Date for Zoning Board of Adjustment Action on Planning Commission Action Number 15-19.
Date: May 13, 2015

REQUEST FOR VARIANCE TO ZONING REGULATIONS

ACTION NUMBER: 15-19

E.T.J. MEMBER ACTION REQUIRED: No

APPLICANT / OWNER: Bob Law, Inc., and Yankton Area Progressive Growth, owner / applicant.

ADDRESS / LOCATION: 2400 – 2600 Block of West City Limits Road.

PROPERTY DESCRIPTION: The East 700 feet of the East Half of the Southeast Quarter (E 700', E 1/2, SE 1/4) except the South 560 feet; Section 2, Township 93 North, Range 56 West of the 5th P.M., Yankton County, South Dakota containing 31.06 acres more or less.

ZONING DISTRICT: B-2 Highway Business and R-2 Single Family Residential.

VARIANCE REQUEST: The owner is requesting a variance from the four foot maximum height restriction for a fence in a front yard setback.

PREVIOUS ACTION: Recent annexation of the property. Rezoning currently under consideration.

COMMENTS: New development along busy streets is more complicated than when development occurs on less busy, local streets. Whenever reasonably possible, planners and engineers try to design new subdivisions so that lots back up to each other, rather than backing up to a street. Also involved in consideration of the issue is that different sets of regulations apply to front yards than back yards. When we have "double frontage" lots, what functions as a back yard is actually recognized by ordinance definition as a front yard because it is also adjacent to a street. Sometimes there are reasons that it is not practically feasible to eliminate double frontage lots entirely from a new subdivision. The busy street issue is usually one of those instances.

When adjacent to a busy, collector or arterial street, it is more important to restrict driveway access to the busier street than it is to promote a more standard lot layout without double frontage lots.

Specific details to be aware of related to the request include:

- The request is for a two foot variance from the four foot front yard fence height maximum. The variance would only be in the identified areas along West City Limits Road adjacent to the Westbrook Estates subdivision where the area functions as a back yard (if approved the variance would allow a six foot fence).
- The owner agrees by contract (the Developer's Agreement) that the fence will be uniform and maintained by an association in a uniform manner.

The Zoning Ordinance states that variances shall not be granted based on the provision of special privileges. City staff does not feel that a uniformly developed fence in the described manner such as the one being proposed, constitutes a special privilege.

Although a slightly taller fence would be a benefit for the eventual owners of the houses, staff feels that the benefits of allowing the variance is weighted in the community's favor for reasons including:

- The fence will provide additional screening of the back yards so that people driving on WCLR are less likely to view the activities associated with backyard uses.
- Approval would help ensure that there would not be any requests for waivers of the access management plan for individual driveways onto WCLR.
- The request provides more opportunity for the City to require the uniform construction and maintenance of a fence rather than having individuals install various styles of four foot tall fences along the corridor.

Staff has not received any comment subsequent to publication of the notice of the meeting and mailing of letters to adjacent landowners.

Staff recommends approval of the proposed variance based on the above conditions.

HEARING SCHEDULE:

May 11, 2015: Planning Commission hears testimony and makes recommendation to the Zoning Board of Adjustment.

May 26, 2015: Zoning Board of Adjustment sets June 8, 2015 as the date for public hearing to consider the variance.

June 8, 2015: Zoning Board of Adjustment hears testimony and makes final decision.

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

There was also a consensus that the City begin looking at creating ordinance provisions to regulate this type of fencing / barrier on the back of double frontage lots on arterials and collectors throughout the community without requiring a variance.

Variance Location Map

Proposed six foot tall fence on private property in the setback on double-frontage lots along West City Limits Road.

North

Two representations of the same location



 Proposed Fence Location



PRELIMINARY LAYOUT PLAN