



CITY OF YANKTON

2019_02_25

COMMISSION MEETING



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

YANKTON BOARD OF CITY COMMISSIONERS

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

Monday, February 25, 2019

City of Yankton Community Meeting Room

Located at the Career Manufacturing Technical Education Academy formerly known as 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 February 11, 2019

Attachment I-2

3. City Manager's Report

Attachment I-3

4. Public Appearances

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

II. CONSENT ITEMS

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

1. Transient Merchant License and Special Events Dance License

Consideration of Memorandum #19-33 recommending approval of the applications from the Riverboat Days Committee for:

A) Transient Merchant License for August 16 to 18, 2019;

B) Special Events Dance License for August 16 to 18, 2019

Attachment II-1

2. Establish public hearing for sale of alcoholic beverages

Establish March 11, 2019, as the date for the public hearing on the request for a Special Events (on-sale) Liquor License for March 26, 2019 from Chamber of Commerce, (Carmen Schramm, Director) d/b/a Chamber of Commerce, Mount Marty College, 1105 W. 8th Street, Yankton, SD.

Attachment II-2

3. **Transient Merchant License and Special Events Dance License**
Consideration of Memorandum #19-34 recommending approval of the applications from Yankton Ribfest Committee for:
A) Transient Merchant License for June 1, 2019;
B) Special Events Dance License for June 1, 2019

Attachment II-3

4. **Possible Quorum Event**
March 12, 2019, for City Commission Candidate Forum, no official commission action
5. **Possible Quorum Event**
February 26, 2019, for State of the Community Event, no official commission action

III. OLD BUSINESS

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

1. **Public hearing for sale of alcoholic beverages**
Consideration of Memorandum #19-27 regarding the request for a Special Events Malt Beverage (on-sale) Retailers License for one day, March 18, 2019, from the Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota.
Attachment III-1
2. **Public hearing for sale of alcoholic beverages**
Consideration of Memorandum #19-29 regarding the request for a Special Events Malt Beverage (on-sale) Retailers License and a Special RETAIL (on-sale) Wine dealers License for 1 day, March 23, 2019, from Lewis & Clark Theatre Company, (Jarred Anderson, President) 328 Walnut, Yankton, SD 57078.
Attachment III-2
3. **Public hearing for sale of alcoholic beverages**
Consideration of Memorandum #19-30 regarding the request for a Special Malt Beverage (on-sale) Retailers License for 3 days, August 16-18, 2019, from Yankton Area Riverboat Days, Inc. (Milissia Wuebben, Treasurer), Riverside Park, Yankton, S.D.
Attachment III-3
4. **Public hearing for sale of alcoholic beverages**
Consideration of Memorandum #19-31 regarding the request for a Special Malt Beverage (on-sale) Retailers License for 3 days, August 16-18, 2019, from Yankton Area Riverboat Days, Inc. (Milissia Wuebben, Treasurer), City Hall Auditorium, Yankton, S.D.
Attachment III-4
5. **Public hearing for sale of alcoholic beverages**
Consideration of Memorandum #19-32 regarding the request for a Special Events (on-sale) Liquor License for 1 day, June 1, 2019, from Rock 'N' Rumble (Mike Carda, President), d/b/a Yankton RibFest, Block of 3rd Street between Cedar and Walnut plus half of Walnut to the Alley and half a block North and South on Walnut and 3rd Street, Yankton, S.D.
Attachment III-5

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

IV. NEW BUSINESS

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

1. Bid Award – Truck

Consideration of Memorandum #19-26 and Resolution #19-09 regarding Bid Award for Truck Purchase for Parks Department

Attachment IV-1

2. Bid Award – 56,000 GVW 6x4 Vehicle

Consideration of Memorandum #19-39 and Resolution #19-11 regarding Bid Award for two (2) 56,000 GVW 6x4 Vehicle

Attachment IV-2

3. Bid Award – Skid Loader

Consideration of Memorandum #19-38 regarding Bid Award for Skid Loader

Attachment IV-3

4. Funding Request for Yankton Airshow

Consideration of Memorandum #19-35 regarding Funding Request for Yankton Airshow

Attachment IV-4

5. 26th Street Bid Award

Consideration of Memorandum #19-42 regarding Bid Award for the 26th Street Replacement from Douglas Avenue to Mulberry Street

Attachment IV-5

6. Establishing Public Hearing Date for Ordinance #1019 – Rezoning

Introduction and first reading of Ordinance #1019 and setting March 11, 2019 as the date to consider a rezoning from I-1 Industrial to B-2 Highway Business Lot 8, Block 1, Except the N. 100 feet of W.A. Burleigh's Addition in the City of Yankton, South Dakota. Address, 408 W 11th Street. Tammy Ugofsky, owner.

Attachment IV-6

7. Planning Commission Recommendation – Plat Review

Consideration of Memorandum #19-37 regarding Resolution #19-10, a Plat of Block 1, Lancer Addition in the S 1/2 NW 1/4 SW 1/4 NE 1/4 in Section 13, T93N, R56W of the 5th P.M., City of Yankton, Yankton County, South Dakota. Location is north of the undedicated Park Drive. Yankton County Historical Society, Inc., and Mount Marty College, Incorporated, owners.

Attachment IV-7

8. Wastewater

Consideration of Memorandum #19-43 regarding contract with HDR for design services associated with Primary Effluent Line Replacement

Attachment IV-8

9. SDDOT / City Airport Grant

Consideration of Memorandum #19-40 regarding Agency Agreement between SDDOT and the City of Yankton regarding processing of financial reimbursements for airport projects at Chan Gurney Airport

Attachment IV-9

10. Assessment Agreement

Consideration of Memorandum #19-41 regarding Public Improvement Assessment Agreement for Walter's Addition

Attachment IV-10

11. Yankton Ribfest - Special Events Parking Request

Consideration of Memorandum #19-45 and Resolution #19-12 regarding request by Yankton Ribfest for Special Events Parking Ordinance #933 to be in place during Yankton Ribfest on June 1, 2019 and suspension of alcohol Consumption

Attachment IV-11

12. Request for camping to be held in Riverside Park

Consideration of Memorandum #19-44, regarding Camping in Riverside Park during Kayak Event on May 24, 2019

Attachment IV-12

V. OTHER BUSINESS

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

VI. ADJOURN THE MEETING OF FEBRUARY 25, 2019

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
February 11th, 2019**

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

Roll Call: Present: Commissioners Benson, Carda, Ferdig, Gross, Hoffner, Maibaum, and Miner.

City Attorney Den Herder and City Manager Leon were also present. Absent: Commissioner Moser.

Quorum present.

Action 19-35

Moved by Commissioner Carda, seconded by Commissioner Gross, to approve Minutes of regular meeting of January 28, 2019, Work Session Meeting of January 28, 2019, and Special City Commission Meeting of January 26, 2019.

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

Motion adopted.

Action 19-36

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

AOx Welding Supply-Welding Wire-\$255.92; Adobe Creative Cloud-Contracted Services-\$53.24; Adobe Stock-Contracted Services-\$31.94; Alice Training-Alice Certification-\$952.00; Amazon Prime-Contracted Service-\$112.36; Amazon-Office Supplies-\$56.90; Amazon-Projector-\$1,123.78; Amazon-Gloves-\$135.01; Amazon-Office Supplies-\$239.99; Amazon-First Aid CPR Masks-\$169.50; Amazon-Book-\$10.45; Amazon-Book-\$28.09; Amazon-Book-\$11.74; Amazon-Book-\$40.20; Amazon-Office Supplies-\$184.99; Amazon-Dvd, Cd Book-\$38.80; Amazon-Get Up And Play Day-\$241.92; Amazon-Book-\$38.00; Amazon-Dvd-\$10.58; Amazon-Program Supplies-\$15.51; Amazon-Dvds-\$125.68; Amazon-Office Supplies-\$8.51; Amazon-Dvds-\$86.27; Amazon-Dvds-\$85.23; Amazon-Office Supplies-\$32.98; Amazon-Dvd-\$9.53; Amazon-Office Supplies-\$20.38; Amazon-Office Supplies-\$15.60; Amazon-Books-\$79.83; Amazon-Dvd-\$18.70; Amazon-Books-\$590.77; Amazon-Books-\$156.19; Amazon-Phone Batteries-\$11.95; Amazon-Books-\$41.06; Amazon-Book-\$17.24; Animal Health Clinic-K9 Care Max-\$237.81; Appera-Towels-\$74.86; Arc Services-Recreation Supplies-\$38.00; Arrow & Vertical-Inlet E Stop Microswitch-\$20.64; Associated Supply-Pool Supplies-\$1,322.00; AT&T-Cell Phone-\$343.25; AT&T-Cellular-\$456.15; Auto Value-Repair Parts-\$169.44; Autozone-Antifreeze, Wiper Blades-\$278.27; Avera Ed And Staffing-Training-\$5.00; B&H Photo-Projector Adapter Plate-\$53.85; Baker-Taylor-Books-\$12,137.96; Bernard J Mulcahy Comp-Heat Circulation Pump-\$1,168.80; Bierschbach Equip Supp-Swellstop Bar Screen-\$36.43; Bomgaars-Underbed Tool Box-\$1,534.05; Bound To Stay-Books-\$51.68; Buhl Cleaners-Towel Service-\$332.50; Caseys-In-Service Training-\$107.31; Cedar Shore Resort-Travel Expense-\$61.95; Center Point-Large Print Books-\$275.64; Christensen Radiator-Truck Repair-\$614.73; Conoco-Meeting Fuel-\$23.50; Cox Auto Supply-Equipment Supplies-\$110.33; Crescent Electric-Compression Kit-\$229.91; Culvers-Travel Expense-\$20.16; Dayhuff Enterprises-Supplies-\$1,045.78; Delta-Flight-\$353.00; Dishmachine Tubing-Chemical Racks-\$73.23; Dons Sinclair-Fuel-\$31.15; ECCO USA-Retail Shoe Sale-\$103.33; Echo Electric Supply-Paddle Fans-\$384.37; Ehresmann Engineering-Sq Tubing-\$366.71; Facebook-Published Advertisement-\$30.00; Fastenal Company-Nuts And Bolts-\$676.38; Fedex-Postage Fee-\$13.37; Fore Sight Sports-Simulator Repair-\$469.68; Fred Haar Company-Lawn Tractor Service-\$688.85; Girton Adams-Fire Eye Programmer-\$889.80; GNC-Wellness Raffle-\$45.00; Grainger-

Janitorial Supplies-\$251.08; Hard Drive Central-Copier Fees-\$61.34; Harding Glass-Door Repairs-\$65.00; Holiday Inn City Centr-Travel Expense-\$99.00; Holiday Inn Express-Training Lodging-\$132.16; Hotels.Com-Training Lodging-\$255.14; Hq98-Bluetooth Adapter-\$89.98; Hy Vee Gas-Seed Library-\$25.00; Hy Vee-Supplies-\$30.25; Industrial Accessories-Lime Blower Filters-\$258.36; Powers Port-Port A Pots-\$500.00; JJ Benjis-Basketball Camp Supplies-\$2,038.50; Jacks Uniforms-Holsters And Gun Lights-\$3,356.68; JCL Solutions-Cleaning Supplies-\$209.46; Jimmy Johns-Training Expense-\$8.69; John E. Reid And Assoc-Interrogation Training-\$575.00; Johnson Controls-Yearly Agreement-\$7,149.69; Metrofax-Fax Services-\$7.95; Kaiser Heating-Furnace Filter-\$33.18; Kaiser Refrigeration-Equipment Repairs-\$151.94; Kendell Doors-3 Door Lock Sets-\$389.50; Kinsman Garden-Agricultural Supplies-\$855.03; Koletzky Implement-Battery-\$355.00; Kopetskys Ace-Equipment Supplies-\$844.11; K9 Vitamins-K9 Vitamins-\$30.45; Language Line-Interp Fees-\$30.31; Larsen Carpet-Office Renovation-\$1,085.00; Laserlabs.Com-Tint Meter-\$59.95; Leerburg-K9 Training Equipment-\$20.40; Macqueen Equipment-Sewer Cleaning Nozzle-\$486.32; Marks Machinery-Equipment Repairs-\$400.23; Mead Lumber-Picnic Tables-\$543.58; Menards-Shop Supplies-\$1,352.95; Merrick Industries-Carbon Feeder Dc Drive-\$761.93; Midstates Organized-Mocic Membership Fees-\$200.00; Midwest Laboratories-Wastewater Testing-\$116.84; Midwest Radiator-Shop Supplies-\$57.00; Midwest Turf-Truck Supplies-\$481.12; Minervas Grill And Bar-Staff Appreciation-\$263.37; Olsons Pest Technician-Pest Control-\$330.00; One Office Solution-Furniture - Public Works-\$1,583.86; Oreilly Auto-Brakes, Filters-\$1,170.22; Galls LLC-Collar Brass, Ties-\$99.89; Hitechwirel-Charging Pods-\$46.35; Paypal-Toner-\$80.00; Paypal-NTOA Fees-\$150.00; PWS Inc-IR Interface-\$87.63; Reevescompany-Name Pin-\$16.46; Worldwide-Squeeze Tubes-\$83.23; Pheasants Forever-Class Registration-\$20.00; Phillips 66-Training Expense-\$23.00; Pierre Ramkota-SD Municipal League Conf-\$335.97; Postage Refill-Postage-\$200.00; Redrossa Italian Grill-Meeting Expense-\$19.00; Riverside Hydraulics-Equipment Supplies-\$336.58; Royal Sport Shop-Mat Tape-\$26.84; SD Firefighters Ass-SD Fire Instructor Assoc-\$245.00; SDSPLS-Professional Land Survey-\$405.00; Sherwin Williams-Picnic Table Repairs-\$263.92; Shurco Outletservice-Repair Tarp-\$179.50; Sirchie Finger Print-Evidence Collection-\$474.27; Slim Chickens-Training Expense-\$6.76; Southgate-Trailer Repair-\$370.00; Elm USA-Office Supplies-\$261.04; Hanson Briggs-Printed Labels-\$43.33; Interstate-Commercial Washer-\$1,600.00; Lakeside Fun-Great Day Play-\$400.00; Sturdevants-Water Pump-\$441.54; Subway-Travel Supplies-\$15.33; Sytech-XI Reporter License-\$250.00; Taser International-80 Taser Cartridges-\$2,880.00; The Ups Store-Shipping-\$423.15; TMA Yankton-Tires-\$6,788.84; Tractor Supply Co-Flusher Truck Repairs-\$44.99; Travelocity-Flight Insurance-\$25.00; Truck Trailer Sales-Mirror-\$238.15; Uline-Evidence Tape-\$124.99; United Laboratories-Rust Converter-\$604.12; USA Blue Book-Repair Parts-\$244.31; USPS Po-Shipping Fees-\$40.50; Vessco Inc-Waste Flare Thermocouple-\$585.62; Viddler Inc-Video Hosting-\$41.48; Vistaprint-Business Cards-\$39.36; Verizon-Internet Access-\$516.26; Walmart-Strategic Plan Supplies-\$404.93; Walmart-Cd's For Evidence-\$27.91; Walmart-Dvds-\$344.01; Walmart-Program Supplies-\$8.56; Yankton Area Chamber-2019 Chamber Membership-\$275.00; Yankton Medical Clinic-Firefighter Physicals-\$2,427.00; Yankton Pizza Ranch-Employee Appreciation-\$147.21; Yankton Rexall Drug-Shop Supplies-\$11.06; Yankton Winnelson Co-Pump Circulation Motor-\$578.13; Yanktonmediainc-Subscription-\$148.82; Yearli.Com-Aca 1095c IRS Filing-\$523.11; Active Network-Software-\$3,000.00; AMG Occupational Medicine-Pre-Employment Test-\$63.00; Auto Value Parts Store-Filters-\$712.27; Avera Sacred Heart Hospital-Drug Testing-\$155.00; Bering Sales-Supplies-\$228.42; Boller Printing-Printing-\$29.75; Bosch/Wally-Membership Refund-\$145.21; Burbach/Dennis Or Sue-Membership Refund-\$82.67; Centurylink-Phone-\$1,283.68; Christensen Radiator & Repair-Lock Pin Kit-\$14.56; City Of Vermillion-Jt Power Cash Trans-\$55,028.32; City Of Yankton Central Garage-Rubbish-\$77.00; City Of Yankton Senior Citizens-Garbage-\$23.20; City Of Yankton Solid Waste-

Compacted Garbage-\$11,956.04; City Utilities-Water-WW Charges-\$4,310.04; Conduent Enterprises Solutions-Maint Program Support-\$1,902.02; Cornhusker Intl Truck-Battery & Filter-\$825.92; Country Pride Cooperative-Fuel-\$20,746.74; D&T Ventures-ESS Maint & Hosting-\$2,953.00; Dakota Territorial Museum-Cemetery Walk-\$500.00; Danko Emergency Equipment-Cleaner-\$90.25; Dennis Or Sue Burbach-Membership Refund-\$6.20; Dept Of Corrections-Doc Work Program-\$925.65; Dept Of Health-Water Samples-\$2,915.00; Design Solutions & Integration-Service Call-\$260.00; Devin Gullickson-Certification Testing-\$75.00; Ehresmann Engineering-Steel-\$80.00; Election System & Software-Election Coding-\$759.33; Electrical Engineering & Equip-Service Generators-\$690.00; Ethanol Products-Co2-\$1,692.88; Falkenberg Construction-Nuisance Abatement-\$180.00; Feimer Construction-S Hwy 50 Irrigation-\$3,162.00; Garys Repair-Police Tow-\$368.00; Gerstner Oil-Diesel Nozzles-\$336.56; Govt Finance Officer Assn-Newsletter-\$50.00; Granicus-Website-\$7,640.33; Graymont Capital-Lime-\$9,620.11; Hanson Briggs Advertising-Delinquent Notices-\$1,076.61; Hawkins-Azone-\$7,047.70; Innovative Office Solutions-3 Part Paper-\$634.21; Intl Inst Of Mun Clerks-Membership Renewal-\$280.00; Jansen Upholstery-Seat Repairs-\$250.00; John Henry Foster-Air Dryer-\$2,003.55; Roy Johnson Roofing-Park Shop Roof Repair-\$15,145.00; John T Jones Construction-Water Plant Construction-\$1,910,388.60; Kaiser Refrigeration-Repairs-\$210.00; Kittelson/Karol & Joan-Membership Refund-\$150.80; Kramer/Dan-Membership Refund-\$184.90; Larrys Heating & Cooling-Building Maintenance-\$1,461.95; Mailfinance-Postage-\$576.00; Merkel Electric-Outlet Repair-\$547.89; Midamerican Energy-Fuel-\$3,961.40; Midamerican Energy-Fuel-\$9,212.26; Midwest Tape-Av-\$39.99; Millenium Recycling-Single Stream Fee-\$2,118.30; Missouri Sedimentation Action-Special Appropriation-\$2,500.00; Northwestern Energy-Elect-\$71,277.86; Overhead Door Co-Sectional Door Install-\$7,123.00; Peterson/Sharotte-Swimsuit-\$100.00; Plan & Development Dist Iii-Membership Dues-\$12,587.00; Rasmussen Mechanical Service-Pump Maintenance-\$3,455.82; Ricoh USA-Printer-\$439.96; Rons Auto Glass Repair-Rock Chip-\$60.00; SDDOT Office Air Rail Transit-Registration Fees-\$170.00; Sherry Merrigan-Refund-\$25.00; SJ Louis Construction-Gravity Sewer Work-\$11,831.40; Small Business Development-Special Appropriation-\$4,500.00; MT & RC Smith Insurance-Airport Liability Insur-\$10,905.00; Smith/Tammy-Marne Creek Easement-\$200.00; Stockwell Engineers-Professional Service-\$2,653.44; Michael Todd-Parking Signs-\$61.50; Total Security Concepts-Exam-\$300.00; Transource-Mileage-\$480.00; U.S. Post Office-Utility Postage-\$1,400.00; Ultramax Ammunition-Shipping-\$99.00; United Parcel Service-Postage-\$169.87; United States Postal Service-Postage Meter-\$974.00; United Way-Special Appropriation-\$9,831.25; Us Bank Equipment Finance-Copier Lease-\$292.24; Vogts-Uniform Alterations-\$36.00; Wally Bosch-Membership Refund-\$10.89; Warriors Rest Foundation-Training-\$663.40; Water & Env Eng Research Ctr-Lab Testing-\$244.00; Welfl Construction Corp-Replace Steel Door-\$31,798.00; Yankton Ag Service-Supplies-\$28.56; Yankton Area Arts Assn-Summer Band Program-\$3,600.00; Yankton Area Convention-Special Appropriation-\$52,430.75; Yankton Area Prog Growth- Special Appropriation -\$57,500.00; Yankton County Auditor-Safety Center-\$10,509.55; Yankton Janitor Supply-Deodorizer-\$119.80; Yankton Medical Clinic-Physicals-\$1,111.00; Yankton School District-High School Year Books-\$75.00; Yankton Transit-Special Appropriation-\$22,500.00; Yankton Vol Fire Department-January Calls and Drills-\$980.00; Zep Manufacturing-Cleaners-\$543.40

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

Administration \$44,077.91; Finance \$35,652.90; Community Development \$27,774.13; Police/Dispatch \$176,820.26; Fire \$14,655.17; Engineering / Sr. Citizens \$45,654.17; Streets \$45,415.42; Snow & Ice \$6,703.20; Traffic Control \$4,278.22; Library \$30,699.86; Parks / SAC \$78,077.34;

Marne Creek \$3,579.46; Water \$34,673.83; Wastewater \$41,940.19; Cemetery \$4,505.39; Solid Waste \$25,068.06; Landfill / Recycle \$20,153.55; Golf Course \$6,889.26; Central Garage \$3,823.54.

New Hires: Eileen Ibach \$1,324.04 bi-wk.-Dispatch; Bailey Matthews \$17.05 hr.-Dispatch

Wage Changes: Danielle Gillis \$10.40 hr.-Rec. Division; Joseph Gokie \$9.75 hr.-Rec. Division; Kendra Morgan \$9.90 hr.-Rec. Division; Cassandra Santiago \$11.75 hr.-Rec. Division; Dana Schmidt \$2,530.00 bi-wk.-Library

Status Change: Brad Bies \$2,437.62 bi-wk.-Research Specialist & Code Enforcement Official to Community Development Manager; Kevin Kulhavy \$1,920.89 bi-wk.-Central Garage Fleet Mechanic to Fleet Supervisor; Amanda Schieffer \$1,771.38 bi-wk.-Fox Run to Parks; Rockie Wampol \$2,525.46 bi-wk.-Fox Run to Parks

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

There were no public appearances at that time.

Action 19-37

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

1. **Establish public hearing for sale of alcoholic beverages**
Establish February 25, 2019, as the date for the public hearing on the request for a Special Events Malt Beverage (on-sale) Retailers License for one day, March 18, 2019, from the Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota.
2. **Establish public hearing for sale of alcoholic beverages**
Establish February 25, 2019, as the date for the public hearing on the request for a Special Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for one day, March 2, 2019, from the Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota.
3. **Establish public hearing for sale of alcoholic beverages**
Establish February 25, 2019, as the date for the public hearing on the request for a Special Events Malt Beverage (on-sale) Retailers License and a Special RETAIL (on-sale) Wine dealers License for 1 day, March 23, 2019, from Lewis & Clark Theatre Company, (Jarred Anderson, President) 328 Walnut, Yankton, SD 57078.
4. **Establishing public hearing for sale of alcoholic beverages**
Establish February 25, 2019, as the date for the public hearing on the request for a Special Malt Beverage (on-sale) Retailers License for 3 days, August 16-18, 2019, from Yankton Area Riverboat Days, Inc. (Milissia Wuebben, Treasurer), Riverside Park, Yankton, S.D.

5. Establishing public hearing for sale of alcoholic beverages

Establish February 25, 2019, as the date for the public hearing on the request for a Special Malt Beverage (on-sale) Retailers License for 3 days, August 16-18, 2019, from Yankton Area Riverboat Days, Inc. (Milissia Wuebben, Treasurer), City Hall Auditorium, Yankton, S.D.

6. Work Session

Setting date of February 25, 2019, at 6:00 pm in Room 114 of the Regional Technical Education Center for the next work session of the Yankton City Commission to discuss Strategic Planning.

7. Establishing public hearing for sale of alcoholic beverages

Establish February 25, 2019, as the date for the public hearing on the request for a Special Events (on-sale) Liquor License for 1 day, June 1, 2019, from Rock ‘N’ Rumble (Mike Carda, President), d/b/a Yankton Rib Fest, Block of 3rd Street between Cedar and Walnut plus half of Walnut to the Alley and half a block North and South on Walnut and 3rd Street, Yankton, S.D

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

Action 19-38

This was the time and place for the second reading and public hearing for Ordinance 1018, AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE 1011, THE 2019 ANNUAL APPROPRIATIONS ORDINANCE OF THE CITY OF YANKTON. No one was present to speak for or against adoption of the ordinance. Moved by Commissioner Gross, seconded by Commissioner Hoffner, to adopt Ordinance No. 1018.

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

Action 19-39

Moved by Commissioner Ferdig, seconded by Commissioner Maibaum, to adopt Resolution 19-08. (Memorandum 19-25)

RESOLUTION 19-08

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

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

PROPERTY TO BE SURPLUS

2004 Walking Floor Trailer VIN #5MC5156215P005128

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

Action 19-40

Moved by Commissioner Gross, seconded by Commissioner Benson, to adjourn at 7:09 p.m.

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

Motion adopted.

Nathan V Johnson
Mayor

ATTEST:

Al Viereck
Finance Officer

Published February 20th, 2019



OFFICE OF THE CITY MANAGER

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VOL. 54, NUMBER 04

Commission Information Memorandum

The Yankton City Commission meeting on Monday, February 25, 2019, will begin at 7:00 pm.

Non-Agenda Items of Interest

1) Fire Department Update

The Yankton Fire Department has installed a new gear washer and gear dryer obtained from an Assistance to Firefighters grant. This equipment is a part of our effort to prevent cancer for our members and take care of the gear provided to us. It is known that the products of combustion we are exposed to are carcinogens. In this effort, we are taking steps to limit our exposure to these substances while still accomplishing our missions. The installation of this equipment is part of that effort. The cost of this equipment was just under \$18,000.

The Yankton Fire Department is accepting applications for new members until 5pm on March 18, 2019. Applicants must be between the ages of 21 and 45 years old and live within 5 miles of any Yankton fire station, including the Lake Area Station. Applications and additional information can be downloaded at our website, www.yanktonfd.com or picked up at our offices at 201 W 23rd Street.

2) Parks and Recreation Department Update

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

3) Police Department Update

We recently tested for entry level police positions. Initially we had fifteen applicants but only fourteen tested as one withdrew. After the initial testing seven have moved forward to the final interview which will be held February 22, 2019. This is the first time we had a Citizen set on the interview panel. All the supervisors reported this was a positive addition.

We met with Doug Marquardt and are updating our Range Agreement. Attorney Den Herder is helping with the revised addendum. The new Agreement allows us to conduct youth hunter safety courses and take the Citizen Academy participants to the range. The only additional requirement will be a liability release.

Chief Harris gave a presentation on succession planning to the Society of Human Resource Management Group at a luncheon meeting at Mount Marty.

The department held a "Coffee with a Cop" event at Mount Marty College. The event was well attended and we answered a number of interesting questions.

We conducted the first night of the eight-week Citizen Police Academy. It was attended by twelve citizens and they were welcomed by the City Manager. Chief Harris and Lt. Brandt gave an overview of

the department, Officer Crissey taught the class on SRO and Taser. The evening ended with the class shooting a Taser cartridge at a silhouette.

4) Human Resources Department Update

The annual MSHA (Mine Safety Health Act) safety training was held at Fire Station #2 on February 13 & 14. Employees involved in a mining operation, including employees working at gravel pits, are required to comply with MSHA's training requirement. Employees from the Public Works, Parks & Recreation departments attended a session on one of those days. These classes also qualify for contact hours toward water/wastewater operator recertification so employees from those departments also attended.

5) Public Works Department Update

Street department crews continue to perform winter maintenance on both the snow removal equipment and the city streets.

Solid waste collection crews have been busy with the recent holiday collection schedule and also assisting with the snow removal operations.

6) Information Services Department Update

Great Life installed new firewall, desktop computer and point of sale equipment last week at Fox Run. We will be transitioning the technology equipment over to them prior to the start of the golf season. They will also be changing over phone, internet and cable TV services during the transition as well. The City's consultant is continuing to work with the vendors who submitted proposals for the Dispatch / Police radio project. The safety center committee was updated on the project and the siting of the tower location during the recent committee meeting. The project is projected to be completed during the summer of 2019.

7) Community & Economic Development Department Update

City Building Official Joe Morrow has been elected to the Lewis & Clark Home Builder's Association (HBA) 2019 Board of Directors. Joe has been an active HBA member since the organization was chartered in May of 2000. Joe's involvement in the association provides an excellent opportunity for the City to stay in tune with the local housing and construction industry. The 14th Annual Lewis & Clark Home Builder's Home Show is scheduled for March 9 & 10, 2019. The event at the NFAA Easton Archery Complex will feature 60 home improvement exhibitors and vendors from around the area. The HBA is made up of area contractors, mortgage lenders and associate members that are linked to the construction industry. The goal of the HBA is to provide opportunities for consumers to have safe and affordable housing. We will work through the details of City's involvement in the HBA after Joe's retirement in May.

8) Environmental Services Department Update

Staff has been busy addressing issues related to the cold temperatures. The water distribution staff has been busy with frozen meters and frozen services lines.

Water plant project continues to move forward. The chemical feed pump skids are being installed. Interior walls in the garage area, including the public restrooms are almost complete. The final section of the concrete garage floor has been pushed back due to the cold temperatures. Staff is working with the contractor on scheduling several projects that will require the 1972 plant to be shut down for extended periods including the lining of the 36-inch line and the power switch over. Staff is working with the contractor on a change order to replace some valves along the 36-inch line that were not scheduled to be replaced. It was not originally believed that the valves would need to be removed as

part of the project. The subcontractor is asking the valves be removed for the lining portion of the project. Staff is working with the contractor on a price to replace the valves since they will be removed.

Staff will be working with the City Attorney and Bartlett and West to address several issues related to the gravity sewer project. SJ Louis has requested a time extension and financial reimbursement for work related to the dewatering. We have also received complaints about property damage outside the work limits that will need to be addressed by SJ Louis. Staff will continue to work with the contractor to get the issues resolved and the project completed as soon as possible.

9) Finance Department Update

The deadline for filing nominating petitions for the City Commission vacancies is Friday, February 22 at 5:00 p.m. Individuals who have filed petitions and are candidates for the City Commission as of Tuesday, February 19 are Jerry Webber, Mason Schramm, Amy Miner, and Devin Wagner. The municipal election will be held Tuesday, April 9.

During the winter months, residential utility customers often ask how their sewer rate is calculated. The residential rate is based on an average of their water consumption during the months of December, January and February as billed in January, February and March of each year. This sets their maximum rate for the coming year. Residential sewer rates are adjusted annually and are reflected in the April utility billing. Please see the enclosed Monthly Finance Report for January.

10) Library Update

We wrapped up our first-ever Winter Reading program on Tuesday, February 19. We wanted to encourage our patrons to continue reading throughout the cold winter months and the younger readers had a cute visual of building their snowmen to completion. We had over 100 participants of all ages for a total of over 11,000 minutes and nearly 1,500 books read and tracked from mid-December to mid-February. We completed the program with a special cocoa and cookies party with refreshments and fun activities. We had approximately 50 people participate in the closing party. Overall, we were happy with the participation in this new program and hope it grows in the future.

Our Seed Library classes and adult craft nights continue to be well-attended. These are such great ways to offer educational and fun experiences to the community with little or no cost to them. It's also a great way to socialize and meet new people and we have had a lot of positive comments about both programs. We will also be offering a new class on Wednesday, February 27 at 2pm called Stay Safe Online. Topics covered will include how to watch out for suspicious emails, comparing different types of computer protection and what steps you can take if your computer is affected.

11) Monthly reports

Joint Powers Solid Waste monthly reports are included for your review. Minutes from the Planning Commission and Airport Board are also included.

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

Sincerely,

Amy Leon
City Manager

FINANCE MONTHLY REPORT

Activity	JAN 2019	JAN 2018	JAN 2019 YTD	JAN 2018 YTD
UTILITY BILLING:				
Water				
Water Sold (in gallons per 1,000)	41,522	43,377	41,522	43,377
Water Billed	\$440,510.71	\$414,745.80	\$440,510.71	\$414,745.80
Basic Water Fee/Rate per 1000 gal.	\$24.61/\$5.83	\$21.71/\$5.55		
Number of Accounts Billed	5,288	5,240	5,288	5,240
Number of Bills Mailed	5,288	5,240	5,288	5,240
Total Meters Read	5,726	5,676	5,726	5,676
Meter Changes/pulled	7	11	7	11
Total Days Meter Reading	1	1	1	1
Misreads found prior to billing	0	0	0	0
Customers requesting Rereads	0	0	0	0
Sewer				
Sewer Billed	\$299,444.15	\$294,193.47	\$299,444.15	\$294,193.47
Basic Sewer Fee/Rate per 1000 gal.	\$10.18/\$6.17	\$9.69/\$5.87		
Solid Waste				
Solid Waste Billed	\$104,331.50	\$98,356.19	\$104,331.50	\$98,356.19
Basic Solid Waste Fee	\$21.83	\$20.79		
Total Utility Billing:	\$844,286.36	\$807,295.46	\$844,286.36	\$807,295.46
Adjustment Total:	(\$120.00)	(\$186.84)	(\$120.00)	(\$186.84)
Misread Adjustments	\$0.00	\$0.00	\$0.00	\$0.00
Other Adjustments	\$0.00	(\$86.84)	\$0.00	(\$86.84)
Penalty Adjustments OFF	(\$140.00)	(\$100.00)	(\$140.00)	(\$100.00)
Penalty Adjustments ON	\$20.00	\$0.00	\$20.00	\$0.00
New Accounts/Connects	43	46	43	46
Accounts Finaled/Disconnects	56	39	56	39
New Accounts Set up	0	8	0	8
Delinquent Notices	418	434	418	434
Doorknockers	160	167	160	167
Delinquent Call List	59	97	59	97
Notice of Termination Letters	22	8	22	8
Shut-off for Non-payment	8	4	8	4
Delinquent Notice Penalties	\$4,180.00	\$4,340.00	\$4,180.00	\$4,340.00
Doorknocker Penalties	\$1,600.00	\$1,670.00	\$1,600.00	\$1,670.00
Other Office Functions:				
Interest Income	\$80,141.02	\$37,301.29	\$80,141.02	\$37,301.29
Interest Rate-Checking Account	2.78%	1.82%		
Interest Rate-CDs	0.00%	0.00%		
# of Monthly Vendor Checks	177	134		
Payments Issued to Vendors	\$ 3,864,329.38	\$ 2,441,269.35	\$ 3,864,329.38	\$ 2,441,269.35
# of Employees on Payroll	207	211		
Monthly Payroll	\$ 458,802.17	\$ 450,922.21	\$ 458,802.17	\$ 450,922.21

Commission Information Memorandum

PARKS AND RECREATION DEPARTMENT

SUMMIT ACTIVITIES CENTER and RECREATION PROGRAMS

1st - half of February information:

Fitness Classes-	
Early Bird Boot Camp class	33 participants
Power Abs	72 participants
Prime Time Senior class	83 participants
Tabata class	101 participants
Water aerobics	162 participants
Work-Out Express class	107 participants
Yoga classes	56 participants
Zumba class	29 participants

Rentals-	
o Birthday rentals-	4 parties
o SAC courts-	11.5 hours
o Theater-	10 hours
o Meeting rooms-	18 hours
o City Hall courts-	24 hours
o Capital Building-	1 dates
o Riverside shelters-	0 rentals
o Memorial shelters-	0 rentals
o Westside shelter-	0 rentals
o Rotary outdoor classroom-	0 rentals
o Sertoma shelter-	0 rentals
o Tripp shelter-	0 rentals
o Meridian Bridge	0 rental

SAC members-	2,287 people
SAC memberships-	1,118
SAC attendance-	3,468 visits
New members-	40 people

Saturday, January 19 – February 16. Bucks and Gazelles Youth Winter Basketball League. 108 participants.

Entire month of February- 35% off the Yankton Summer Season Pool Pass. \$1 day passes to the SAC. 10% off annual memberships purchased in February.

The Recreation staff are finalizing the summer recreation brochure.

Brittany is working on the fireworks order for July 4, 2019. Brittany is planning on having the fireworks display from the upper deck of the Meridian Bridge.

PARKS

Brittany LaCroix has launched a social media “photo” campaign for the Facebook pages.

It’s time to show some LOVE for Yankton  Take a photo with a heart or your favorite place in Yankton using #ILoveYankton during the month of February.

The Parks Department was able to make outdoor ice for ice skating. The outdoor ice areas in Sertoma Park and Tripp Park are open.

The Parks Department is planning to replace bleachers at Sertoma Park. The Rodeo Association is interested in our bleachers that can be currently found in the four-plex at Sertoma Park. The City will consider rodeos use of the old bleachers.

The Parks Department is working with the Street Department to take down dead, diseased, or hazardous trees on City property and in street ROW's. Parks staff are trimming trees in parks and green spaces maintained by the City. The Street Department helps in this effort with large limbs. Ash trees are being removed also as a part of the Emerald Ash Borer Mitigation Plan for ROW's, boulevards, and City owned property. The goal is to take approximately 100 Ash trees each year for six years to avoid having to take down the Ash trees once the EAB is in our area.

The Parks Department is beginning to prepare for 2019 Capital purchases.

The Parks, Trails, and Cemetery staff remove snow and ice as needed from City properties or public right-of-ways.

Description	Yankton Transfer	Vermillion Landfill	Total Joint	1 Month Budget	Legal 2019 Budget
Joint Power Transfer/Landfill					
<i>Total Revenue</i>	\$87,860.35	\$64,473.33	\$152,333.68	\$180,493.33	\$2,170,920.00
<i>Expenses:</i>					
Personal Services	17,861.32	27,397.97	45,259.29	58,125.33	697,504.00
Operating Expenses	18,514.00	17,196.97	35,710.97	63,439.50	761,274.00
Depreciation (est)	16,698.10	31,048.77	47,746.87	39,516.33	474,196.00
Trench Depletion	0.00	10,331.78	10,331.78	14,712.50	176,550.00
Closure/Postclosure Resrv	0.00	669.05	669.05	755.00	9,060.00
Amortization of Permit	0.00	87.65	87.65	98.33	1,180.00
<i>Total Operating Expenses</i>	53,073.42	86,732.19	139,805.61	176,647.00	2,119,764.00
<i>Non Operating Expense-Interest</i>	0.00	0.00	0.00	5,609.83	67,318.00
<i>Landfill Operating Income</i>	34,786.93	(22,258.86)	12,528.07	(1,763.50)	(16,162.00)
Joint Recycling Center					
<i>Total Revenue</i>	0.00	5,202.41	5,202.41	8,808.33	105,700.00
<i>Expenses:</i>					
Personal Services	0.00	19,087.15	19,087.15	17,984.08	215,809.00
Operating Expenses	0.00	4,477.94	4,477.94	9,729.17	116,750.00
Depreciation (est)	0.00	2,042.49	2,042.49	3,000.00	36,000.00
<i>Total Operating Expenses</i>	0.00	25,607.58	25,607.58	30,713.25	368,559.00
<i>Non Operating Expense-Interest</i>	0.00	0.00	0.00	0.00	0.00
<i>Recycling Operating Income</i>	0.00	(20,405.17)	(20,405.17)	(21,904.92)	(262,859.00)
<i>Total Operating Income</i>	\$34,786.93	(\$42,664.03)	(\$7,877.10)	(\$23,668.42)	(\$279,021.00)
Tonage in Trench:	<u>1/31/2018</u>	<u>1/31/2019</u>			
Asbestos	0.00	27.89	27.89	4.17	50.00
Centerville	15.56	18.60	18.60	91.67	1,100.00
Beresford	104.43	107.72	107.72	116.67	1,400.00
Clay County Garbage	920.32	1,059.26	1,059.26	1,208.33	14,500.00
Elk Point	80.81	89.94	89.94	21.67	260.00
Yankton County Garbage	1,575.85	1,737.73	1,737.73	1,991.67	23,900.00
<i>Total Tonage in Trench</i>	2,696.97	3,041.14	3,041.14	3,434.17	41,210.00
Operating Cost per ton			\$45.97	\$53.07	\$53.07

This report is based on the following:

Revenue accrual thru January 31, 2019

Expenses cash thru January 31, 2019 with February Bills

Joint Powers Solid Waste Authority
Financial Report Thru January 31, 2019

Description	Yankton Transfer	Vermillion Landfill	Total Joint	1 Month Budget	Legal 2019 Budget
Source of Funds					
<i>Beginning Balance</i>	\$302,011.00	\$1,440,861.00	\$1,742,872.00	\$1,742,872.00	\$1,742,872.00
<i>Operating Revenue:</i>					
Net Income	34,786.93	(42,664.03)	(7,877.10)	(23,251.75)	(279,021.00)
Depreciation	16,698.10	33,091.26	49,789.36	42,516.33	510,196.00
Trench Depletion	0.00	10,331.78	10,331.78	14,712.50	176,550.00
Amortization of Permit	0.00	87.65	87.65	98.33	1,180.00
<i>Non Operating Revenue:</i>					
Grant	0.00	0.00	0.00	20,833.33	250,000.00
Loan Proceeds	0.00	0.00	0.00	41,666.67	500,000.00
Contributed Capital	0.00	0.00	0.00	0.00	0.00
Sale Proceeds	0.00	0.00	0.00	0.00	0.00
Comp. for Loss & Damage	0.00	0.00	0.00	0.00	0.00
Fire Related Expenses	0.00	0.00	0.00	0.00	0.00
Interest	0.00	3,076.07	3,076.07	1,900.00	22,800.00
<i>Cash Flow Transfer:</i>					
Joint Power Transfer/Landfill	(55,028.32)	55,028.32	0.00	4,975.33	59,704.00
Joint Recycling Center	0.00	0.00	0.00	0.00	0.00
Total Funds Available	298,467.71	1,499,812.05	1,798,279.76	1,846,322.75	2,984,281.00
Application of Funds Available					
<i>Joint Power Transfer/Landfill</i>					
Equipment	7,123.00	0.00	7,123.00	86,083.33	1,033,000.00
Trench	0.00	0.00	0.00	0.00	0.00
Closure/Postclosure Cash Res.	0.00	669.05	669.05	755.00	9,060.00
<i>Joint Recycling Center</i>					
Equipment	0.00	0.00	0.00	6,333.33	76,000.00
<i>Payment Principal</i>	0.00	0.00	0.00	14,723.58	176,683.00
<i>Appropriation to Reserve</i>	0.00	0.00	0.00	0.00	0.00
Total Applied	7,123.00	669.05	7,792.05	107,895.25	1,294,743.00
Ending Balance	\$291,344.71	\$1,499,143.00	\$1,790,487.71	\$1,738,427.50	\$1,689,538.00

Joint Power Transfer/Landfill Description	Yankton Transfer	Vermillion Landfill	Total Joint	1 Month Budget	Legal 2019 Budget
<i>Revenue: (accrual)</i>					
Asbestos	\$0.00	\$1,812.84	\$1,812.84	\$291.67	\$3,500.00
Elk Point	0.00	4,225.38	4,225.38	4,308.33	\$51,700.00
Centerville	0.00	874.20	874.20	1,018.33	12,220.00
Beresford	0.00	5,062.84	5,062.84	5,483.33	65,800.00
Clay County Garbage	0.00	52,289.08	52,289.08	58,091.67	697,100.00
Compost-Yd Waste-Wood	0.00	130.49	130.49	458.33	5,500.00
Contaminated Soil	0.00	0.00	0.00	333.33	4,000.00
White Goods	0.00	35.50	35.50	416.67	5,000.00
Tires	0.00	3.00	3.00	333.33	4,000.00
Electronics	0.00	40.00	40.00	416.67	5,000.00
Other Revenue	62.62	0.00	62.62	1,675.00	20,100.00
Less Recycling Tipping Fee	0.00	0.00	0.00	0.00	0.00
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	1,718.92	0.00	1,718.92	4,333.33	52,000.00
Transfer Fees	85,886.31	0.00	85,886.31	103,333.33	1,240,000.00
Metal	192.50	0.00	192.50	0.00	5,000.00
Other Operational - Solid Waste	0.00	0.00	0.00	0.00	0.00
Total Revenue	87,860.35	64,473.33	152,333.68	180,493.33	2,170,920.00
<i>Expenses: (cash)</i>					
Personal Services	17,861.32	27,397.97	45,259.29	58,125.33	697,504.00
Insurance	0.00	0.00	0.00	2,029.08	24,349.00
Professional Service/Fees	1,645.00	269.24	1,914.24	6,416.67	77,000.00
Non Professional Fees	0.00	0.00	0.00	0.00	0.00
Processing- Reduction	0.00	0.00	0.00	0.00	0.00
State Fees	0.00	3,041.14	3,041.14	3,434.17	41,210.00
Professional - Legal/Audit	0.00	0.00	0.00	104.17	1,250.00
Publishing & Advertising	0.00	0.00	0.00	191.67	2,300.00
Rental	0.00	0.00	0.00	41.67	500.00
Hauling fee	0.00	0.00	0.00	0.00	0.00
Equipment repair	451.10	4,968.11	5,419.21	4,666.67	56,000.00
Motor vehicle repair	0.00	976.59	976.59	1,958.33	23,500.00
Vehicle fuel & maintenance	11,894.91	0.00	11,894.91	16,666.67	200,000.00
Equip, Mat'l & Labor	2,610.08	0.00	2,610.08	3,750.00	45,000.00
Building repair	16.48	0.00	16.48	2,000.00	24,000.00
Facility repair & maintenance	0.00	67.89	67.89	2,916.67	35,000.00
Postage	48.77	3.35	52.12	62.50	750.00
Office supplies	671.54	37.50	709.04	266.67	3,200.00
Copy supplies	8.10	0.00	8.10	31.25	375.00
Uniforms	0.00	657.35	657.35	391.67	4,700.00
Small Tools & Hardware	0.00	0.00	0.00	20.83	250.00
Travel & Training	0.00	384.15	384.15	375.00	4,500.00
Operating supply	31.66	4,832.64	4,864.30	12,300.00	147,600.00
Electricity	769.15	0.00	769.15	2,516.67	30,200.00
Heating Fuel - Gas	0.00	1,828.08	1,828.08	2,666.67	32,000.00
Water	175.85	0.00	175.85	250.00	3,000.00
WW service	75.89	0.00	75.89	108.33	1,300.00
Landfill	21.83	0.00	21.83	16.67	200.00
Telephone	93.64	130.93	224.57	257.50	3,090.00
Depreciation (est)	16,698.10	31,048.77	47,746.87	39,516.33	474,196.00
Trench Depletion		10,331.78	10,331.78	14,712.50	176,550.00
Closure/Postclosure Resrv		669.05	669.05	755.00	9,060.00
Amortization of Permit		87.65	87.65	98.33	1,180.00
Total Op Expenses	53,073.42	86,732.19	139,805.61	176,647.00	2,119,764.00

Joint Power Transfer/Landfill Description	Yankton Transfer	Vermillion Landfill	Total Joint	1 Month Budget	Legal 2019 Budget
<i>Non Operating Expense-Interest</i>	0.00	0.00	0.00	5,609.83	67,318.00
<i>Operating Income (Loss)</i>	\$34,786.93	(\$22,258.86)	\$12,528.07	(\$1,763.50)	(\$16,162.00)
<i>Capital:</i>					
Capital Outlay	\$7,123.00	\$0.00	\$7,123.00	\$86,083.33	\$1,033,000.00
Landfill Development	0.00	0.00	0.00	18,750.00	\$225,000.00
Capital Lease	0.00	0.00	0.00	0.00	\$0.00
<i>Total Capital Expenditures</i>	\$7,123.00	\$0.00	\$7,123.00	\$104,833.33	\$1,258,000.00
<i>Grant Reimbursement</i>	\$0.00	\$0.00	\$0.00	\$20,833.33	\$250,000.00
<i>Equipment Sale Proceeds</i>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<i>Cash Flow Transfer</i>	(\$55,028.32)	\$55,028.32	\$0.00	\$0.00	\$0.00
<i>Tonage in Trench:</i>					
Asbestos		27.89	27.89	4.17	50.00
Beresford		107.72	107.72	116.67	1,400.00
Centerville Garbage		18.60	18.60	91.67	1,100.00
Clay County Garbage		1,059.26	1,059.26	1,208.33	14,500.00
Elk Point		89.94	89.94	21.67	260.00
Yankton County Garbage		1,737.73	1,737.73	1,991.67	23,900.00
<i>Total Tonage in Trench</i>		3,041.14	3,041.14	3,434.17	41,210.00
Operating Cost per ton			\$45.97	\$53.07	\$53.07

Joint Recycling Center Description	Yankton Transfer	Vermillion Center	Total Joint	1 Month Budget	Legal 2019 Budget
<i>Revenue:</i>					
Tipping Fees	\$0.00	0.00	\$0.00	0.00	0.00
Magazines	0.00	0.00	0.00	250.00	3,000.00
Metal/Tin	0.00	0.00	0.00	100.00	1,200.00
Plastic	0.00	632.55	632.55	1,250.00	15,000.00
Aluminum	0.00	0.00	0.00	1,000.00	12,000.00
Newsprint	0.00	0.68	0.68	750.00	9,000.00
Cardboard	0.00	4,569.18	4,569.18	3,333.33	40,000.00
High Grade Paper	0.00	0.00	0.00	666.67	8,000.00
Other Material	0.00	0.00	0.00	750.00	9,000.00
Contributions/Operating Grants	0.00	0.00	0.00	708.33	8,500.00
Total Revenue	0.00	5,202.41	5,202.41	8,808.33	105,700.00
<i>Expenses:</i>					
Personal Services	0.00	19,087.15	19,087.15	17,984.08	215,809.00
Insurance	0.00	55.20	55.20	316.67	3,800.00
Professional Service/Fees	0.00	0.00	0.00	250.00	3,000.00
Hazardous Waste Collection	0.00	0.00	0.00	2,833.33	34,000.00
Professional-Legal	0.00	0.00	0.00	0.00	0.00
Publishing & Advertising	0.00	0.00	0.00	83.33	1,000.00
Rental	0.00	0.00	0.00	0.00	0.00
Equipment repair	0.00	338.51	338.51	791.67	9,500.00
Vehicle repair & maintenance	0.00	0.00	0.00	62.50	750.00
Vehicle fuel	0.00	0.00	0.00	416.67	5,000.00
Building repair & maintenance	0.00	0.00	0.00	208.33	2,500.00
Postage	0.00	0.84	0.84	12.50	150.00
Freight	0.00	0.00	0.00	1,458.33	17,500.00
Office supplies	0.00	37.50	37.50	41.67	500.00
Uniforms	0.00	359.28	359.28	41.67	500.00
Materials Purchases	0.00	345.80	345.80	375.00	4,500.00
Travel & Training	0.00	512.20	512.20	125.00	1,500.00
Operating Supplies	0.00	2,209.62	2,209.62	833.33	10,000.00
Copy Supply	0.00	0.00	0.00	12.50	150.00
Electricity	0.00	468.12	468.12	541.67	6,500.00
Heating Fuel-Gas	0.00	0.00	0.00	375.00	4,500.00
Water	0.00	31.74	31.74	54.17	650.00
WW service	0.00	58.56	58.56	100.00	1,200.00
Telephone	0.00	60.57	60.57	70.83	850.00
Revenue Sharing	0.00	0.00	0.00	725.00	8,700.00
Depreciation (est)	0.00	2,042.49	2,042.49	3,000.00	36,000.00
Total Op Expenses	0.00	25,607.58	25,607.58	30,713.25	368,559.00
<i>Non Operating Expense-Interest</i>	0.00	0.00	0.00	0.00	0.00
Operating Income (Loss)	\$0.00	(\$20,405.17)	(\$20,405.17)	(\$21,904.92)	(\$262,859.00)
Capital Outlay	\$0.00	\$0.00	\$0.00	\$6,333.33	\$76,000.00
Grant Reimbursement/Donations	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Cash Flow Transfer	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

This report is based on the following:

Revenue accrual thru January 31, 2019

Expenses cash thru January 31, 2019 with February Bills

2019 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	34,786.93	(22,258.86)	12,528.07	3,041.14	45.97	0.00	(20,405.17)	(20,405.17)	34,786.93	(42,664.03)	(7,877.10)

2/1/2019

City of Yankton Transfer Station
Recap of Customer Tonnage

Date	City	Licensed Haulers				Sub-Total	All Other	Total Transfer
	Compactors (577)	Janssen (547)	Arts (586)	Loren Fischer (648)	Kortan (673)			
January 2018	239.65	530.30	436.12	81.67	7.84	1,055.93	252.70	1,548.28
February 2018	181.66	488.25	370.51	77.18	10.55	946.49	234.16	1,362.31
March 2018	227.12	601.25	477.74	83.07	7.49	1,169.55	415.05	1,811.72
April 2018	227.43	561.75	490.33	94.10	9.61	1,155.79	613.24	1,996.46
May 2018	273.68	715.67	609.17	72.24	8.68	1,405.76	466.41	2,145.85
June 2018	247.08	678.97	575.57	95.46	11.05	1,361.05	599.25	2,207.38
July 2018	272.18	733.32	567.02	94.97	15.23	1,410.54	626.27	2,308.99
August 2018	282.50	706.92	596.38	109.81	14.84	1,427.95	523.76	2,234.21
September 2018	236.77	612.38	522.99	74.52	14.76	1,224.65	581.55	2,042.97
October 2018	257.08	670.47	558.52	89.01	13.71	1,331.71	518.12	2,106.91
November 2018	259.05	597.64	497.55	96.01	18.78	1,209.98	387.83	1,856.86
December 2018	224.52	523.59	415.26	67.88	17.63	1,024.36	239.52	1,488.40
2018 Total	2,928.72	7,420.51	6,117.16	1,035.92	150.17	14,723.76	5,457.86	23,110.34
January 2019	236.75	525.77	427.94	79.27	12.10	1,045.08	336.65	1,618.48
February 2019						0.00		0.00
2019 Total	236.75	525.77	427.94	79.27	12.10	1,045.08	336.65	1,618.48

CITY of YANKTON
PLANNING COMMISSION MEETING MINUTES
for
Monday, January 14th, 2019 @ 5:30PM

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

ROLL CALL:

Present – Deb Specht, Brad Wenande, Marc Mooney, Mike Healy, Jon Economy, City Commission Liaison Dave Carda, ETJ Representative Michael Welch, Chairman Steve Pier.

Bruce Viau arrived at the time noted in the minutes.

Unable to attend: Lynn Peterson

Chairman Pier called for consideration of the December 10th, 2018 meeting minutes.

19-01 **MINUTES** – December 10th, 2018.

MOTION – It was moved by Commissioner Wenande and seconded by Commissioner Economy to approve the minutes from December 10th, 2018.

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

MOTION – PASSED

Bruce Viau arrived at 5:36 PM.

CONSENT ITEMS:

Chairman Pier continued on to Consent Items regarding Establishing February 11, 2019 as the date for a public hearing to consider a rezoning of Lot 8, Block 1, Except the N. 100 feet of W.A. Burleigh’s Addition in the City of Yankton, South Dakota. Address, 408 W 11th Street. Tammy Ugofsky, owner.

19-02 **MOTION** – It was moved by Commissioner Economy and seconded by Commissioner Wenande to approve establishing February 11th, 2019 as the date for a public hearing to consider rezoning of Lot 8, Block, 1, Except the N. 100 feet of W.A. Burleigh’s Addition in the City of Yankton, SD.

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

MOTION – PASSED

OLD BUSINESS:

Chairman Steve Pier stated there was no Old Business.

NEW BUSINESS:

Chairman Pier moved on to New Business to discuss the review of a replat of the North One Quarter of Lot 13, Lot 14 except for the West 1/6 of the North Eight Feet thereof and the South Five Feet of the East 5/6 of Lot 15, all in Block 12, in that part of the City of

Yankton platted and known as “Todd’s Yankton”, Hereafter to be known as: Lot 14A, Block 12, in that part of the City of Yankton platted and known as “Todd’s Yankton”. Address, 207 Walnut Street Riverfront Partners, LLC., owner.

Dave Mingo provided background on the subject and stated the proposed plat would separate a portion of the privately owned parking lot from property that includes the building on the southwest corner of 3rd and Walnut. The property is located in the B-3 Central Business District and therefore, the division as proposed would be permissible by ordinance. The original plat and adjacent infrastructure improvements fulfilled all of the subdivision ordinance requirements. Staff recommends approval of the proposed plat.

Dan Specht spoke at the podium to provide additional clarity regarding the purpose for the creation of separate lots. The current owner simply does not want sell the parking area with the structure.

Commissioner Healy asked why this proposal was being brought to their attention at this time.

Dave Mingo responded stating a new plat was made to allow owner to sell off a piece of the property. There were no further questions.

19-03 **MOTION** – It was moved by Commissioner Mooney and seconded by Commissioner Healy to recommend approval of the review of a replat of the North One Quarter of Lot 13, Lot 14 except for the West 1/6 of the North Eight Feet thereof and the South Five Feet of the East 5/6 of Lot 15, all in Block 12, in that part of the City of Yankton platted and known as “Todd’s Yankton”, Hereafter to be known as: Lot 14A, Block 12, in that part of the City of Yankton platted and known as “Todd’s Yankton”. Address, 207 Walnut Street Riverfront Partners, LLC., owner.

VOTE – Voting “Aye” – Members Healy, Wenande, Viau, Mooney, Economy and Chairman Pier.

Commissioner Specht – Abstained

Voting “Nay” – none.

MOTION – PASSED

HEARING SCHEDULE:

January 28th, 2019: City Commission reviews the plat and makes final decision.

OTHER BUSINESS

Chairman Pier moved on to discuss the December 2018 Building Permit Report. The total valuation for the month of December was \$2,081,410.60 which is notably higher than December 2017. Overall year to date for 2018 is \$27,504,991.98, which is slightly ahead of 2017 if the 2017 Water Treatment Plant Project is not included in the calculation.

Chairman Pier moved on to discuss the 2019 Façade Grant Committee and asked if one of the Commissioners was willing to volunteer to review the grant applications.

Commissioner Deb Specht agreed to take on the role for 2019.

19-04 **ADJOURNMENT**

MOTION – It was moved by Commissioner Wenande and seconded by Commissioner Specht to adjourn at 5:54 PM.

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

MOTION – PASSED

Respectfully submitted,

Dave Mingo, Secretary

City of Yankton
Airport Advisory Board Meeting Minutes
For
January 16th, 2019

The meeting was called to order at 8:01AM by Chairman Cox.

ROLL CALL:

Present: Chairman Jim Cox, Dawn Steffes, Roger Huntley, Steve Hamilton, George Munn, Mark Yonke and City Commission Representative Jake Hoffner.

Also present: Mike Roinstad, Dave Mingo and Chris Nelson

November 21st, 2018 minutes

- 19-01 **MOTION** -- It was moved by Roger Huntley and seconded by Steve Hamilton to approve the minutes, with edits, from the November 21st, 2018 meeting.
VOTE - Voting “Aye” - all members present. Voting “Nay” - none.
MOTION – PASSED

Mike Roinstad provided the Monthly Fuel Report for **November 2018**. There were 44 transactions totaling 2,775.6 gallons. For comparison, in November 2017 there were 48 transactions totaling 2,448.3 gallons sold for an increase of 327.3 gallons sold.

In **December 2018**, there were 48 transactions totaling 3,473.8 gallons. For comparison, in December 2017, there were 38 transactions totaling 2,900.1 gallons sold for an increase of 573.7 gallons sold.

Staff Report

Dave Mingo didn't have any information to report to the Board regarding staff reports/updates. Chairman Cox asked how many planes are currently in the barrel hanger? There are 5 planes in the barrel hanger and each owner pays \$125 a month in rent, a rate that has remained the same for 7 years. At this time, there are no foreseeable changes to the current rental rate. Chairman Cox also asked if we could get more lights inside the barrel hanger. This request will be looked into. Update to follow.

Update on Apron Expansion & Hangar Relocation Project

Dave Mingo stated the pre-application to urge the FAA to keep original thoughts on project has been mailed. No response from FAA at this time.

Projected Hangar Needs Discussion

Chairman Cox reiterated that YKN airport is in great need of more hangars. As such, he wants to make sure the City Commission is well aware of this need so any potential budgeting can be considered in future planning discussions.

Other Business

Jake Hoffner provided an update on the Yankton Air Show and noted the current dates for the event are August 31st, 2019 and September 1st, 2019; and noted a formal Yankton Air Show Board has been assembled. The mission of the Yankton Air Show is to educate the public about America's aviation history, provide family entertainment, and promote the community. Hoffner circulated a marketing flyer with additional entertainment and sponsorship details. The current estimated budget for the event is \$89,900 and Hoffner said the Yankton Air Show Board has considered asking the City Commission to donate \$20,000 towards the cost of the event, but wanted approval from the Airport Advisory Board ahead of contacting the City Commission. Chairman Cox suggested a motion be made and formal vote be taken.

19-02 **MOTION** -- It was moved by Roger Huntley and seconded by George Munn to support the Yankton Air Show efforts.

VOTE - Voting "Aye" – Dawn Steffes, Roger Huntley, Steve Hamilton, Mark Yonke, George Munn. Voting "Nay" - none. "Abstained" – Jake Hoffner

MOTION – PASSED

19-03 **ADJOURNMENT**

MOTION –It was moved by Roger Huntley and seconded by Mark Yonke to adjourn meeting.

VOTE – Voting "Aye" – all members present. Voting "Nay" – none.

Meeting adjourned at 8:47 AM

Publishing Dates: February 14 & February 21, 2019

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 February, 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 bids will be held on the 11th day of March, 2019, 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:

ONE (1) NEW HEAVY DUTY TEN YARD 14' DUMP BOX BODY WITH HYDRAULIC HOIST

THE PUBLIC WORKS DEPARTMENT
STREET DIVISION

Copies of the specifications and bidding forms may be obtained at the Office of the Department 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 and all bids and to waive any informalities therein to determine which is the best and most advantageous bid to the City.

Adam Haberman PE
Director of Public Works
City of Yankton, South Dakota

Dated: February 14, 2019

-THE CITY OF YANKTON IS AN EQUAL OPPORTUNITY EMPLOYER-

Publishing Dates: February 28 & March 7, 2019

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 14th day of March, 2019, 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 25th day of March, 2019, at 7:00 P.M. in the City of Yankton Community Meeting Room located in the Career Manufacturing Technical Education Academy at 1200 W. 21st Street, Yankton, South Dakota.

Bids will be received on the following:

ANNUAL SUPPLY BITUMINOUS MIX

Copies of the specifications may be obtained at the office of the Department of Public Works, 416 Walnut 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 most advantageous bid to the City, and to approve the bond, if required.

Adam Haberman, PE
Director of Public Works
City of Yankton, South Dakota

Dated: February 28, 2019

-THE CITY OF YANKTON IS AN EQUAL OPPORTUNITY EMPLOYER-

Publishing Dates: February 14 & February 21, 2019

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 February, 2019, 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 11th day of March, 2019, 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:

ONE (1) NEW 2019 OR NEWER MODEL STREET FLUSHER TRUCK

**FOR THE PUBLIC WORKS DEPARTMENT
STREET DIVISION**

Copies of the specifications and bidding forms can be obtained at the office of the Department of Public Works, 416 Walnut 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 most advantageous bid to the City.

Adam Haberman PE
Director of Public Works
City of Yankton, South Dakota

Dated: February 14, 2019

-THE CITY OF YANKTON IS AN EQUAL OPPORTUNITY EMPLOYER-

Publishing Dates: February 28 & March 7, 2019

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 14th day of March, 2019, 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 25th day of March, 2019, at 7:00 P.M. in the City of Yankton Community Meeting Room located in the Career Manufacturing Technical Education Academy at 1200 W. 21st Street, Yankton, South Dakota.

Bids will be received on the following:

ANNUAL SUPPLY OF LIQUID ASPHALT

Copies of the specifications may be obtained at the office of the Department of Public Works, 416 Walnut 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 most advantageous bid to the City, and to approve the bond, if required.

Adam Haberman, PE
Director of Public Works
City of Yankton, South Dakota

Dated: February 28, 2019

Memorandum #19-33

To: City Manager
From: Finance Department
Date: February 12, 2019
Subject: Riverboat Days License Applications.

We have received the following application from the Riverboat Days Committee:

1. Transient Merchant – August 16-18, 2019
2. Special Events Dance – Riverside Park Ball Diamond –
August 16-18, 2019 - \$15.00 (City Hall Auditorium will be used as a
rain date.)

All fees have been paid and proof of insurance has been furnished.



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 March 26, 2019 from Chamber of Commerce, (Carmen Schramm, Director) d/b/a Chamber of Commerce, Mount Marty College, 1105 W. 8th Street, Yankton, SD.

NOTICE IS FURTHER GIVEN that a Public Hearing upon the application will be held on Monday, March 11, 2019 at 7:00 p.m. in the City of Yankton Community Meeting Room at the Career Manufacturing Technical Education Academy, 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 25th day of February, 2019.



Al Viereck
FINANCE OFFICER

____ Voice vote

Memorandum #19-34

To: City Manager
From: Finance Department
Date: January 12, 2016
Subject: Yankton Ribfest. Licenses

We have received the following application from Yankton Ribfest:

1. Transient Merchant - June 1, 2019
2. Special Events Dance – June 1, 2019

All fees have been paid and proof of insurance has been furnished.



Al Viereck
Finance Officer

Memorandum #19-27

To: City Manager
From: Finance Department
Date: February 22, 2019
Subject: Special Events Malt Beverage License-The Center

We have received an application for a Special Malt Beverage (on-sale) Retailers License for 1 day, March 18, 2019, from The Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, S.D.

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



Al Viereck
Finance Officer

Memorandum #19-29

To: City Manager
From: Finance Department
Date: February 12, 2019
Subject: Special Events Malt Beverage & Wine-L & C Theatre Co.

We have received an application for a Special Malt Beverage (on-sale) Retailers License and a Special Events RETAIL (on-sale) Wine dealers License for 1 day, March 23, 2019 from Lewis & Clark Theatre Company (Jarred Anderson, President), 328 Walnut, Yankton, S.D.

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



Al Viereck
Finance Officer

Memorandum #19-30

To: City Manager
From: Finance Department
Date: February 12, 2019
Subject: Special Events Malt Beverage License for Riverboat Days.

We have received an application for a Special Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for 3 days, August 16-18, 2019 from Yankton Area Riverboat Days, Inc. (Milissa Wuebben, Treasurer), Riverside Park, Yankton, S.D.

The above applicant is in compliance with the City Code of Ordinances, as checked by the Department of Finance. The applicant is in compliance with all building and fire codes.



Al Viereck
Finance Officer

Memorandum #19-31

To: City Manager
From: Finance Department
Date: February 12, 2019
Subject: Special Events Malt Beverage License for Riverboat Days.

We have received an application for a Special Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for 3 days, August 16-18, 2019 from Yankton Area Riverboat Days, Inc. (Milissa Wuebben, Treasurer), City Hall Auditorium, Yankton, S.D.

The above applicant is in compliance with the City Code of Ordinances, as checked by the Department of Finance. The applicant is in compliance with all building and fire codes.



Al Viereck
Finance Officer

Memorandum #19-32

To: City Manager
From: Finance Department
Date: February 12, 2019
Subject: Special Events RETAIL (on-sale) Liquor License-Yankton Ribfest

We have received an application for a Special Events (on-sale) Liquor License for 1 day, June 1, 2019 from Rock 'N' Rumble (Mike Carda, President), d/b/a Yankton RibFest, Block of 3rd Street between Cedar and Walnut plus half of Walnut to the Alley and half a block North and South on Walnut and 3rd Street, Yankton, S.D

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



Al Viereck
Finance Officer

Memorandum #19-26

To: Amy Leon, City Manager
 From: Todd R. Larson, Director of Parks, Recreation & City Events
 Date: February 20, 2019
 Subject: Chevrolet Silverado ¾ ton extended cab truck purchase

The 2019 budget provides for the purchase of a replacement truck for the Department of Parks and Recreation. The vehicle to be replaced is a 2002 Chevrolet Silverado ¾ ton with snow plow that has approximately 139,300 miles. Replacement of this vehicle meets the approved equipment replacement plan of ten years or 100,000 miles. The 2002 Chevrolet will be placed on the surplus auction in 2019.

The State of South Dakota has completed their vehicle bidding for 2019 models. The list includes a vehicle meeting our needs. Lamb Chevrolet of Onida, SD will ship the truck to Northtown Automotive. This will enable us to have the vehicle serviced in Yankton prior to our acceptance.

The vehicle requested for purchase is a 2019 Chevrolet Silverado ¾ ton extended cab. Base cost for the vehicle is \$28,567.

The 2019 budget provides \$32,000 for the purchase of the vehicle and a snow blade. The snow blade will cost \$5,086 from Christensen Radiator & Repair in Yankton.

Recommendation: It is recommended that the City Commission approve the purchase of the 2019 Chevrolet Silverado 3/4 ton extended cab truck as outlined in Memorandum #19-26 and approve Resolution #19-09 to surplus the 2002 Chevrolet Silverado ¾ ton with snow plow.

Respectfully submitted,



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

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



 Amy Leon, City Manager

_____ Roll call

RESOLUTION #19-09

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

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

PROPERTY TO BE SURPLUS

2002 Chevy Silverado ¾ Ton VIN 1GCGK29U22Z253636

Dated this ____ day of February, 2019.

Nathan V Johnson
Mayor

ATTEST:

Al Viereck
Finance Officer

Memorandum #19-39

To: Amy Leon, City Manager
From: Corey Potts, Public Works Manager
Subject: Bid award for Two New 2019 Model 56,000 GVW 6x4 Class Truck chassis for the Public Works Department
Date: February 14, 2019

Bid packets were furnished to five equipment dealers and the City received three (3) bids outlined below for two new 2019 56,000 GVW 6X4 class trucks.

<i>Bidder Name</i>		<i>Specified Equipment Cost</i>
North Central International of Sioux Falls, Inc. Sioux Falls, SD 57104-0449		\$179,132.00
I-State Truck Center Sioux City, IA		\$180,454.00
Boyer Truck Sioux Falls, SD 57104		\$187,040.00

The first truck scheduled to be replaced is Unit #1, a 2008 International haul truck. This existing truck is 12 years old and has been used extensively around the City of Yankton for construction and snow removal operations. The second truck to be replaced is Unit #10, a 2003 International Street Flusher Truck. The truck is 16 years old and has been used for street construction projects and a tanker truck for the Fire Department. The Department will place both units on the surplus auction for later this fall.

The 2019 adopted budget allows \$320,000 for the purchase of two new replacement trucks for the Department of Public Works, Street Division. The low bid price for the two new truck chassis' is \$179,132.00, which will leave \$140,848 to install a dump body and flushing equipment on the two new truck chassis.

The low bid for two new 2019 Model 56,000 GVW 6x4 truck chassis meet specifications. Therefore, it is recommended that the two new 2019 model 56,000 GVW 6x4 truck chassis bid for \$179,132.00 be awarded to North Central International, Sioux Falls, SD.

Respectfully submitted,



Corey Potts
Public Works Manager

_____ Roll call

Recommendation: It is recommended, the City Commission approve Memorandum #19-39, for the purchase of the two new 56,000 GVW class Truck chassis for \$179,132 to North Central International of Sioux Falls, South Dakota, and approve Resolution #19-11 to surplus the existing trucks.

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



Amy Leon
City Manager

_____ Roll call

RESOLUTION #19-11

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

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

PROPERTY TO BE SURPLUS

2008 International Haul Truck VIN. #1HTWGAAT98J690036

2003 International Flusher Truck VIN. #1HTWHAAT03J074764

Dated: _____

Nathan V Johnson
Mayor

Attest:

Al Viereck
Finance Office

Memorandum #19-38

To: Amy Leon, City Manager
From: Corey Potts, Public Works Manager
Subject: Skid-Steer Loader purchase through Sourcewell for the City of Yankton, Public Works Department, Street and Snow & Ice Departments.
Date: February 14, 2019

The adopted 2019 City of Yankton budget provides funding for a skid-steer loader machine for the Department of Public Works, Street and Snow & Ice Division. The new skid-steer loader will be used for summer street operations and used for snow removal in the Meridian District with the additional calmers added with recent projects.

A bid contract through the Sourcewell (formally National Joint Powers Alliance) allows the City to purchase a new skid-steer through the local Bobcat dealer. The new skid-steer is a S595 T4 Bobcat Skid-Steer Loader for \$41,886.62 with delivery estimated at 90 to 120 days. There is \$50,000 budgeted for this skid-steer purchase, \$25,000 from Street Department and \$25,000 from Snow and Ice Department.

City Staff recommends the purchase of a new 2019 S595 T4 Bobcat Skid-Steer Loader for \$41,886.62 from Marks Machinery Inc., of Yankton, South Dakota based on the Sourcewell Alliance bid contract.


Respectfully submitted,



Corey Potts
Public Works Manager


Recommendation: It is recommended the City Commission approve Memorandum #19-38 for the purchase of a new 2019 S595 T4 Bobcat Skid-Steer Loader for \$41,886.62 from Marks Machinery Inc., of Yankton, South Dakota based on the Sourcewell bid contract.

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



Amy Leon
City Manager

Memorandum#19-35

TO: Mayor and City Commissioners
FROM: Amy Leon, City Manager 
RE: Yankton Airshow Funding Request
DATE: February 19, 2019

Attached is a request letter from Christen Lacey, Yankton Airshow Board Member. The Yankton Airshow is requesting \$20,000 from the City of Yankton as a sponsorship for the upcoming Yankton Airshow, which is scheduled for Saturday August 31 and Sunday September 1, 2019. The event is planned to be hosted at Chan Gurney Municipal Airport, and City of Yankton Airport staff and Special Events Staff are assisting in the organization of the event.

The funds would be utilized to assist in the cost of performers and aircraft for the airshow as well as to assist in funding other event costs.

Representatives from the Yankton Airshow Board will be at our meeting to present their request and answer any questions you may have.

The Yankton Airshow is amenable to coordinating with the City of Yankton to have one or more of the performers participate in a “fly over” during our “Welcome to Walnut” event being planned to showcase the project and commemorate our organization’s 150th anniversary on Friday, August 30. This would not only promote their event but also add to the atmosphere of the festivities planned Friday evening.

Currently, if everything budgeted in the BBB is spent, the balance of the BBB at the end of 2019 is projected to be \$477,342. An additional \$20,000 expenditure, however would take that balance down to \$457,342.

Additionally, it is understood any overtime incurred by employees will be charged to special events overtime from the BBB.

The Yankton Airshow will take place at a City owned facility and is a new event to our community.

Recommendation: Staff recommends funding the Yankton Airshow for the requested \$20,000 out of the BBB with the request that the City of Yankton logo be included on all promotional and sponsorship materials.

Ms. Leon,

I am writing to you today on behalf of the Yankton Air Show Board to tell you about the exciting event we are trying to get coordinated to bring to the community of Yankton this summer. It is our mission to educate the public about America's aviation history, provide family entertainment, and promote our community. We would like to host an air show at Chan Gurney Municipal Airport here in town, and everyone we have spoken to about it so far has expressed lots of excitement for such a project.

We have been working hard to get this show organized, and have come up with an impressive list of performers who fly various historic and modern aircraft, who are all available to do our two day show the weekend of August 31- September 1. We have also been in contact with an official and experienced Air Boss to help ensure the safety and efficiency of our event and coordinate with the FAA, as well as the organizers of other similar air shows, to be sure we know exactly what we need to do to have a safe, fun, and successful event, and checked our dates with the Chamber to be sure we weren't going to be encroaching on other events, and that we have the support we need from the City. The president of our board, Jacob Hoffner, has also planned other, smaller air shows for Yankton over River Boat Days, and has coordinated various other aviation events in Yankton throughout the years. In all, we feel we have a great team, excellent resources, and a fantastic line up- we just need the funding.

We have set our preliminary budget at \$82,000. It's a lofty fundraising goal, but already, just from a few informal discussions, we have \$9,000 pledged. We were hoping the City would consider putting \$20,000 toward this project, and we plan to raise the rest with sponsorships and donations from the dedicated aviation community here in Yankton.

Thank you so much for your consideration.

Sincerely,

Christen Lacey

Yankton Air Show Board

Memorandum #19-42

To: Amy Leon, City Manager
From: Bradley Moser, Civil Engineer
Subject: Bid Award for the 26th Street Replacement from Douglas Avenue to Mulberry Street
Date: February 19, 2019

Two bids were received for the 26th Street Replacement project from Douglas Avenue to Mulberry Street. The work includes the removal of the existing surface, grading, and the placement of aggregate base course. 6" PCC pavement, approach pavement and curb and gutter will also be installed under this contract. The bids received are listed below:

- | | |
|--|--------------|
| 1. Masonry Components, Inc., Yankton, SD | \$317,405.00 |
| 2. BX Civil, Dell Rapids, SD | \$342,000.00 |

The low bidder meets the specifications. The Engineer's estimate for the project was \$315,959.50. Although the low bidder is higher by \$1,445.50, the difference is less than 1%. Masonry Components has completed numerous City administered projects in the recent past. Based on this work history and a review of the bids submitted, City staff recommends that the bid be awarded to Masonry Components, Inc., in the amount of \$317,405.00.

Respectfully submitted,

Bradley Moser

Bradley Moser
Civil Engineer

Recommendation: It is recommended that the City Commission award the contract to Masonry Components, Inc., in the amount of \$317,405.00, as explained in Memorandum #19-42.

I concur with the recommendation.

I do not concur with the recommendation.

Amy Leon

 Amy Leon
 City Manager

cc: Adam Haberman

_____ Roll call

*Introduction, First Reading and Establish
the Date for a Public Hearing*

Memorandum #19-36



To: Amy Leon, City Manager
From: Dave Mingo, AICP Community and Economic Development Director
Subject: Proposed Rezoning, Ordinance #1019.
Date: February 12, 2019

PROPOSED REZONING

ACTION NUMBER: 19-06

E.T.J. MEMBER ACTION REQUIRED: No

APPLICANT / OWNER: Tammy Ugofsky.

ADDRESS / LOCATION: 408 W. 11th Street.

REZONING REQUEST & PROPERTY DESCRIPTION:

From I-1 Industrial to B-2 Highway Business, Lot 8, Block 1, Except the N. 100 feet of W.A. Burleigh's Addition in the City of Yankton, South Dakota.

PREVIOUS ACTION: None.

COMMENTS: This is a landowner rezoning request. The owner circulated a petition and gathered the required number of signatures to be able to submit a formal request. The proposal describes another step in the incremental land use and zoning changes in the described area. The current zoning district designation, I-1 Industrial, is a holdover from the former Morgen Manufacturing Plant that was on site prior to the current Morgen Square commercial development.

The site is best suited for highway commercial types of uses that could include specific kinds of residential occupancies. The current industrial designation prohibits mixed use developments that may include apartments. The frontage lots along Broadway Avenue are all zoned B-2 Highway Business so a change at this location would be contiguous with other B-2 designated areas (reference the attached map).

If this action is approved, the property owner will be able to remodel the north portion of the structure to create an apartment. Regardless of the eventual request for an apartment, the change from I-1 to B-2 means that industrial types of outdoor activities will not be able to occur on the property as they could under the current district regulations. That is a long term goal of the City at this location.

_____ Introduce

Land uses adjacent to the area would be permitted to continue operations as they currently exist. The appropriate public notice was published and the owners of 24 parcels were individually notified by first class mail prior to this public hearing. Staff received one phone call from a neighboring property owner subsequent to the mailing. She had general questions about the applicant's plans. The caller did not state any opposition to the rezoning.

Staff recommends approval of the proposed rezoning.

HEARING SCHEDULE:

December 12, 2018	Owner submits petition.
January 14, 2019	The Planning Commission establishes February 11, 2019, as the date for a public hearing.
February 11, 2019	The Planning Commission holds a public hearing to consider the issue. All appropriate notices will have been published and mailed.
February 25, 2019	The City Commission establishes March 11, 2019 as the date for a public hearing.
March 11, 2019	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.
March 22, 2019	Record of City Commission action published in the newspaper.
April 11, 2019	The City Commission action is effective (estimated date).

Planning Commission results: The Planning Commission recommended in favor of the proposed rezoning.

ORDINANCE NO. 1019

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 I-1 Industrial to B-2 Highway Business, Lot 8, Block 1, Except the N. 100 feet of W.A. Burleigh's Addition in the City of Yankton, South Dakota. Address, 408 W. 11th Street. Tammy Ugofsky, owner.

As depicted on the associated Rezoning 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:

Nathan V. Johnson, Mayor

ATTEST:

Al Viereck, Finance Officer



City of Yankton

Rezone from I-1 Industrial to B-2 Highway Business

Lot 8, Block 1, Except the N. 100 feet of W.A. Burleigh's Addition
in the City of Yankton, South Dakota. Address, 408 W 11th Street.



City of Yankton, Yankton County, SD

Re: **Rezoning of Property in the City of Yankton**

Dear Commission Members:

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

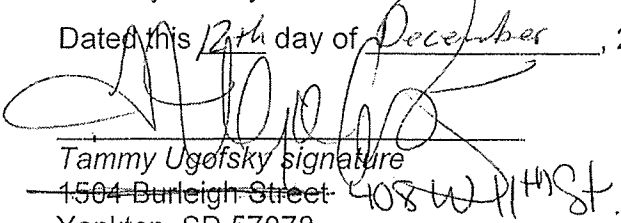
Address: 408 W. 11th Street, Yankton, South Dakota.

Legal Description: Lot 8, Block 1, Exc N100'W.A, Burleigh's Addition in the City of Yankton, South Dakota which I own, from the **existing zoning** of I-1 Industrial, to a new **new zoning classification** of B-2 Highway Business.

The reason for the zoning change is: To allow for the possibility of a residential occupancy of a portion of the structure.

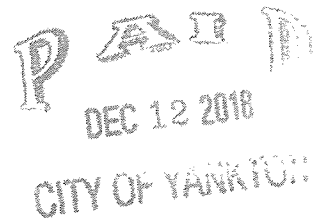
Thank you for your consideration.

Dated this 12th day of December, 20 18



Tammy Ugefsky signature

~~1504 Burleigh Street~~
Yankton, SD 57078



**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 fifty 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 three hundred dollars (\$300).

City Receipt Account Number 101.3231

Memorandum #19-37



To: Amy Leon, City Manager
From: Dave Mingo, AICP Community and Economic Development Director
Subject: Planning Commission Action #19-07 / Resolution #19-10
Date: February 12, 2019

PLAT REVIEW

ACTION NUMBER: 19-07

E.T.J. MEMBER ACTION REQUIRED: No

APPLICANT / OWNER: Yankton County Historical Society, Inc., and Mount Marty College, Incorporated.

ADDRESS / LOCATION: North of the undedicated Park Drive (reference the attached map).

PROPERTY DESCRIPTION: Block 1, Lancer Addition in the S 1/2 NW 1/4 SW 1/4 NE 1/4 in Section 13, T93N, R56W of the 5th P.M., City of Yankton, Yankton County, South Dakota.

ZONING DISTRICT: A-1 Agricultural.

PREVIOUS ACTION: Previously unplatted metes and bounds description.

COMMENTS: The proposed plat would clean up a number of discrepancies associated with the historical uses of the property. The owners have agreed to create the plat in a manner that would permit a transfer of the west 21 feet to the City and dedicate the commonly used alley and street improvements on the east side of the property. The west 21 feet has always been occupied by uses associated with West Side Park. The alley and 7th Street right-of-way corridors have been improved and maintained by the City for many years even though they were not formally dedicated.

Staff recommends approval of the proposed plat.

HEARING SCHEDULE:

February 11, 2019: Planning Commission reviews the plat and makes a recommendation to the City Commission.

February 25, 2019: City Commission reviews the plat and makes a final decision.

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

RESOLUTION #19-10

WHEREAS, it appears from an examination of the plat of Block 1, Lancer Addition in the S 1/2 NW 1/4 SW 1/4 NE 1/4 in Section 13, T93N, R56W of the 5th P.M., City of Yankton, Yankton County, South Dakota prepared by Brett R. Kennedy, a registered land surveyor in the state of South Dakota, that all applicable requirements have been met, 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 of the above described property is hereby approved.

Adopted:

Nathan V. Johnson, Mayor

ATTEST:

Al Viereck, Finance Officer



City of Yankton

Plat Location Map

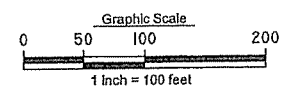
Plat of Block 1, Lancer Addition in the S1/2 NW1/4 SW1/4 NE1/4
in Section 13, T93N, R56W of the 5th P.M.,
in the City of Yankton, Yankton County, South Dakota.



A PLAT OF BLOCK 1, LANCER
 ADDITION IN THE S1/2 NW1/4 SW1/4
 NE1/4 IN SECTION 13, T93N, R56W OF
 THE 5TH P.M., CITY OF YANKTON,
 YANKTON COUNTY, SOUTH DAKOTA



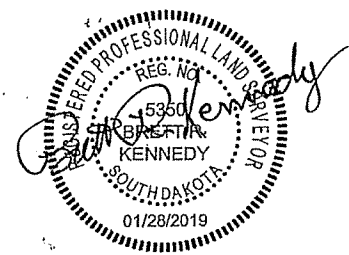
BASIS OF BEARING
 City of Yankton Datum



LEGEND:

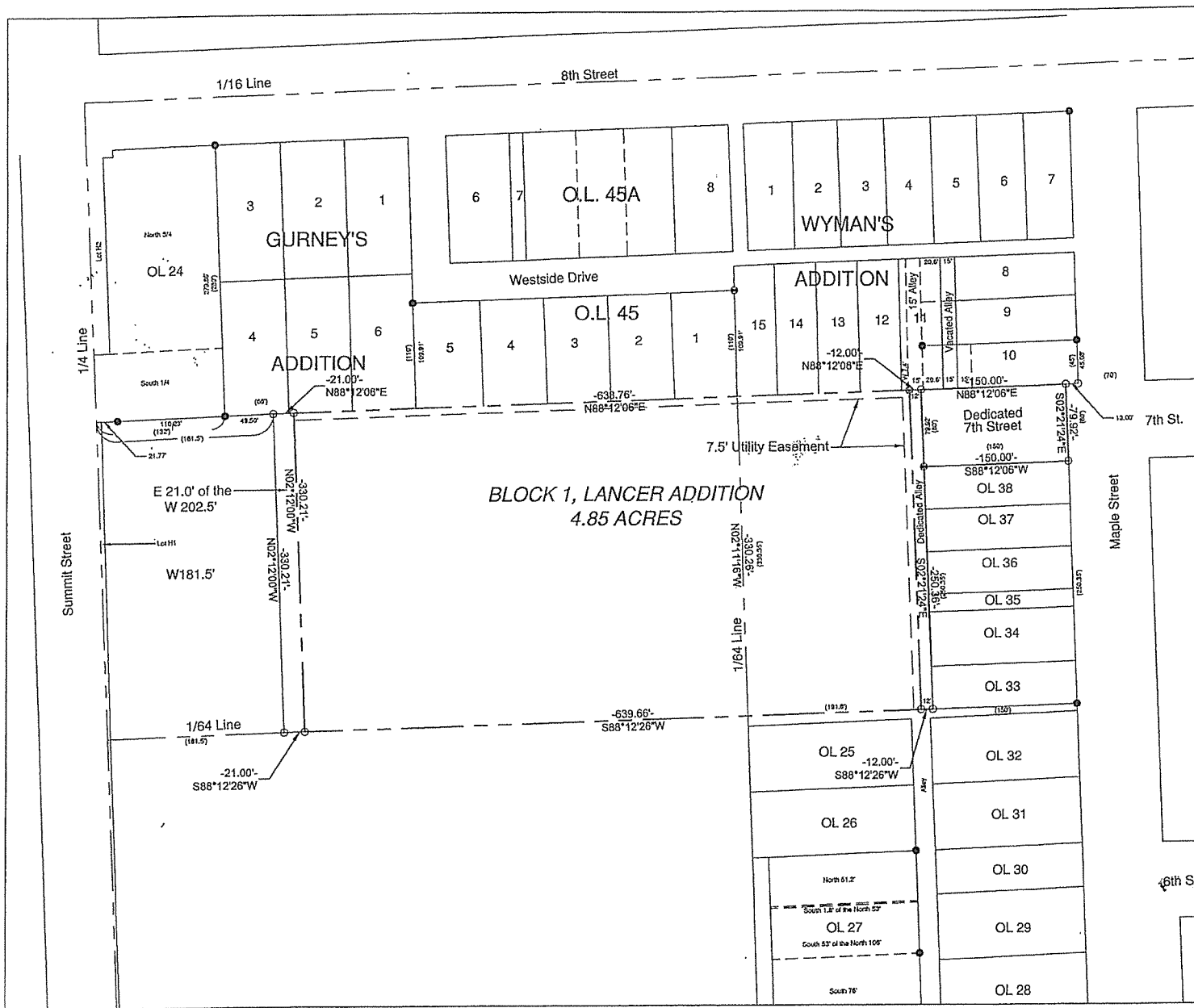
- Set 5/8" Rebar w/ cap LS 5350
- Found Pipe
- ⊕ Found Bar
- ⊙ Inaccessible Corner
- (80') Recorded Distance

**Dedicated
 Right-of-Way Area**
 7th Street ± 0.280 Acres
 Alley ± 0.09 Acres



Prepared By:

STOCKWELL
 STOCKWELL ENGINEERS, INC.
 201 WALNUT STREET
 YANKTON, SD 57678
 PH: 405.445.8072
 www.stockwellengineers.com



Memorandum #19-43

To: Amy Leon, City Manager
 From: Kyle Goodmanson, Director of Environmental Services
 Subject: HDR for Design of Primary Effluent Line Replacement
 Date: February 19, 2019

Staff has been working with HDR to determine the next course of action to be taken to address issues related with the Primary Effluent/Secondary Influent sewer line. Attached is an outlined scope of work and the associated costs for a design and bidding contract for the needed improvements.

The Scope of Services is for HDR to provide professional engineering and project management for design and bidding. This includes design services for 163 feet of 36 inch arched concrete pipe replacement at the City of Yankton, Wastewater Treatment Plant. This Agreement does not include engineering services for the construction phases of this project.

Over the past years staff has experienced several sink holes along the alignment of this pipe caused by failures to the pipe. Staff has worked with a local contractor to make repairs to the pipe west of the current sink hole. The current sink hole is located near the aeration building making the depth of the pipe difficult to expose. Staff has been working with HDR and several contractors on possible repairs. Staff has determined the best course of action is to replace the aging infrastructure. This will also allow staff to conduct a condition assessment of the pipe.

It is recommended that the Director of Environmental Services be authorized to enter an Agreement with HDR for a not-to-exceed amount of \$27,964.50 as outlined by the attachment.

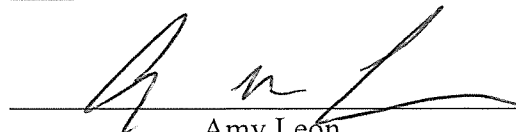
Respectfully Submitted,



Kyle Goodmanson
 Director of Environmental Services

I concur with the recommendation.

I do not concur with the recommendation.



Amy Leon
 City Manager

____ Roll call



December 10, 2018

Mr. Kyle Goodmanson
Director of Environmental Services
City of Yankton
315 W Riverside Drive
PO Box 176
Yankton, SD 57078

Re: WWTP – Secondary Splitter Pipe Replacement Project
Cost Estimate, Scope, Fee & Manhours Breakdown

Dear Kyle:

During a site visit to the City of Yankton Wastewater Treatment Plant (WWTP) earlier this year, the 36-inch arched secondary splitter pipe was identified as being in need of replacement. At your request, we have developed a budgetary construction cost estimate as attached.

Also attached to this letter is an anticipated scope of services and fee for design and bidding of this project. The fee estimate for the as-requested services is not to exceed \$27,964.50

We sincerely appreciate the opportunity to work with you and the City of Yankton to complete this project. Please review the attached documents and when you are able to move forward with the project, we would appreciate discussing the schedule for design and construction in more detail. If you have any questions, or would like more information, please don't hesitate to contact me directly at 605-977-7740 or Dan Graber at 605-977-7767.

Respectfully,

HDR ENGINEERING, INC.

A handwritten signature in cursive script that reads "Bill Moran".

Bill Moran, PE
Project Manager



Sign in

3D + -

Imagery ©2018 Google, Map data ©2018 Google, Unlabeled Street View, Send feedback 50 ft

Google

Map

Equip Access

4' Sidewalk

5' Sidewalk

Standby
Secondary Clarifier
TOP=1160.9
Grade=1170.5

Secondary Splitter Box
36" Eqv RCP INV=1161.6
Lid = 1170.7

Aeration Bldg
FF 1180.5
86" Eqv
Inv=1160.5

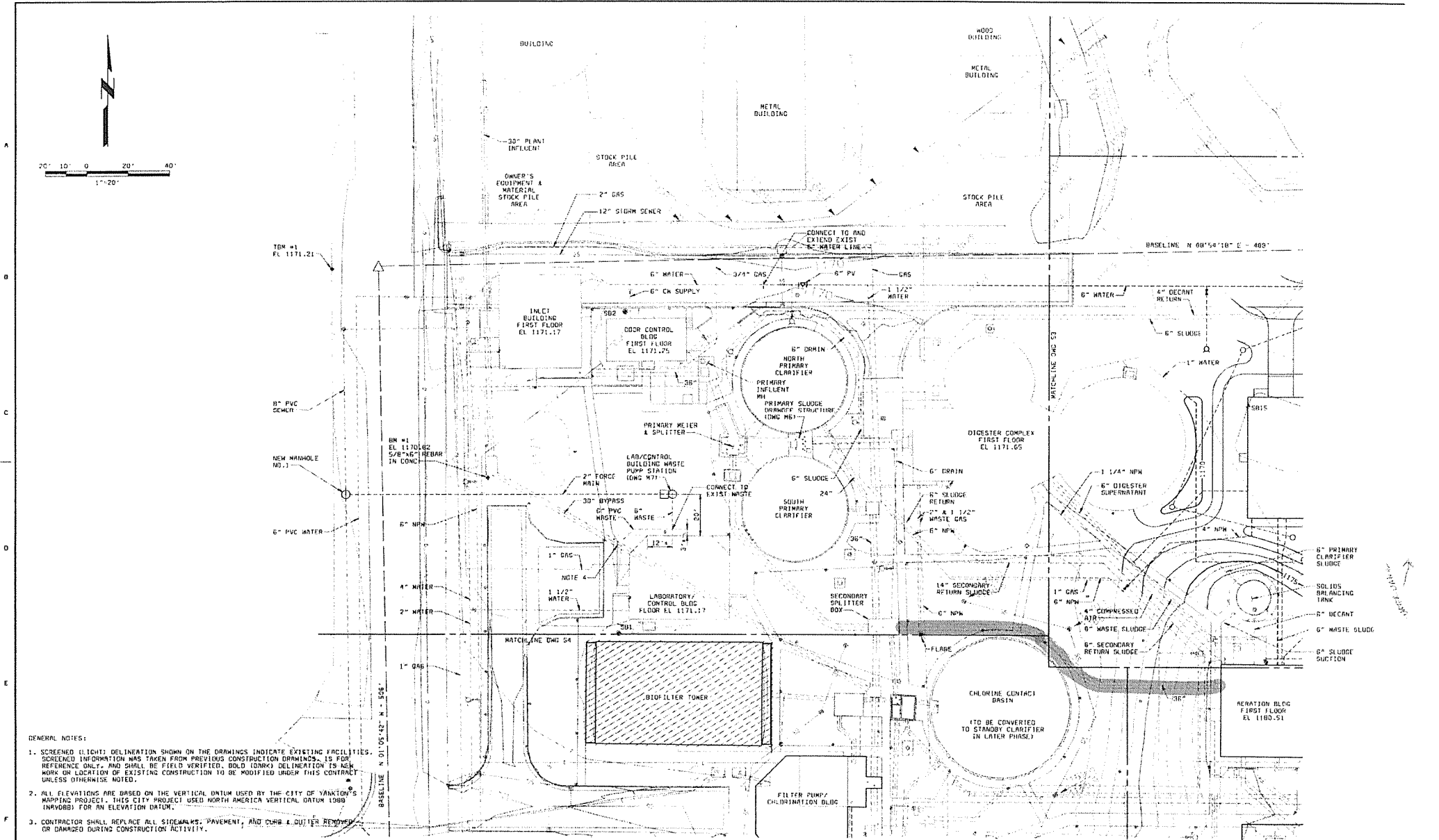
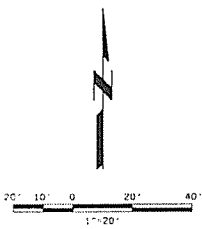
163 LF 36" Eqv Arch RCP @ 0.675%

Levee St

Levee St

Levee St

Levee St



- GENERAL NOTES:
1. SCREENED (LIGHT) DELINEATION SHOWN ON THE DRAWINGS INDICATE EXISTING FACILITIES. SCREENED INFORMATION WAS TAKEN FROM PREVIOUS CONSTRUCTION DRAWINGS, IS FOR REFERENCE ONLY, AND SHALL BE FIELD VERIFIED. BOLD (DARK) DELINEATION IS NEW WORK OR LOCATION OF EXISTING CONSTRUCTION TO BE MODIFIED UNDER THIS CONTRACT UNLESS OTHERWISE NOTED.
 2. ALL ELEVATIONS ARE BASED ON THE VERTICAL DATUM USED BY THE CITY OF YANKTON'S MAPING PROJECT. THIS CITY PROJECT USED NORTH AMERICA VERTICAL DATUM 1988 (NAV88) FOR AN ELEVATION DATUM.
 3. CONTRACTOR SHALL REPLACE ALL SIDEWALKS, PAVEMENT, AND CURB & GUTTER REMOVED OR DAMAGED DURING CONSTRUCTION ACTIVITY.
 4. CONTRACTOR SHALL PLUG EXISTING 6" WASTE AT CONNECTION TO 30" BYPASS.
 5. THE FOLLOWING LINES SHALL HAVE RESTRAINED JOINTS THEIR ENTIRE LENGTH: ALL WASTEWATER (NPM) EXCEPT 12" BETWEEN UV AND PUMP BLDG. 6" THICKENED WAS TO DIGESTER. 6" WASTE SLOUG TO CO. 6" DUCTILE IRON PIPE AND FITTINGS BETWEEN MAIN AND FIRE HYDRANT. 74" AERATION BASIN INFLUENT EXCEPT WHERE ENCASED IN CONCRETE UNDER BASIN SLAB.

Item No.	Item Description	Unit	Approx. Qty	Unit Bid Price	Amount Bid
GRADING					
1	Mobilization - 4% of Contract Detailed Items	LS	1.0	\$ 7,560.15	\$ 7,560.15
2	Remove & Replace Chain Link Fence (for equip access)	Ft	100.0	\$ 45.00	\$ 4,500.00
3	Remove Sidewalk	SqYd	82.8	\$ 8.50	\$ 703.80
				Grading Subtotal Cost	\$ 12,763.95
STORM SEWER					
4	Remove & Reset Storm Pipe (Avg 40 ft long)	Each	2.0	\$ 1,550.00	\$ 3,100.00
5	Remove & Reset Storm Inlet (5' tall)	Each	1.0	\$ 7,000.00	\$ 7,000.00
				Storm Sewer Subtotal Cost	\$ 10,100.00
SURFACING					
6	4" Concrete Sidewalk	SqFt	745.0	\$ 8.00	\$ 5,960.00
				Surfacing Subtotal Cost	\$ 5,960.00
SPECIALTY					
7	Fix existing ancillary connections on building (4 - 6" process, Est 8 - 2" air/conduit)	LS	1.0	\$ 10,000.00	\$ 10,000.00
8	Remove and Reset Gas Flare Equipment	LS	1.0	\$ 12,000.00	\$ 12,000.00
				Specialty Subtotal Cost	\$ 22,000.00
EROSION CONTROL					
9	SWPPP Items during construction	Acre	0.2	\$ 6,500.00	\$ 1,300.00
10	Seed/Fertilizer/Mulch restoration	Acre	0.2	\$ 1,700.00	\$ 340.00
				Erosion Control Subtotal Cost	\$ 1,640.00
SANITARY SEWER					
11	Trench Stabilization Material (support bedding from underlying sand)	Ton	56.0	\$ 25.00	\$ 1,400.00
12	Contractor Furnished Borrow (fill in sink-hole)	CuYd	90.0	\$ 11.00	\$ 990.00
13	Connect Pipe to Existing Structure	Each	2.0	\$ 5,500.00	\$ 11,000.00
14	36" Pipe less than 10' deep	Ft	107.0	\$ 270.00	\$ 28,890.00
15	36" Pipe greater than 10' deep	Ft	56.0	\$ 345.00	\$ 19,320.00
16	36" Bend (22.25-deg)	Each	4.0	\$ 7,500.00	\$ 30,000.00
17	Temporary Sanitary Sewer Bypass Pumping and flow control	LS	1.0	\$ 45,000.00	\$ 45,000.00
18	Locating Utility	Each	12.0	\$ 325.00	\$ 3,900.00
19	Verify Utility	Each	12.0	\$ 300.00	\$ 3,600.00
				Sanitary Sewer Subtotal Cost	\$ 144,100.00
				Total Construction Cost	\$ 196,563.95
				Undefined Details (15%)	\$ 29,484.59
				30% EOPCC	\$ 226,048.54



Project Scope of Services

December 10, 2018

Secondary Splitter Process Pipe Replacement Project at WWTP
Yankton, SD

HDR, Inc

Design and Bidding Administration Services

All design and project data will become the property of City of Yankton upon completion of the final submittal. All project information will be submitted in the following formats and using the standards listed below.

- MS Word and MS Excel
- Adobe PDF
- AutoCAD Civil 3D 2016
- SDDENR Recommended Design Criteria Manual – Wastewater Collection and Treatment Facilities (March 1991 Version)

Scope of Services

The purpose of this scope is to describe the objectives, activities, deliverables, key assumptions, and approach, which HDR will utilize in carrying out the services requested by the City of Yankton (City) for the design and bidding administration of the secondary splitter process pipe replacement project on the Wastewater Treatment Plant site.

TASK SERIES 100 – PROJECT MANAGEMENT

HDR will work with the City throughout the project to achieve the objectives for the project. Specific tasks include:

Task 101 – Project Management

- Provide project monitoring and reporting, resource management and allocation based on project schedules and activities.
- Provide budget and invoice management, including monthly status reports. All invoices will be reviewed by the Project Manager prior to submittal to City of Yankton for payment.
- Deliverables:
 - Monthly Invoice
 - Monthly Status Reports

TASK SERIES 200 – PERMITTING, BASIS OF DESIGN & DATA COLLECTION

Task 201 – Agency Coordination, Permits, Utility Coordination

- **Agency Coordination & Permits**
Environmental services are included in order to complete a Section 404 permit application. It is assumed no wetland impacts would be identified and no cultural resources would be impacted.
- **Utility Locates Coordination**
WWTP staff will be asked to review representation of existing utilities (abandoned and active) after HDR combines past plant upgrade plans to show utilities.

Task 205 –Basis of Design, Topographic & Control Survey

Survey services shall include horizontal and vertical control, topographic, and utility survey along the selected proposed alignment(s). The existing sanitary sewer alignment will be the basis of the route, however, survey will be of sufficient area to incorporate surface features and restoration of any impacted roadway or public features.

- **Basis of Design & Project Limit Selection**

This task will include the preparation of summary of design assumptions to ensure all removal, replacement, and restoration activities included in the design documents meet the City's expectations.

- **Topographic Survey**

A topographic survey will be completed to generate plan/profile drawings for the utility corridor. The location of existing piping and utilities will be investigated and placed on final design drawings. Horizontal control necessary to complete the survey items will be based upon South Dakota State Plane Coordinate System. Vertical control will be based on the NAVD datum and will be established using existing SDDOT and/or county benchmarks if available adjacent to the project site.

TASK SERIES 300 – PLANS & SPECIFICATIONS

HDR will prepare design documents and construction cost opinion for the City's review and comment. The contract documents will be based on the EJCDC General Conditions as detailed in the tasks below:

Task 301 – 95% Plans & Specs Submittal

This will include the plan sheets, specification manual, and the final EOPCC. The City will be given copies of the documents for review and comment. Internal QA/QC reviews will be conducted in accordance with HDR's QA/QC plan. Milestone deliverables and final plans and specifications will have reviews performed by senior engineers not involved with the creation of the deliverable. SDDENR also will be provided a 95% plan set for review and comment as required.

Task 302 – Final Document Submittal

After incorporating City, HDR and SDDENR comments from the 95% design submittal, the final documents will be prepared for advertising to bidders on the QuestCDN website.

Task 300 Deliverables:

- NOI Permit
- Three sets of 95% drawings and specifications for City and State review.
- Letter with responses to SDDENR comments.
- Two half-size sets of final drawings (11" x 17" format) for City acceptance
- Two half-size sets of final drawings (11" x 17" format) for SDDENR use
- Final opinion of probable construction cost.
- Electronic files (pdf) for final drawings, specifications, and opinion of probable construction cost.

TASK SERIES 400 – BIDDING SERVICES

- Bidding phase services by HDR include activities such as printing, document distribution, clarifications, addenda development and distribution, attending bid opening, and making a recommendation of award. Engineer shall print final drawings, specifications, and contract documents for the City, and SDDENR only. Costs for printing of documents are included. The City will advertise for bids with assistance from the Engineer. Distribution of notice to bidders to potential contractors will be completed using the Quest CDN website.

Task 401 – Bidder Questions

- Engineer will address comments and questions from bidders or other plan holders. Items that require formal written notification of planholders for clarification or modification of the Contract Documents will be distributed to all planholders via addenda. HDR will prepare and distribute required addenda to the City and then HDR will post documents on the Quest CDN website. The website notifies all planholders via email of addenda available for download.

Task 402 – Bid Tab, Award Recommendation

- City Finance Department will be responsible for collecting bids submitted in person or via mail.
- The bids will be reviewed by the Engineer for inclusion of required information, correctness of tabulations, as well as evaluation of the apparent low bidding Contractor's financial capacity, past performance, references, proposed subcontractors, proposed superintendent, etc. The Engineer will make a written recommendation for the award of the contract to the City.

Key Understandings:

- HDR will receive comments and questions from bidders and provide responses
- HDR will conduct the pre-bid meeting and distribute meeting minutes and attendance roster
- HDR will prepare all addenda for City's review and then HDR will handle distribution

Information and/or Services by Others:

- Quest CDN site will be used to distribute bidding documents and any notifications during bidding
- Quest CDN site will maintain planholders list

Deliverables:

- Summary of comments and questions directed to the Engineer and Engineers response.
- Written recommendation for the award of the contract

Estimate of Staff Labor and Fee

HDR proposes to complete the scope services for a not to exceed amount of \$27,964.50. The breakdown of staff labor and fee for services described in the Scope of Services is attached.

**HDR Engineering
2019 Hourly Billing Rates**

Enclosed are the 2019 Hourly Billable Rates for HDR Engineering. These billing rates shall be adjusted annually to reflect any salary adjustments incurred by employees. The rates listed below do not include reimbursable expenses or hourly billing rates for equipment as defined below.

<u>Description</u>	<u>Billing Rate/Hour</u>
Managing Principal	225
Senior Project Manager	195
Project Manager II	180
Project Manager I	160
Engineer V	180
Engineer IV	160
Engineer III	145
Engineer II	130
Engineer I	115
ASME Disciplines	180
Engineering/Field Services Technician III	120
Engineering/Field Services Technician II	105
Engineering/Field Services Technician I	95
Cadd/GIS Technician IV	135
Cadd/GIS Technician III	115
Cadd/GIS Technician II	105
Cadd/GIS Technician I	95
Right of Way III	175
Right of Way II	155
Right of Way I	120
Environmental Scientist V	175
Environmental Scientist IV	160
Environmental Scientist III	140
Environmental Scientist II	125
Environmental Scientist I	110
Senior Land Surveyor	150
Land Surveyor	130
Survey Technician III	120
Survey Technician II	110
Survey Technician I	95
Senior Construction Manager	195
Construction Manager	155
Construction Engineer	120
Construction Inspector	95
Public Involvement/Graphic Designer III	150
Public Involvement/Graphic Designer II	125
Public Involvement/Graphic Designer I	95
Project Controller	95
Project Assistant	85
Admin Assistant	70

HDR has technical experts in various geographic locations that may be utilized based on specific project need. This specialized expertise is not subject to the above rates and associated billing rates are to be determined at the time of contract negotiation.

Direct Expenses

Traffic Counting Equipment	\$120.00 per hour
Survey/GPS Equipment	\$50.00 per hour
Robotic Total Station	\$50.00 per hour
Side-by-Side Utility Vehicle	\$25.00 per hour
Handheld GPS	\$20.00 per hour
Mileage	\$0.75 per mile
Printing:	
B&W 8.5x11	\$0.038 each
Color 8.5x11	\$0.135 each
B&W 11x17	\$0.076 each
Color 11x17	\$0.270 each
Plots Bond	\$0.45 per sq. ft.

OTHER REIMBURSABLE EXPENSES

Reimbursable Expense shall mean the actual expenses incurred directly or indirectly in connection with the Project for transportation travel, subconsultants, subcontractors, computer usage, telephone, telex, shipping and express, and other incurred expense. Unless negotiated otherwise in the contract, ENGINEER will add 10% to invoices received by ENGINEER from subconsultants and subcontractors to cover administrative expenses and vicarious liability. Hourly equipment charges apply to specific equipment used on the project.

Memorandum #19-40

To: Amy Leon, City Manager
From: Dave Mingo, Community and Economic Development Director
Date: February 14, 2019
Subject: Agency Agreement between the South Dakota Department of Transportation and The City of Yankton regarding the processing of financial reimbursements for airport projects.

The South Dakota Department of Transportation (SDDOT), Division of Air, Rail and Transit, has administrative responsibilities for the disbursement of Federal Aviation Administration (FAA) funding for local airport projects in the state. This relationship between the FAA, SDDOT and City requires the specific designation of responsibilities for the process of requesting the reimbursement of incurred expenses.

The attached agreement is federally required for the SDDOT and City to continue the process of requesting reimbursements. The agreement also designates the City Manager as having signature authority for the processes involved.

Respectfully submitted,

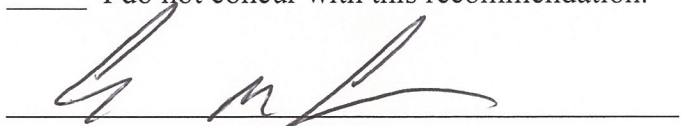


Dave Mingo, AICP
Community and Economic Development Director

Recommendation: It is recommended that the City Commission approve Memorandum #19-40, regarding the Agency Agreement between the South Dakota Department of Transportation and The City of Yankton for the processing of financial reimbursements for airport projects and designating the City Manager as the authorized representative with the authority to sign the agreement on behalf of the City.

I concur with this recommendation.

I do not concur with this recommendation.



Amy Leon, City Manager

____ Roll Call



Department of Transportation

Division of Secretariat

Office of Air, Rail & Transit

700 East Broadway Avenue

Pierre, South Dakota 57501-2586

OFFICE: 605/773-3574

FAX: 605/773-2804

February 8, 2019

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

RE: Agency Agreement

Dear Mr. Viereck:

As described in the body of the enclosed agreement, state law requires that all federal funding for airports goes through the SDDOT before being distributed to the airport sponsor. What this means is that you pay all costs for Airport Improvement Program (AIP) projects yourself and then I reimburse you the federal share of those costs. This is a blanket agreement that applies to all FAA funds. A separate State financial agreement will be issued for each AIP project as appropriate determining the state's share of that project's costs.

Please sign and return the enclosed *Agency Agreement* so that SDDOT will be able to continue processing financial reimbursements on all airport projects that include FAA funding. This agreement will be kept on file and updated as necessary.

As per Agreement, 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 should be attached hereto.

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

**AGENCY AGREEMENT
BETWEEN
STATE OF 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:

1. South Dakota Codified Law ("SDCL") § 50-7-17 provides "[n]o governmental agency in this state, whether acting alone or jointly with another governmental agency, may submit to the administrator of the federal aviation administration any project application under the provisions of any act of Congress which provides airport planning, construction, and development funds or other funds for the expansion and improvement of the airport system as such act shall pertain to the State of South Dakota, unless the project application has been first approved by the department (South Dakota Department of Transportation). No governmental agency may directly receive or disburse any funds granted by the United States under such act, but the governmental agency shall designate the department as its agent to receive and disburse funds."
2. The SPONSOR wishes to develop a municipal airport and seeks federal funding under the terms of any act of Congress ("ACT").
3. Pursuant to SDCL § 50-4-1, the STATE has statutory authority to assist in the development of aviation and aviation facilities within the state for the purpose of safeguarding the interests of those engaged in all phases of the industry and of the general public and promoting aeronautics.
4. The designation of the STATE as the SPONSOR'S agent to accept and receive federal funds on the SPONSOR'S behalf for airports or other airport purposes and to contract for the acquisition, construction, improvement, maintenance, or operation of airports or other aviation facilities is necessary in order for the SPONSOR to secure the financial assistance and aid it needs for the development of the airport.

THE PARTIES AGREE AS FOLLOWS:

1. THE STATE'S RESPONSIBILITIES

- A. The STATE will act as agent of the SPONSOR pertaining to the planning, prosecution, and completion of the airport development included and described in the above-mentioned project application submitted to secure federal aid, including, but not limited to, the following:
 - (1) The receipt and disbursement of all funds required to pay the costs of the proposed project including the receipt and disbursement of all funds made available by the federal government to pay the federal share of allowable project costs. The federal funds will be paid to SPONSOR under such terms and conditions as may be imposed by the Federal Aviation Administration ("FAA") in making the grant.
 - (2) The performance of all administrative services required in the preparation and processing of project documents and in securing approval of the project and the payment of applicants for grant payments by the federal government.
- B. The STATE acknowledges the approval of the project and project applications for the development of the airport by the SPONSOR to be submitted to the FAA under the provisions of the ACT.

C. The STATE, upon receipt of any funds to be deposited with the State Treasurer of South Dakota in accordance with the laws of the State of South Dakota appertaining to the deposit of federal and public funds, will cause a state warrant to be issued to the SPONSOR for the funds upon presentation of verified invoices or receipts for the funds, duly executed by the SPONSOR and approved by the STATE.

2. SPONSOR’S RESPONSIBILITIES

A. The SPONSOR agrees, after approval of the project application by the FAA and upon the acceptance of the grant agreement, the SPONSOR will perform or cause to be performed the development and management of the airport in the manner set forth in the grant agreement and under the conditions and terms as imposed by the ACT and any amendments, the rules and regulations of the FAA, and any supplemental guidance or grant assurances. The SPONSOR further agrees to assume all responsibilities and obligations pertaining to the ownership of airport property and to continued operation and maintenance of the airport as set for in the application for federal assistance (FAA Form 5100-100) submitted for a grant of federal funds.

B. The SPONSOR understands, pursuant to the ACT, federal laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the application, acceptance, and use of federal funds for this project, the SPONSOR, as a recipient of federal assistance, must include specific contract provisions in certain contracts, requests for proposals, or invitations to bid.

C. As owner of legal title to the airport property, the SPONSOR will take such formal action as may be required by the provisions of the ACT and the regulations issued pursuant to the ACT.

D. The SPONSOR will provide to the STATE an original and duplicate of all communications and notices with regard to the proposed project.

3. Nothing contained in this Agreement is intended to be, nor will it be construed to be, in violation of the laws of the United States or the State of South Dakota, nor in violation of the rules and regulations of the FAA or the STATE.

4. The SPONSOR has designated its City Manager as the SPONSOR’S authorized representative and has empowered the City Manager with the authority to sign this Agreement on behalf of the SPONSOR. A copy of the SPONSOR’S Commission or Council minutes or resolution authorizing the execution of this Agreement by the City Manager as the SPONSOR’S authorized representative is attached to this Agreement as **Exhibit A**.

This Agreement is binding upon the signatories not as individuals but solely in their capacities as officials of their respective organizations and acknowledges proper action of the STATE and the SPONSOR to enter into the same.

City of Yankton, South Dakota	State of South Dakota Department of Transportation
By: _____	By: _____
Its: City Manager	Its: _____
Date: _____	Date: _____

Attest:

City Auditor/Clerk

(CITY SEAL)

Memorandum #19-41

To: Amy Leon, City Manager
 From: Dave Mingo, Community and Economic Development Director
 Date: February 19, 2019
 Subject: Public Improvement Assessment Agreement for Walter's Addition.

Walter's Addition on the east side of Peninah Street was platted in 1991. The subdivision went through the City's standard process with one exception. The plat and associated 1991 Subdivider's Agreement didn't formally dedicate the future 20th Street right-of-way and account for the eventual costs of infrastructure improvements. If this plat was submitted today, those issues would have been addressed.

Our planning documents and area infrastructure improvement plans in the area have been based on having a future east-west link in the area between Peninah Street and Ferdig Avenue. The City already has some underground infrastructure making the connection through the Gurney Nursery property as a part of a separate agreement.

Having a third party involved as a fee title owner of the future right-of-way further complicates the situation. However, because of interest in construction on one of the adjacent lots, we now have an opportunity to correct the situation. City Attorney Den Herder and legal counsel for the Sejnoha's, owners of the adjacent lots, have worked through the details of providing for the future improvement of the section of street in question. The future 20th Street, in the 153.65 feet extending east of Peninah Street between Lot 8, Block 1 and Lot 1, Block 2, Walter's Addition, would be improved in the manner described in the attached Public Improvement Assessment Agreement.

The Agreement provides the tool the City needs to make sure the infrastructure is improved in return for allowing construction on the two referenced lots. The alignment of the street corridor extending east to Ferdig will be determined in the future when property adjacent to that corridor is subdivided.

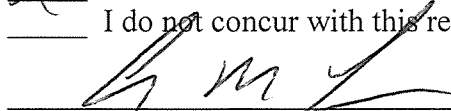
Respectfully submitted,



Dave Mingo, AICP
 Community and Economic Development Director

Recommendation: Staff recommends approval of Memorandum #19-41 authorizing the Mayor to sign the "Public Improvement Assessment Agreement" for the future 20th Street infrastructure improvements adjacent to Lot 8, Block 1 and Lot 1, Block 2, Walter's Addition

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



Amy Leon, City Manager

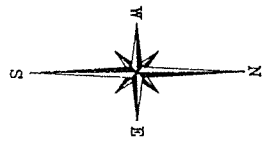
_____ Roll Call



City of Yankton

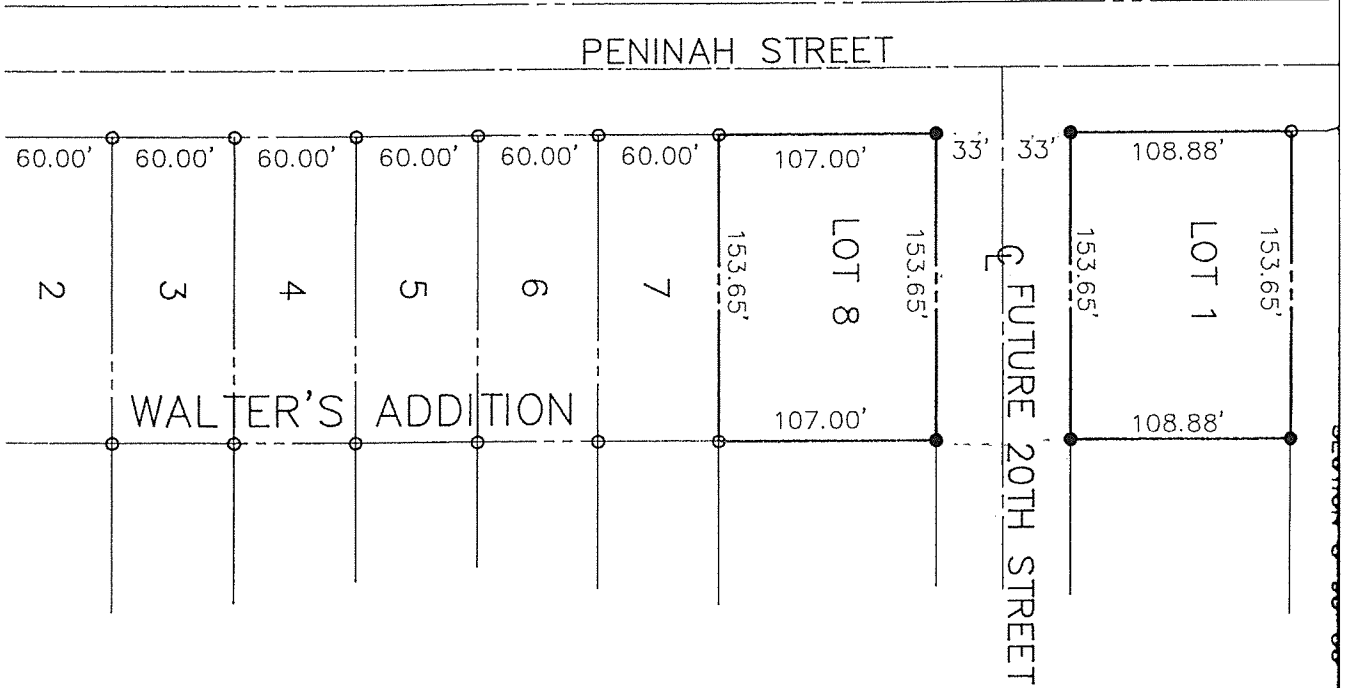
Agreement Location Map

VALLEY
VIEW
ESTATES



SCALE: 1"=60'

- PIN FOUND
- PIN SET



Prepared By:
Den Herder Law Office, P.C.
329 Broadway Avenue
Yankton, SD 57078
(605) 665-0494

PUBLIC IMPROVEMENT ASSESSMENT AGREEMENT

Lot Eight (8), Block One (1), Walter's Addition, and Lot One (1), Block Two (2), Walter's Addition, City and County of Yankton, South Dakota, as platted in Book S15, page 47

This agreement made this 08th day of February, 2019, between Gary Sejnoha and Dianne Sejnoha, hereinafter referred to as "the Property Owners" and the City of Yankton, a municipal corporation of the State of South Dakota, located in Yankton County, hereinafter referred to as "the City".

WHEREAS, the Property Owners are the owners of the real property located within the City legally described as Lot Eight (8), Block One (1), Walter's Addition, and Lot One (1), Block Two (2), Walter's Addition, City and County of Yankton, South Dakota, as platted in Book S15, page 47 (collectively referred to herein as "the Properties" and individually as "Lot 1" and "Lot 8"); and

WHEREAS the Properties are subject to the existing *Amended Subdivider's Agreement* dated May 11, 1992, which, to the extent such agreement is not inconsistent with the provisions herein, is hereby incorporated by reference; and

WHEREAS, the Property Owners desire to improve Lot 1 for residential purposes at this time and to improve Lot 8 for residential purposes in the future; and

WHEREAS, in consideration of the issuance of a building permit to develop Lot 1 now, and the issuance of a building permit to develop Lot 8 in the future, the Property Owners agree to comply with the terms of this Agreement, the Amended Subdivider's Agreement to the extent its provisions are not inconsistent with the terms set forth herein, all City Ordinances, and all laws, plans and regulations governing said development; and

WHEREAS the City shall issue a building permit for improvements on Lot 1, and any future building permit for Lot 8, on the condition that the Property Owners enter into this Agreement and that the Property Owners not be in default as to said agreement and all provisions of the *Amended Subdivider's Agreement* to the extent its provisions are not inconsistent with the terms set forth herein, all City Ordinances, and all laws, plans and regulations governing said development.

NOW, THEREFORE, in consideration of the issuance of a building permit for Lot 1 and future building permit for Lot 8, the Property Owners, on behalf of themselves, their transferees and assigns, do hereby agree to be bound by the following provisions:

A. Assessment for the Cost of Public Improvements.

1. The Property Owners, on behalf of themselves, their transferees, heirs, devisees, legatees, successors, and assigns, agree that one-half (½) of all costs incurred by the City for the installation and construction of all standard public infrastructure required by the City Subdivision Ordinance from the existing Penninah Street east to the eastern boundary of the Lot, including but not limited to roads, sanitary sewer, water distribution system, facilities for surface water drainage, sidewalks, street lights, and landscaping, as well as the cost of all necessary grading, labor, and engineering shall be assessed against Lot 1, and one-half (½) of all costs incurred by the City for the installation and construction of all standard public infrastructure required by the City Subdivision Ordinance from the existing Penninah Street east to the Eastern Boundary of the lot, including but not limited to roads, sanitary sewer, water distribution system, facilities for surface water drainage, sidewalks, street lights, and landscaping, as well as the cost of all necessary grading, labor, and engineering shall be assessed against Lot 8. Such costs will be assessed at the time such infrastructure is installed by the City and shall be amortized over a period of not less than forty (40) years. By their signatures affixed below, the Property Owners, on behalf of themselves, their transferees, heirs, devisees, legatees, successors, and assigns, hereby expressly waive their right to protest such assessments at the time they are imposed, and any written petition to protest the assessment filed on behalf of the then-current owners of Lot One (1) and Lot Eight (8) shall be disregarded and of no effect.

2. The Property Owners agree that the City shall retain all discretion with respect to the design, method, manner and timing of construction regarding such improvements, except that the City agrees that it will not construct such improvements until at least such time as the road between Lot 1 and Lot 8 connects with another improved public roadway. Notwithstanding the provisions of this paragraph, the Property Owners agree, on behalf of themselves, their transferees, heirs, devisees, legatees, successors, and assigns, that pending construction of such improvements, all structures and improvements constructed on the Properties shall comply with all front and side setback requirements as if such road and other improvements are already completed.

3. The Property Owners also agree that the City shall also retain discretion with respect to what materials are used to construct such improvements, and shall control all aspects of the construction of such improvements, including contractors selected, construction schedules, and design plans.

B. Sidewalks abutting Penninah Street and Driveways. The Property Owners, on behalf of themselves, their transferees and assigns, agree that nothing in this Agreement shall modify their obligations set forth in Sections 21-37 through 21-50 of the Yankton Municipal Code with respect to the construction of sidewalks on the Properties along the side of the property adjacent to Penninah Street, or the construction of driveways on the Properties.

C. Issuance of Building and Occupancy Permits. The Property Owners agree that no building permits will be issued for the Properties until this Agreement is executed by the parties, and the Property Owners (or their transferees, heirs, devisees, legatees, successors, and assigns) submit an application that, except as modified by this Agreement, meets all requirements for the issuance of a building permit set forth in the Yankton Municipal Code. The parties also agree that occupancy permits may be issued for the Properties despite the fact that the public improvements contemplated in paragraph A(1) have not be constructed so long as all other requirements for the issuance of such permits are met.

D. Transferability. The Property Owners hereby agree that this Agreement shall run with the land as it applies to Lot 1 and Lot 8, and shall be binding upon all transferees, heirs, devisees, legatees, successors, or assigns of the undersigned with the same force and effect and validity as agreed by the undersigned personally.

E. Miscellaneous Provisions.

1. *Recording.* This agreement shall be executed in recordable form, and shall be recorded at the City's expense with the Register of Deeds for Yankton County, South Dakota.

2. *Integration.* All parties agree that this agreement, along with the *Amended Subdivider's Agreement* dated May 11, 1992, contain the entire understandings between and among the parties, both written and oral, and supersede any prior understandings and agreements among them, both written and oral, respecting the subject matter of this agreement

3. *Modification.* This agreement shall not be modified, amended or supplemented without an authorized, written agreement between the parties.

4. *Law Governing.* This agreement shall be governed by and construed in accordance with the laws of the State of South Dakota. Each party agrees that any action related to this agreement must be brought in a court of competent jurisdiction in Yankton County, South Dakota.


5. *Scrivener's Presumption.* This agreement or any section thereof shall not be construed against any party due to the fact that said agreement or any section thereof was drafted by said party.

6. *Severability.* Each provision of this agreement is separable from the whole. If any portion of this agreement is determined to be unenforceable for any reason, then that invalidity shall not impair the remaining provisions of this agreement.

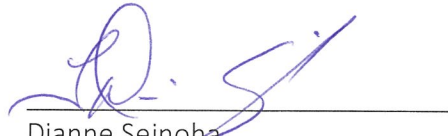
7. *Waiver.* No waiver by the City shall operate as a waiver of any other provision or any subsequent default.

[remainder of page left blank intentionally - next page is signature page]

8 IN WITNESS WHEREOF, the Property Owners have caused this Agreement to be signed this day of February, 2019.



Gary Sejnoha




Dianne Sejnoha

STATE OF SOUTH DAKOTA)
 :§
COUNTY OF YANKTON)

On this the 08th day of February, 2019, before me, the undersigned officer, personally appeared Gary Sejnoha and Dianne Sejnoha, husband and wife, known to me or satisfactorily proven to be the person whose names are subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.





Notary Public
My commission expires: 4-25-23

Accepted by the City of Yankton by vote of the Board of City Commissioners of the City of Yankton this ___ day of _____, 2019.

City of Yankton

By: Nathan V. Johnson, Mayor

ATTEST:

Al Viereck, Finance Officer

Memorandum #19-45

To: *Amy Leon, City Manager*
From: *Brittany LaCroix, Events and Promotions Coordinator*
Subject: *Request by Yankton Ribfest for Special Events Parking Ordinance #933 to be in place during their event and request for suspension of alcohol consumption*
Date: *February 15, 2019*

Yankton Ribfest will be taking place on June 1, 2019 in the Meridian District, organized by Dayhuff Enterprise staff and under the Rock N Rumble, LLC. Organization. The organizing committee is requesting a street closure on 3rd Street from Cedar to the alley between Walnut and Douglas and also ½ block closures on Walnut Street from 2nd to 3rd and 3rd to 4th Streets, shown on the map attached, to be in effect from 6:00 AM on June 1, 2019 until 2:00 AM on June 2, 2019 to allow for cleanup and tear down of the event. The event committee has been in contact with all business impacted by the closure.

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

The committee is requesting that Special Events Parking zone identifying boundaries of the zone and Tow Authorization be granted during this event for car traffic. The Yankton Ribfest Committee will place no parking signs 48 hours prior to the event on Wednesday, May 29, 2019. The committee will create a temporary sign to attach identifying details of the event. Yankton Ribfest Committee is also requesting A-frame be provided to hang no parking signs and barricades to be used to close the streets as mentioned above. The committee will coordinate with the Streets & Parks Departments to locate signs in appropriate areas.

The committee is also asking for a suspension of the open container law of the City of Yankton for the mentioned closed area. This request is to have the City of Yankton suspend the law for this event from 11:00 AM on Saturday, June 1, 2019 until 12:00am on Sunday, June 2, 2019. All alcohol will be sold in either an aluminum can or plastic cups and sold at one designated spot within the event closure. The committee has also been in contact with the bars located within the event closure to ensure any alcohol that leaves their bar needs to be in a plastic cup.

The Yankton Ribfest committee is working with the Events and Promotions Coordinator to get picnic tables, barricades, benches, cones, orange fence, garbage barrels, garbage dumpsters and special event A-frames. Exact numbers have not yet been determined.

Recommendation: It is recommended that the City Commission approve the special event with the special event parking ordinance in force and suspend the open container law for the area of 3rd Street from Cedar to the alley between Walnut and Douglas and also ½ block closures on Walnut Street from 2nd to 3rd and 3rd to 4th Streets, shown on the map attached, to be in effect from 6:00 AM on June 1, 2019 until 2:00 AM on June 2, 2019.

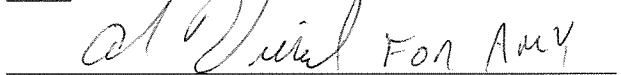
Respectfully submitted,



Brittany LaCroix
Events & Promotions Coordinator

I concur with the recommendation.

I do not concur with the recommendation.



Amy Leon
City Manager

Roll call

Resolution #19-12

Special Events Parking Request

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

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

WHEREAS, the Yankton Ribfest Committee has made a request to enact this no parking zone for their event on June 1, 2019.

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 Cedar to the alley between Walnut and Douglas and also ½ block closures on Walnut Street from 2nd to 3rd and 3rd to 4th Streets, shown on the map attached, to be in effect from 6:00 AM on June 1, 2019 until 2:00 AM on June 2, 2019

Adopted:

Nathan V Johnson, Mayor

ATTEST:

Al Viereck, Finance Officer

City of Yankton

Yankton Ribfest Event
June 1, 2019

Legend



Street Closure with
Proposed Open
Container



Stage



Alcohol Sales



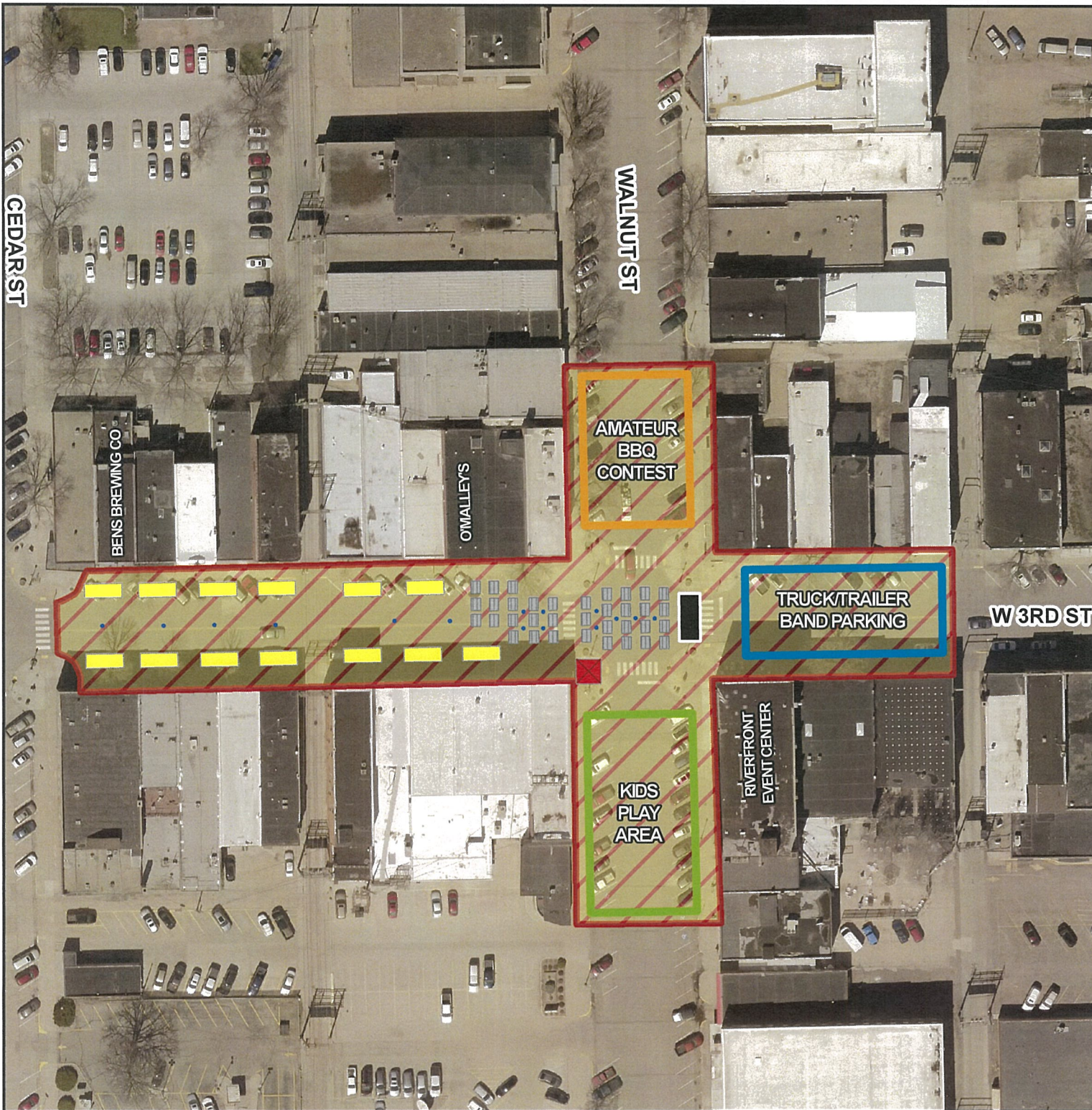
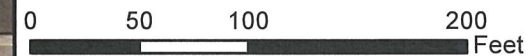
Food Truck



Picnic Table



Garbage Can



Memorandum #19-44

To: Amy Leon, City Manager
From: Brittany LaCroix, Events and Promotions Coordinator
Subject: South Dakota Kayak Association camping in Riverside Park on May 25
Date: February 15, 2019

Jarett Bies, organizer for the South Dakota Kayak Association is requesting camping in Riverside Park for the annual South Dakota Kayak Challenge which is set for May 24-25. The South Dakota Kayak Challenge is a marathon-endurance paddling race. It is being organized by the South Dakota Kayak and Canoe Association. For more information about the race please visit <http://sdkayakchallenge.org>

Racers will face 72 miles on the Missouri National Recreational River, starting in history-rich Yankton, S.D., and ending in less than 30 hours in South Sioux City, Nebraska. The race has had over 180 racers the past couple of years.

The start of the race will be on Saturday, May 25, at 7 a.m. on the sandy shore by the floating dock (south of the Capitol Replica) in Riverside Park.

The race organizers are requesting the City Commission allow tent camping in Riverside Park on the Friday night before the race. The group will be renting the Capitol Building as a shelter location in case there are weather issues during the evenings. This is the same request as in previous years.

The camping area will be limited to the grass area in front of the Capitol Replica and spreading to the east as numbers dictate. There were no issues with park campers in the previous years.

Mr. Bies is aware of the closure of the parking lot for this event. Mr. Bies has confirmed that they will have the campers unload kayaks on Levee and park in the East parking lot or in the public parking lot behind Hatch Furniture.

Recommendation: It is recommended that the City Commission allow camping in Riverside Park on Friday night, May 24, for the South Dakota Kayak Association event.

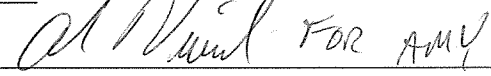
Respectfully submitted,



Brittany LaCroix
 Events and Promotions Coordinator

I concur with this recommendation.

I do not concur with this recommendation.


 Amy Leon, City Manager

Roll call