

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
September 9th, 2019**

Board of City Commissioners of the City of Yankton was called to order by Mayor Johnson.
Roll Call: Present: Commissioners Carda, Hoffner, Miner, Moser, Schramm and Webber. City Attorney Den Herder and City Manager Leon were also present. Absent: Commissioners Benson and Ferdig. Quorum present.

Action 19-231

Moved by Commissioner Webber, seconded by Commissioner Miner, to approve the Minutes of Work Session of August 26th, 2019 and the Minutes of Regular Meeting of August 26th, 2019.

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

Action 19-232

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

3D Specialties Inc - RT Kit - \$201.90; A Ox Welding Supply - Propane, Acetylene Gases - \$183.28; Adobe Creative Cloud - Contracted Service - \$53.24; Adobe Stock - Contracted Service - \$31.94; Airport Parking Reservat - Parking For Travel - \$67.98; Amazon - Batteries - \$5.10; Amazon - Welcome To Walnut - \$57.44; Amazon - Office Supplies - \$76.95; Amazon - Irrigation Controller - \$59.97; Amazon - Recreation Supplies - \$29.80; Amazon - First Aid Kits - \$70.55; Amazon - Office Supplies - \$14.39; Amazon - Park Supplies - \$170.39; Amazon - Rec Supplies - \$57.30; Amazon - Books - \$178.44; Amazon - Welcome To Walnut - \$75.20; Amazon - Dvds - \$313.37; Amazon - Rope Handle For Machine - \$15.96; Amazon - Medicine Ball & Speaker - \$123.29; Amazon - Cotton Swab - \$17.97; Amazon - Spring Collars - Weights - \$55.28; Amazon - Cotton Swabs - \$17.97; Amazon - Office Supplies - \$85.72; Amazon - Janitorial Supplies - \$136.21; American - Conference - \$30.00; Arbys - Training Expense - \$9.76; Assoc Of Fire - Annual Membership - \$240.00; AT&T Bill Payment - Cell Phone - \$367.76; Auto Value Parts Store - Seat Covers - \$755.34; Auto Value Yankton - Truck Supplies - \$40.79; Autozone - Battery - \$854.82; Avenu Insights & Analytics LLC - Maint Program Support - \$1,902.02; Avera Health Plans - Flex Spending Fees - \$38.80; Avera Sacred Heart Hospital - Vaccinations - \$122.43; Backdraft Magazine - Advertisement - \$155.00; Baker-Taylor - Books - \$3,540.33; Banner Associates Inc - Professional Services - \$360.00; Bartlett & West Inc - Gravity Sewer Design - \$6,957.06; Becker Body Shop - Repairs - \$6,328.40; Big D - Travel Expense - \$22.62; Blackstrap Inc - Road Salt - \$3,138.96; Bomgaars - Pump - \$1,669.34; Bound To Stay Bound - Books - \$78.27; Buhl Cleaners - Towels - \$377.98; C & C Hauling & Const Inc - 19th & Peninah Concrete - \$11,169.96; Arda/Christy - Refund - \$100.00; Caseys - Travel Expense - \$31.00; Cava Grill Arundel - Conference Expense - \$16.19; Cedar Knox Public Power Dist - Elect - \$1,271.98; Center Point Large Pri - Large Print Books - \$134.22; Centurylink - Phone - \$1,277.89; Charge.Prezi.Com - Software Subscription - \$118.00; Chesterman Company - Concessions - \$100.00; CHS - Def - \$82.50; CHS Freeman SDREF Fuels - Fuel - Def - \$406.15; City Of Vermillion - Jt Power Cash Trans - \$81,740.08; City Of

Yankton-Central Garage - Rubbish - \$24.00; City Of Yankton-Parks - Landfill Charges - \$447.06; City Of Yankton-Solid Waste - Compacted Garbage - \$14,676.66; City Of Yankton-Street - Rubbish - \$146.37; City Utilities - Wtr-Ww Charges - \$44,375.52; Clarks Rentals Custom - Travel Expense - \$50.60; Clarks Rentals Custom - Rental - \$40.00; Concrete Material - Concrete - \$1,745.70; Concrete Materials - Cure, Concrete Rake, Broom - \$856.85; Congress Plaza Hotel - Hotel - IACP Conference - \$389.18; Conoco - Travel Fuel-ICAC Op - \$47.00; Continental Research C - Pool Chemicals - \$873.09; Core & Main - Watermain Supplies - \$3,898.65; Cornhusker Intl Truck Inc - Filters - \$106.41; Cornwell DP Tools Inc - Test Leads, Ratchets - \$378.76; Cox Auto Supply - Belt - \$72.32; Credit Collection Service Inc - Ut Collection - \$304.84; Crescent Electric - Vfd Replacement - \$5,514.80; Dash Medical Gloves - Medical Safety Equipment - \$87.90; Den Herder Law Office, P.C. - Contracted Services - \$9,912.65; Department Of Environment - Permit Fee - \$256.25; Dept Of Corrections - Doc Work Program - \$1,475.23; Design Solutions & Integration - Service Call - \$325.00; Desktop Supplies - Office Supplies - \$477.53; Dianes Greenhouse - Trees - \$381.80; Dominos Pizza - Teen Night - \$123.20; Dons Sinclair - Training Fuel - \$26.00; Dude Solutions Inc - Software - \$7,500.00; Echo Electric Supply - Electrical Parts - \$174.96; Electrical Engineering & Equip - Repair Generator - \$702.50; Embroidery - Uniforms - \$225.90; Endress & Hauser Inc - E & H Mag Meter - \$5,098.73; Endress Hauser Inc - Primary Pit Radar - \$1,142.57; Ethanol Products LLC - Co2 - \$1,415.75; Facebook - Advertising - \$28.24; Farm & Home Publishers - Books - \$280.00; Fastenal Company - Insert - \$49.20; Fastenal Company 01sdy - Shop Towels - \$1,078.81; Fedex - Postage - \$13.14; Feimer Construction - Repair 10th & Green - \$31,746.87; Ferguson Waterwrks - Meters - \$3,325.74; Fluitek Corporation - Blower Filters - \$585.49; Fountain People, Inc. - Splash Pad Controls - \$390.00; Fred Haar Company - Fuel Filters - \$77.94; Frontier Mills Inc - Grass Seed - \$484.32; Geotek Eng & Testing Serv Inc - Water Purificaion Fac - \$5,448.50; Gerstner Oil Co - Av Gas - \$68,853.45; Good Housekeeping - Subscription - \$10.00; Govt. Finance Officer Assn - Membership Renewal - \$190.00; Graham Tire - Mower Repairs - \$359.34; Grainger - Plastic Fittings - \$324.68; Graymont Capital Inc - Lime - \$18,662.59; Hach Company - Lab Supplies - \$443.03; Hansen Locksmithing - Spare Keys - \$12.00; Hanson Briggs - Office Supplies - \$127.10; Hartington Tree - Trees - \$439.00; Hawkins Inc - Chemicals - \$25,379.42; HDR Engineering Inc - Water Plant Construction - \$70,184.86; Heritage Homes Inc. - 1/2 Sp Appropriation - \$1,250.00; Holiday Inn At KCI - Training Lodging - \$1,239.08; Holiday Stations - Fuel - Travel - \$6.00; Howe Inc. - Fire System Inspection - \$350.00; Hy-Vee Yankton - Retirement Cake - \$247.19; IACP - IACP Registration - \$795.00; Ingersoll Rand Company - Air Compressor - \$1,882.23; Innovative Office Solutions - Paper - \$601.52; Instrumart - Sludge Inlet Controller - \$647.00; Intl Code Council Inc - Code Book - \$88.40; J & H Care & Cleaning Company - Janitorial Supplies - \$4,000.00; J.J Benjis - Sand Volleyball League - \$769.00; J2 Metrofax - Fax - \$7.95; Jacks Uniforms & Equi - Uniform Belt - \$82.94; Jackys Restaurant - Training Expense - \$13.17; JCL Solutions - Cleaning Supplies - \$2,730.85; Jebro Inc - Liquid Asphalt - \$33,515.38; Jimmy Johns - Staff Training - \$225.00; Johns Service - Battery - \$188.20; Jones Construction/John T - Water Plant C-15-17 - \$1,461,098.97; Kadrmas Lee & Jackson Inc - Apron Project - \$7,793.06; Kaiser Heating & Cooling Inc. - A/C Repair - \$133.22; Kaiser Refrigeration I - Equipment Repairs - \$532.22; Kaiser Refrigeration Inc - Service Call - \$626.90; Kendell Doors - Keys - \$24.32; Kleins Tree Service - Tree Removal - \$4,670.00; Kopetskys Ace - Truck Supplies - \$801.29; K-Scale LLC - Scale Repairs - \$859.46; Language Line - Interp Services - \$63.22; Larrys Heating - Filters - \$42.25; Larry's Heating & Cooling - Repairs - \$150.00; Laser Barn Laser Tag - Summer

Programs - \$325.00; Law Enforcement Training - CUSA Licenses - \$150.00; Lax Engineered Solution - OC Ahu Honeywell Control - \$374.93; Love S Travel - Fuel - Travel - \$37.95; Magazines.Com - Subscriptions - \$132.66; Mark S Machinery Inc - Mower Repairs - \$1,603.74; Marks Machinery - Marne Creek Utv - \$34,302.71; Marlins Family - Training Expense - \$11.27; Marshall-Bond Pumps Inc - ODS Pump - \$7,552.76; Masonry Components Inc - 21st Const C-8-19 - \$422,957.56; Mead Cultural Education Center - Cemetery Walk - \$500.00; Mead Lumber - Shop Supplies - \$167.53; Menards - Riverboat Day Cones - \$1,683.34; Mens Health - Subscriptions - \$20.00; Merkel Electric - Electrical Labor - \$401.59; Midamerican Energy - Fuel - \$852.02; Midamerican Energy - Fuel - \$583.93; Midwest Alarm Company Inc - Alarm Monitoring - \$126.00; Midwest Laboratories - Nutrients Testing July - \$285.68; Midwest Tape - Av - \$267.93; Midwest Turf & Irrigat - Equipment Supplies - \$373.43; Millenium Recycling - Single Stream - \$1,997.10; Monarch City USA - Signs - \$650.00; Mount Marty College Bo - Summer Reading Program - \$285.00; Mytarp.Com - Gym Floor Cover Tarp - \$313.08; National Emergency TRA - Conference Registration - \$126.52; National League Of Cities - Membership Dues - \$1,533.67; NCL Of Wisconsin Inc - Lab Bod Seed - \$113.25; Nebraska Air Filter - Filters - \$240.98; Nelson Electric Service - Electrical Labor - \$26.39; NFPA Natl Fire Protect - Fire Prevention Week - \$67.54; Northtown Automotive - Transfer Case Module - \$118.80; Northwestern Energy - Elect - \$66,096.18; Northwestern Energy - Rerouting Service - \$195.00; Novelty Machine Inc - Pump Packing - \$138.17; Observer - Advertisements - \$173.00; Olsons Pest Technician - Pest Control - \$5,189.00; One Office Solution - Printer Ink - \$373.33; OReilly Auto - Degreaser - \$1,210.67; OReilly Auto - Control Arm Assembly - \$325.54; Overdrive Dist - Ebooks - \$2,364.49; Overhead Door Co - Service Call - \$1,168.40; Parlyl Properties - Sockets - \$13.50; Paypal Battery Jun - Batteries - \$135.00; Paypal - Toner - \$74.00; Phillips 66 - Training Expense - \$13.69; Pizza Ranch - Employee Appreciation - \$508.68; Police Chiefs' Assn - Testing Materials - \$575.00; Power Systems - Resistant Bands - \$188.40; Powers Port A - Porta Pots-Rockin Rumble - \$650.00; Press Dakota MStar Solutions - Classified Ad - \$2,050.45; Prime Video - Supplies - \$10.64; Pro Auto Inc - Blast And Prime Rims - \$201.00; Push Pedal Pull Corp - Equipment Repairs - \$1,126.70; Quill Corporation - Office Supplies - \$65.97; Racom Corporation - Radio Access - \$1,007.98; Rasmussen Mechanical Sevices - Boiler Tube Replacement - \$1,870.48; Red Cross Trng & Prod - Red Cross Class - \$38.00; Riverside Hydraulics - Hose And Hyd. Ends - \$668.93; Rons Auto Glass - Windshield Taurus - \$488.65; Rugged Depot LLC - Patrol Car Equipment - \$52.00; S & P Global Rating - Professional Services - \$20,500.00; Safety Kleen Systems Inc - Hazardous Recycling - \$2,116.20; Sanitation Products Inc - Repairs - \$2,077.97; Schneider/James - Irrigation Repairs - \$211.37; SD Library Association - SDLA Conference - \$655.00; SD Office Of Weights & Measure - Scale Testing - \$103.00; Shape Magazine - Subscription - \$18.97; Sherwin Williams - Paint - \$217.55; Sherwin Williams Co - Traffic Paint - \$1,377.57; Shuttle Express Inc - APWA Conference Expense - \$88.00; Sioux City Foundry Co - Blades - \$26,065.95; Smartsign - Signs - \$399.44; South Dakota One Call - Message Fee - \$301.35; South Dakota Planner's Assn - Registration Fee - \$80.00; Southwest - Transportation To IACP - \$10.00; Sprinkler Warehouse - Irrigation Supplies - \$480.92; Square Sq Said - Cab - \$23.10; Stan Houston Equipme - MSA Gas (Safety) - \$275.99; State Hygienic Laboratory - Lab Testing - \$1,080.00; Stern Oil Co Inc - Fuel - \$23,171.20; Stockwell Engineers Inc - Aquatic Facility Design - \$290,151.10; Stop Stick Ltd - Stop Sticks CSO Vehicle - \$537.00; Strong Estate/Jesse - Refund Deposit - \$179.66; Sturdevants - Equipment Repairs - \$68.10; Subway - Budget Meeting - \$77.74; Tessman Company - Chemicals - \$2,902.51; TFS Fisher Sci - Glucose Glutamic Acid - \$66.19; The Ups Store -

Sampler Head Shipping - \$92.83; Thyssenkrupp Elevator Corp - Elevator Test - \$609.00; TMA Yankton - Tires - \$2,065.51; Toms Electric - Repairs - \$1,759.37; Transource - Wiper Blades - \$248.29; Tre Environmental Strategies - 3rd Qtr Testing - \$950.00; Tri-State Turf - E Hwy 50 Irrigation - \$15,849.00; TRK Hosting - Web Hosting - \$7.95; Truck Trailer Sales - Seat Belt - \$98.35; Truck Trailer Sales Inc - ECCO Clean - \$1,891.75; Trugreen Commercial - Lawn Treatment - \$98.73; Turfwerks Eagan - Equipment Repairs - \$232.78; Tweedy/Mike - Irrigation Repairs - \$293.97; Two Way Solutions Inc - Repairs - \$1,025.00; U.S. Plastic Corporati - Reducer - \$90.39; U.S. Post Office-Util - Ut Postage - \$1,400.00; United Parcel Service, Inc - Postage - \$29.00; United States Postal Service - Postage Meter - \$568.00; United Way - 1/4 Sp Appropriation - \$9,831.25; Us Bank Spa Lockbox Cm9695 - Drink Water C462038-06 - \$768,958.54; Us Weekly Magazine - Subscription - \$80.00; USA Blue Book - PH Electrode - \$577.04; USPS Po - Postage - \$70.90; Van Diest Supply Company - Chemicals - \$27.41; Verizon Wireless - Internet Access - \$866.40; Viddler Inc - Video Hosting - \$41.49; Vogel Paint Inc - Traffic Paint - \$215.35; Vogt/Krista - Refund - \$18.76; VWR International Inc - Lab Supplies - \$1,104.17; Walmart - Dvds - \$610.64; Walmart - Office Supplies - \$673.29; Walmart - Summer Reading Program - \$30.00; Watchguard Video - Watchguard Video - \$112.00; Wendys - Travel Expense - \$9.65; Wholesale Supply Inc - Concessions - \$769.10; Willa Bs Bistro - Programming Supplies - \$32.20; Womens Health - Subscriptions - \$15.99; Xtreme Car Wash - Patrol Car Washes - \$273.00; Yankton Area Convention & - 1/4 Sp Appropriation - \$52,430.75; Yankton Area Prog. Growth - 1/4 Sp Appropriation - \$57,500.00; Yankton County Auditor - YC Capital Improve Cost - \$15,740.81; Yankton County Observe - Newspaper Subscription - \$30.00; Yankton County Treasurer - Taxes - \$265.18; Yankton Janitor Supply Inc - Cleaning Supplies - \$108.10; Yankton Pizza Ranch - Staff Appreciation - \$146.01; Yankton Police Department - Training - \$278.94; Yankton Redi Mix - Concrete - \$8,309.50; Yankton Rexall Drug - Summer Reading Program - \$14.86; Yankton Rotary Club - Membership Dues - \$200.00; Yankton School District 63-3 - Resurface Parking Lot - \$69,172.98; Yankton Transit Inc - 1/2 Sp Appropriation - \$22,665.00; Yankton Winnelson Co - Bathroom Faucet - \$464.90; Yanktonmediainc - Sludge Removal Notice - \$32.52; Ykt Janitorial & Dt Sc - Safety Stair Treads - \$1,008.41

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

Motion adopted

August 2019 Salaries by Department: Administration \$41,270.82; Finance \$33,872.22; Community Development \$24,305.05; Police/A.C./Dispatch \$159,060.00; Fire \$12,507.62; Engineering / Sr. Citizens \$48,677.32; Streets \$45,083.74; Traffic Control \$3,724.38; Library \$28,752.75; Parks / SAC \$99,532.91; Memorial Pool \$25,054.65; Marne Creek \$5,475.49; Water \$43,067.10; Wastewater \$43,492.78; Cemetery \$6,167.18; Solid Waste \$20,732.15; Landfill / Recycle \$18,929.11; Central Garage \$7,171.01

New Hires: Aleesha Alverson \$10.50 hr. Rec Div and Kory Bromley \$9.75 hr. Rec Div

Wage Changes: Belen Albertos Asencio \$10.50 Hr. Rec Div; Thomas Lafave \$10.00 Hr. Rec Div; Hannah Nelson \$10.50 Hr. Rec Div; Melinda Reichert \$13.25 Hr. Rec Div

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

Mayor Johnson read the Meridian District Arts Project Proclamation encouraging all citizens and visitors to our community to enjoy the art throughout downtown Yankton. Brittany LaCroix, City Events Coordinator, and Julie Amsberry, Executive Director of the Yankton Area Arts Association, were in attendance.

Action 19-233

Moved by Commissioner Moser, seconded by Commissioner Schramm, that the following items on the Consent Agenda be approved.

1. Work Session
Setting date of September 23, 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 FEMA Update and WWTP Conditional Assessment Update

2. Approving Current Volunteer Firefighter List
Consideration of Memorandum #19-190 regarding approving the current list of Volunteer Firefighters per Workers' Compensation and SDCL requirements

Binde, Brad
Binder, Tim
Blom, Cole
Fitzgerald, Mike
Frick, Adam
Frick, Brian
Frick, Steve
Frick, Tom
Gullikson, Mike
Haas, Andy
Haberman, Adam
Harris, Samuel
Hladky, Richard
Hofer, Kasey C
Holmstrom, Tom
Johnson, Jody
Kaiser, Ryan
King, Adam
Kneifl, Brandon
Kozak, Gary
Kraft, John
Kuchta, Michael
Kuehler, Dave
Kuehler, Mark
Kurtenbach, Thomas R.
Miller, Chad
Moore, Pete
Moser, Brad
Nickels, Terry
Nickles, Larry
Nickles, Mark
Nighbert, Matt
Nolz, Pat
Prendable, Daniel
Raab, Larry E
Taggart, Bill
Villanueva, Mike
Wagner, Josh
Walsh, Dave
Walsh, Jay
Webber, Jerry L
Woehl, Brook
Woehl, Toby
Ziegler, William (Bill)

3. Meeting Date Change
Discussion to establish Tuesday, November 12, at 7:00 pm as the date and time for the first City Commission meeting in November.
4. Establishing public hearing for sale of alcoholic beverages
Establish September 23, 2019, as the date for the public hearing on the request for a Special Events Retail (on-sale) Liquor License for 1 day, October 4, 2019, from Dayhuff Enterprises, Inc. d/b/a O'Malley's Bar (Jeff Dayhuff, President), NFAA, 800 Archery Lane, Yankton, S.D.

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

Action 19-234

This was the time and place for the public hearing to consider adoption of Ordinance No. 1024, AN ORDINANCE TO APPROPRIATE MONIES FOR DEFRAYING THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF YANKTON, SOUTH DAKOTA, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2020, AND ENDING DECEMBER 31, 2020, AND PROVIDING FOR THE LEVY OF ANNUAL TAXES FOR ALL FUNDS CREATED BY ORDINANCE WITHIN SAID CITY.

Moved by Commissioner Carda, seconded by Commissioner Moser, to approve Ordinance No. 1024.

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

Action 19-235

Moved by Commissioner Carda, seconded by Commissioner Moser, to approve Resolution 19-42.

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

RESOLUTION 19-42

WHEREAS, a proposed annual budget for the fiscal year commencing January 1, 2020, has been prepared by the City Manager; and,

WHEREAS, the City Commission has examined, studied, and reviewed said proposed annual budget; and,

WHEREAS, the City Commission has after due consideration and deliberation, made such amendments and adjustments in the proposed annual budget as they consider necessary, desirable, or expedient.

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

1. The proposed annual budget attached hereto and made a part hereof is approved and effective January 1, 2020.
2. The City Manager is authorized to record all inter-fund transfers as contained in said approved annual budget.

3. The City Manager is authorized and directed to implement and to administer, within the budgetary funding limits and within adopted City policy and relevant State and City laws and regulations, said annual budget.

Action 19-236

Moved by Commissioner Miner, seconded by Commissioner Webber, to approve the Health Insurance Committee's recommendation to renew with the same carrier, Avera, offering the same traditional coverage plan and the same HSA plan for 2020 at an approximate increase of 9.7%, the Assurant/Sun Life vision insurance plan with no cost increase, the Delta Dental insurance plan with a 2.0% increase, and the Avera EAP plan with a 2% increase, for 2020, with the City paying 100% of the single dental insurance plan, as well as 100% of the premium for the \$15,000 life insurance policy for each employee. (Memorandum 19-186)

Roll Call: Commissioners voting "Aye" were Carda, Hoffner, Miner, Schramm, Webber and Mayor Johnson; voting "Nay:" None. Abstain: Commissioner Moser.
Motion adopted.

Action 19-237

Moved by Commissioner Moser, seconded by Commissioner Schramm, to approve Resolution 19-46. (Memorandum 19-191)

RESOLUTION 19-46

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

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

SURPLUS PROPERTY TO BE SOLD, TRADED, DONATED OR DESTROYED

2002 Dodge Durango VIN #1B4HS38N62F182105; 2005 Chevrolet Impala - VIN #2G1WF52E959314475); 2013 Chevrolet Caprice -VIN #6G1MK5U28DL825238; Vicon Spreader Model 888401A; Old IBM Selectric II typewriter; Old Swintec 2600 typewriter; Sturdy wooden bookcase 73.5-inch X 30.5-inch X 15-inch with 8 compartments; Bookcase - 5 shelves, (particle board) 29-inch X 71-inch X 11.5-inch; Xyron Pro 1250 B - Manual adhesive application and laminating system; 2005 JVC 25" TV; Triview Security Monitor; 1999 Emerson small TV; Old VHRK VCR; Wooden TV entertainment center; 2017 Sanyo 40" Flat Screen TV; Surefire battery charger, Model CN200; Siren Control Box - Shome, Model 30.2; Code 3 Light Control Box; Petmate Deluxe Portable dog kennel; Office chair - 4 wheeled; Old office task chair - cloth; Old office task chair - metal/vinyl; 4 - Havis/Panasonic vehicle computer docking stations; Uniden portable cassette recorder w/padded case; D & R electronics trunk tray; WatchGuard body mics and chargers; 5 - EF Johnson battery chargers; 28 - OTTO communications portable radio mics; 4 - Ericsson Universal Rapid multi battery chargers; 2 - Master Battery Chargers; 1 System 90 IQ Plus Battery conditioner; 10 - Ericsson Silgler battery chargers; 16 Belt Radio Holders; OSI Battery; Criminalistics INC Hotdog with pager system; Action Packer Rubbermaid Tote; Rugar M77 308 Win; 5 - Eotech Weapon Sight; Collapsible portable kennel; old police light bar; Small old cabinet; Small computer paper desk table; Kent Klenzer

7 gallon carpet extractor; old electric dryer (CW3720376); 2010 Snapper walking lawn mower; Prism Image Projector; Hitachi Projector/case & extra bulb; Small wooden cart; Kent Select Scrub 20 Floor Scrubber; 1996 Seated Dip; 1996 Seated Leg Curl; 1998 Seated Tricep; 1998 Seated Bicep; 1998 Free Standing Cable X-over 2 X 150#; 2000 C546 Precor Elliptical cross-trainer; 2002 Precor Dual Elliptical; 2006 Stairmaster 4600; 2006 True Recumbent Bike; 2006 True Recumbent Bike; 2007 Sprintsart Recumbent Bike; 2011 Landice E950 Elliptical; 2012 True CS550 Treadmill; 2007 MSA Solaris portable gas detector; 3 - 1985 ISCO Model 1680 Programmable Samplers; 1985 ISCO – assorted bases/bottles & carboys; 2013 Snapper lawn tractor mower

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

Motion adopted.

Action 19-238

Moved by Commissioner Carda, seconded by Commissioner Webber, to approve change order No. 5 in the amount of \$48,897.00 increasing the project cost to total of \$34,511,549.71 for the Water Purification Expansion Project. (Memorandum 19-192)

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

Motion adopted.

Action 19-239

Moved by Commissioner Carda, seconded by Commissioner Hoffner, to approve the City Manager to sign all documents necessary for the EDA Application and the City of Yankton commit to providing match funding at 20% for EAA recovery Project for the City of Yankton not to exceed \$9,500,000.00. (Memorandum 19-194)

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

Motion adopted.

Action 19-240

Moved by Commissioner Miner, seconded by Commissioner Webber, to adopt Resolution 19-43. (Memorandum 19-187)

RESOLUTION 19-43

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

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

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

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

- I. The following municipal wastewater rates are hereby adopted, effective for bills rendered after November 1, 2019
 1. Class I - Residential

- a. Shall pay a monthly fixed user charge of \$10.69 per month.
 - b. Shall pay an incremental cost of \$6.48 per 1,000 gallons based on a monthly average derived from water consumption during the winter period of December, January, and February as billed in January, February, and March; or to a maximum of 5000 gallons where there is no winter base period.
2. Class II - Commercial and Industrial
 - a. Shall pay a monthly fixed user charge of \$10.69 per month.
 - b. Shall pay an incremental cost of \$6.48 per 1,000 gallons as billed for water consumption.
3. Class III - Industrial
 - a. Shall pay a monthly fixed user charge of \$10.69 per month.
 - b. Shall pay an incremental cost of \$6.48 per 1,000 gallons as billed for water consumption.
 - c. Shall pay an incremental cost of \$0.97/lb. BOD₅ surcharge (over 220 mg/l strength) and \$0.343/lb. TSS surcharge (over 250 mg/l strength). Said surcharge rates shall be determined based on test monitoring results for the month billed.

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

Action 19-241

Moved by Commissioner Moser, seconded by Commissioner Schramm, to adopt Resolution 19-44.
(Memorandum 19-188)

RESOLUTION 19-44

WHEREAS, the City of Yankton has determined that it is necessary to adjust the existing solid waste collection rates to reflect a five percent (5.0%) operating rate increase over current levels;

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

That the following solid waste collection rates shall be adopted effective with billings after November 1, 2019;

Class I Residential - \$22.92 per month plus tax.

Class II Commercial / Industrial - \$22.92 per month per unit plus tax.

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

Action 19-242

Moved by Commissioner Schramm, seconded by Commissioner Miner, to adopt Resolution 19-45.
(Memorandum 19-189)

RESOLUTION 19-45

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

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

WHEREAS, the City of Yankton determined during the recent budget workshop that a five percent (5%) increase should be applied to the water consumption rate;

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

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

1. Residential, Commercial, Municipal, and Industrial Consumption Rates

Effective with the billing issued after November 1, 2019, water used or consumption will be charged at a rate of \$6.12 per each thousand gallons consumed.

2. Non-City Residential, Commercial, and Industrial Rates

All water sold by the City for residential, commercial, or industrial use to any meter location outside the city limits of Yankton shall be at a rate twice that charged for City water users as established by this resolution unless otherwise established by the City Commission.

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

Motion adopted.

Action 19-243

Moved by Commissioner Carda, seconded by Commissioner Miner, to approve Resolution 19-47. (Memorandum 19-193)

RESOLUTION 19-47

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 are or areas and times specified for Special Events; and

WHEREAS, the Harvest Halloween Committee has made a request to enact this no parking zone for Walnut Street from 2nd to 3rd Street beginning at 7:00 am on Friday, October 25, 2019 and ending on Monday, October 28, 2019 at noon; as well as 3rd Street from the alley between Cedar Street and Walnut Street and the alley between Walnut Street and Douglas Avenue from 7:00 am to 10:00 pm on Saturday, October 26, 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 for Walnut Street from 2nd to 3rd Street beginning at 7:00 am on Friday, October 25, 2019 and ending on Monday, October 28, 2019 at noon; as well as 3rd Street from the alley between Cedar Street and Walnut Street and the alley between Walnut Street and Douglas Avenue from 7:00 am to 10:00 pm on Saturday, October 26, 2019, and suspend the open container law for the pub crawl from 5:00PM until 9:00 PM on Saturday, October 26, 2019 with the exception of open containers on Broadway and 4th Street, as they are State Highways, on which alcohol consumption is prohibited.

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

Motion adopted.

Action 19-244

Moved by Commissioner Moser, seconded by Commissioner Webber, to adjourn into Executive

Session at 8:02 p.m. to discuss **contractual litigation** matters under SDCL 1-25-2.

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

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

Roll Call: Present: Commissioners Carda, Hoffner, Miner, Moser, Schramm and Webber. City Attorney Den Herder and City Manager Leon were also present. Absent: Commissioners Benson and Ferdig. Quorum present.

Action 19-245

Moved by Commissioner Carda, seconded by Commissioner Miner, to adjourn at 8:43 p.m.

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

Nathan V Johnson
Mayor

ATTEST:

Al Viereck
Finance Officer