



CITY OF YANKTON

2020_05_26

**CITY 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.

Tuesday, May 26, 2020

Due to the COVID-19 virus, this meeting will be conducted electronically in compliance with SDCL. If you would like to watch the City Commission meeting you can do so by accessing the City of Yankton's YouTube Live Channel.

<https://www.youtube.com/channel/UCD1a1hf1dIkiLVSXnmdRQg/live>

If you would like to participate in the City Commission Meeting, you can comment or ask questions utilizing the chat function on the YouTube Livestream, or email commission@cityofyankton.org or call (605) 668-5251

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

I. ROUTINE BUSINESS

1. Roll Call

2. Approve Minutes of regular meeting of May 11, 2020

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. Notice to Call for City of Yankton Election

Establish 12:00 pm, on Friday, June 5, 2020, as the time and date of a "Notice to Call" a Special City Commission meeting to canvass the election returns of the City of Yankton Election to be held on Tuesday, June 2, 2020

Attachment II-1

2. Budget Workshop Discussion

Discussion to set Budget workshop meeting dates for June 15-16, 2020 starting at 5:30 pm

3. **Establishing public hearing for Transfer of Ownership & Location (on-off Sale) Malt Beverage & Farm Wine License**

Establish June 8, 2020, as the date for the public hearing on the transfer of ownership and location of a Retail (on-off sale) Malt Beverage & SD Farm Wine License for July 1, 2020, to June 30, 2021, from Shree, LLC d/b/a Shree, LLC (Diapan Patel, Owner), 821 Broadway Avenue, to P & P Lottery Enterprises, LLC d/b/a Pin-ups Casino & Gaming Lounge (James Palmer, Member), 3010 Broadway Avenue, Room 5, Yankton, S.D.

Attachment II-3

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 – Special Event**

Consideration of Memorandum #20-98 regarding the request for a Special Events (off-sale) Package Wine & Malt Beverage Dealers License for 1 day, July 18, 2020 from Yankton Area Arts (Julie Amsberry, Executive Director), 508 Douglas, GAR Hall & GAR Hall parking lot & Sacred Heart Church parking lot next to GAR Hall, for a Picnic dinner & drink pick up, Yankton, S.D

Attachment III-1

2. **Public hearing for renewal of Malt Beverage Licenses**

Consideration of Memorandum #20-99 regarding the applications for renewal of Malt Beverage Licenses for the 2020-21 licensing period

Attachment III-2

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. **Sidewalk Café License**

Consideration of Memorandum #20-101 regarding Sidewalk Café License-301 East 3rd Street – d/b/a The Boat House

Attachment IV-1

2. **Highway Infrastructure Funds**

Consideration of Memorandum #20-102 regarding Resolution #20-36 to apply for Highway Infrastructure Funds for Cedar Street Bridge

Attachment IV-2

3. **Bid Award – 12th Street & Pine Street Reconstruction Project**

Consideration of Memorandum #20-103 regarding Bid Award for 12th Street & Pine Street Reconstruction project

Attachment IV-3

4. Ordinance Pertaining to COVID-19 – Set Public Hearing

Introduction, first reading regarding Ordinance #1034 granting powers to slow the spread of the SARS CoV-2 virus causing COVID-19 disease

Attachment IV-4

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 MAY 26, 2020

The City of Yankton Community Meeting Room is accessible to everyone. If you have any additional accommodation requirements, please call 668-5221.

Should you have any reason to believe an open meetings law has been violated please contact the Open Meetings Commission at the South Dakota Office of the Attorney General at: 1302 E. Hwy 14, Suite 1, Pierre, SD 57501-8501 or by phone at 605-773-3215.

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
MAY 11TH, 2020**

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

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

Action 20-225

Moved by Commissioner Hoffner, seconded by Commissioner Carda, to approve Minutes of Special City Commission meeting of May 1, 2020 and Work Session meeting of April 27, 2020 and regular meeting of April 27, 2020

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

Motion adopted.

Action 20-226

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

A-Ox Welding Supply - Chop Saw - \$472.50; Ace Hardware - Chainsaw - \$1,066.03; Adobe Creative Cloud - Contracted Service - \$70.27; Adobe Stock - Contracted Service - \$31.94; Advanced Weighing Systems Inc. - Software Upgrade - \$4,920.00; Amazon - DVDs - \$67.98; Amazon - PPE Station - \$76.00; Amazon - Gloves - \$106.67; Amazon - DVDs - \$71.38; Amazon - Janitorial Supplies - \$69.12; Amazon - DVDs - \$56.07; Amazon - COVID - Pulse Oximeters - \$119.98; Amazon - DVDs - \$145.82; Amazon - Safety Supplies - \$72.20; Amazon - Daily Planners - \$189.78; Amazon - Toner - \$26.97; Amazon - Janitorial Supplies - \$64.50; Amazon - Book - \$11.17; Amazon - Office Supplies - \$321.88; Amazon - Safety Supplies - \$94.23; Amazon - Book - \$10.04; Amazon - USB Adapter - \$31.89; Amazon - DVD - \$14.96; Amazon - Program Supplies - \$234.97; Amazon - Office Supplies - \$93.48; Amazon - Safety Supplies - \$189.58; American Library Assoc - Programming - \$57.00; Animal Health Clinic - K9 Reno - Vet Care - \$120.11; A-Ox Welding Supply Co Inc. - Face Shields - \$85.59; Associated Supply - Pool Filter Gravel/Sand - \$1,204.79; AT&T Bill Payment - Cell Phone - \$207.14; Auch/Noelle - Refund - \$100.00; Auto Value Yankton - Nitrile Gloves - \$919.81; AutoZone - Wiper Blades, Antifreeze - \$77.81; Avenu Insights & Analytics LLC - Maint Program Support - \$1,969.83; Avera Sacred Heart Hospital - Hep B Vaccination - \$40.81; Baker-Taylor - Books - \$4,195.34; Battery Exchange - Batteries - \$141.30; BB&T Governmental Finance - Huether Aquatics Center - \$497,077.21; Ben's Brewing Company - Refund - \$5.00; Binder/Fred - Refund - \$100.00; Boller Printing - Letterhead And Envelopes - \$261.50; Bomgaars - Equipment Supplies - \$2,149.47; Bound Tree Medical LLC - COVID - Exam Gloves - \$316.86; Broadway Chrysler Dodg - Diagnostic - \$287.55; Brock White - Cold Patch - \$3,381.85; Buhl Cleaners - Towels - \$347.70; Butler Machinery Co - Parts - \$175.50; C & B Yankton - Lawn Tractor Maintenance - \$177.31; Cellsite Solutions LLC - Radio Project - \$12,637.50; Centurylink - Phone - \$1,277.13; City Of Vermillion - Jt Power Cash Trans - \$67,907.86; City Of Yankton-Central Garage - Rubbish - \$31.00; City Of Yankton-City Hall - Garbage - \$12.00; City Of Yankton-Parks - Garbage - \$77.22; City Of Yankton-Solid Waste - Compacted Garbage - \$15,216.66; City Of Yankton-Water - Garbage - \$12.00; City Utilities - Wtr-Ww Charges - \$4,846.27; Clark/Mary - Refund - \$75.00; Clarks Rentals Custom - Concrete Saw

Blades - \$1,280.00; Collaborative Summer - Programming - \$100.00; Concrete Material - Concrete - \$3,578.00; Concrete Materials - Tennis Court Repairs - \$446.88; Cornhusker Intl Truck Inc. - Filters - \$252.22; Cornwell D-P Tools Inc. - Wrenches - \$105.04; Cox Auto Supply - Sander Bearings - \$1,487.65; Credit Collection Service Inc. - Ut Collection - \$376.76; Crescent Electric - Electrical Supplies - \$628.17; Crouch Recreation Inc. - Play Equipment - \$17,937.00; Culligan Water - Lab Still Filtration - \$346.00; Danko Emergency Equipment - Uniform Tags - \$119.42; Das/Dakotacare Admin Services - Fees - #22833 - \$29.10; Dash Medical Gloves - Latex Gloves Lg-Covid-19 - \$59.90; Department Of Environment - Permit Fee - 5th Street - \$102.50; Dept. Of Env & Nat Resources - 20051-R1a-106 - \$9,705.57; Dept. Of Environment - 20171-Rec-403 Solid Waste - \$53,468.02; Design Solutions & Integration - Service Call - \$650.00; Diamond Mowers - Mower Parts - \$473.81; Dollar Tree - Sanitizing Wipes - \$4.00; Domino's Pizza - Programming - \$40.00; Echo Electric Supply - Park Supplies - \$178.78; Ehresmann Engineering - Work Bench - \$747.83; Ehresmann Engineering Inc. - Metal - \$853.97; Emblem Enterprises Inc. - Patches - \$284.21; ESO Solutions, Inc.. - Firehouse Sw Support - \$818.85; Ethanol Products LLC - Co2 - \$540.10; Facebook - Advertisement - \$12.25; Fastenal Company - Nuts, Bolts, Washers - \$1,521.96; Fastsigns - Signage - \$478.40; Fedex - Evidence from SDFL - \$14.11; Fejfar Plumbing & Heat - Shop Building Repairs - \$879.09; Finance, Dept. Of - COVID 19 Masks - \$79.09; First National Bank - WW Refunding Bonds - \$8,125.00; Formed Plastics - Lamp Covers - \$2,207.64; Frontier Mills Inc. - Grass Seed - \$121.20; Gerstner Oil Co - Fuel - \$983.52; Girton Adams Co - Sh#2 Motor Modulator - \$1,281.90; Gleich/John - Reimbursement - \$130.00; GPM Inc. - Aeration Blower - \$8,205.97; Graymont Wi LLC - Lime - \$4,632.25; Hacecky/Mary - Sidewalk Reimbursement - \$58.78; Hach Company - LBOD Probe - \$3,330.35; Hard Drive Central - Copier Squad Room - \$6.93; Hartington Tree - Tree - \$120.00; Hawkins Inc. - AZone - \$9,928.84; HDR Engineering Inc. - Pipe Replacement - \$1,182.68; Hercu-U-Lift - Forklift Repairs - \$1,598.77; Heritage Homes Inc.. - 1/2 Special Approp - \$1,250.00; Houston Equipment - Hondo Engine - \$2,899.00; Huelife LLC - Professional Services - \$10,500.00; Hy-Vee - COVID - Hand Sanitizer - \$277.28; In Aeration Power Sys - Ultraviolet Eff Pump - \$586.88; Innovative Office Solutions - Paper - \$274.58; Intl Code Council Inc. - Building Plans Exam - \$219.00; J & H Care & Cleaning Company - Janitorial Services - \$4,000.00; J2 Metrofax - Fax - \$9.95; Jacks Uniforms - Flex Badges For Carrier - \$71.99; James Steel Inc. - Door Parts - \$95.00; JCL Solutions - Cleaning Supplies - \$1,367.48; Jimmy John - Staff Appreciation - \$40.00; Johnson Controls - Pool Boiler - \$2,569.06; Johnson Feed Inc. - Road Salt - \$13,913.91; Johnson/Deanna - Refund - \$100.00; Johnson/Jeffrey - Reimbursement - \$130.00; Kadrmas Lee & Jackson Inc. - Engineering Services - \$15,419.28; Kaiser Heating And Cooling - Pump Room Repair - \$772.30; Kaiser Refrigeration - Precision Hedger - \$153.97; Kendell Doors & Hardware - New Locksets/Cores - \$475.10; Kiesler's Police Supply Inc. - Ammunition - \$566.12; Kleins Tree Service - Tree Removal - \$5,350.00; Koletzky Implement Inc. - Mower Belt,Pulleys,Seals - \$703.20; Kopetskys Ace - Lawn Care Products - \$1,947.54; Language Line - Interp Services - \$96.24; Leonard/Tara - Refund - \$75.00; Lewis & Clark Bhs - 1/2 Special Approp - \$10,342.00; Lewis & Clark Theatre Co - 1/2 Special Approp - \$1,250.00; Light And Siren - Vehicle Lights - \$2,400.52; Locators And Supplies - Saw Blade - \$271.83; Luken Memorials Inc. - Memorial Stone - \$300.00; Masonry Components Inc. - 5th St Reconst C-6-20 - \$144,060.30; Mayer Signs - Trail Signs - \$1,660.00; McDonalds - Programming - \$40.00; McGrath North - Professional Services - \$2,545.00; McMaster-Carr - Lab Still Plumbing - \$148.50; Mead Lumber Yankton - Bench Repair - \$331.67; Med Vet International - Rubbing Alcohol, Gloves - \$545.57; Meierhenry Sargent LLP - Hwy 50 Land - \$38,910.00; Menards Yankton Sd - Memorial Playground - \$2,839.66; Merkel Electric - Repair Gas Dispensers - \$306.12; Midamerican Energy - Fuel - \$7,867.17; Midamerican Energy - Fuel - \$4,053.37; Midwest Laboratories - Wastewater Testing - \$142.84; Millenium Recycling - Single Stream Fee - \$2,091.25; Minervas Grill

And Bar - Staff Appreciation - \$41.97; Motor Vehicle Dept., SD - License Plate - \$11.20; MT & RC Smith Insurance Inc. - Fire Pak Insurance - \$162.00; National Skillpath - Staff Training - \$211.94; Nebraska Air Filter - Filters - \$238.88; Nebraska Journal-Leader - Ad - \$96.18; Northwestern Energy - Elect - \$60,387.47; Observer - Ads - \$48.00; Olson's Pest Technician - Pest Control - \$575.00; Olson's Pest Technicians Inc. - Pest Control - \$354.05; One Office Solution - Office Supplies - \$175.09; One Office Solution - Office Supplies - \$29.99; O'Reilly Auto Parts - Tie Rod Ends, Handle - \$913.80; Overdrive Dist - E-Books - \$3,210.49; Overhead Door Co - Door Repairs - \$290.25; PayPal - Toner-Housing - \$179.99; PayPal - Display Adapters - \$49.98; PayPal - Pager Batteries - \$76.50; Phenova, Inc.. - DMRQA Testing Supplies - \$900.00; Playpower Lt Farmington - Hardware - \$237.03; Press Dakota Mstar Solutions - Classified Ad - \$1,300.43; Prior/Krysta - Refund - \$60.00; Provantage - Antivirus Subscriptions - \$296.00; Quadient Leasing USA Inc. - Postage - \$678.00; Racom Corporation - Radio Access - \$1,007.98; Rae Products And Chemi - Paint - \$3,332.82; Rasmussen Mechanical Sevices - Repair Power Washer - \$1,634.93; Recreation Supply Comp - Building Repairs - \$100.65; Red Hill General Store - Sparer Nozzle - \$89.89; Reisner/Royce - Reimbursement - \$130.00; Riverside Hydraulics - Rebuild Cylinder - \$606.77; Robb/Mary - COVID 19 Materials - \$176.44; Rose/Christine - Refund - \$100.00; Sanitation Products Inc. - Henke Plow - \$8,325.00; Schnebel/Carol - Refund - \$60.00; Scooters Coffee - Staff Appreciation - \$40.00; SD Kayak Challenge - Refund - \$275.00; SD Public Assurance Alliance - Insurance - \$852.46; Shell Oil - Park Supplies - \$7.98; Shur-Co - Tarps - \$1,904.59; Shur-Co Outletservice - Tennis Court Repairs - \$190.00; Smith/Ken - Refund - \$60.00; Soul Story Yoga - Yoga Session - \$125.00; South Dakota Humanitie - Programming - \$50.00; Southgate - Trailer Tires - \$320.00; Valiant Vineyards - COVID-Disinfecting Wipes - \$169.00; Stern Oil Co Inc. - Fuel - \$7,134.15; Sturdevant's - Shop Supplies - \$59.58; Tessman Company Sioux - Chemicals - \$4,281.60; The Ups Store - Shipping - \$760.36; Third Millennium Asso Inc. - Utility Bills - \$1,128.16; TMA Yankton - Mower Repair - \$383.40; Todd, Inc./Michael - Street Name Signs - \$1,239.19; Tractor Supply Co - Trailer Jack - \$145.93; Traffic Control Corp - Led Test/Display Cabinet - \$600.00; Transportation Dept./S.D. - Pedestrian Trail - \$40,588.19; Tremco Police Products - K9 Vehicle Safety - \$130.70; TRK Hosting - Web Hosting - \$7.95; Truck Trailer Sales - Pan Kit - \$839.40; Truck Trailer Sales Inc. - Dot Inspections - \$180.00; Turfwerks - Equipment Repair - \$753.61; U.S. Plastic Corporation - Ball Valves - \$197.99; Udemy Online Courses - Online Practice Exam - \$31.94; United Laboratories In - Rust Converter - \$646.50; United States Postal Service - Postage Meter - \$679.96; United Way - 1/4 Special Approp - \$9,831.25; Us Bank Equipment Finance - Copier Lease - \$320.39; USPS Po - Postage - \$16.25; Valiant Vineyards Inc. - Disinfecting Wipes - \$304.20; Viddler Inc. - Video Hosting - \$41.20; Vogt S Fine Cleaners - Uniform Alteration - \$14.00; VWR International Inc. - Poly Snap Cap Pack - \$20.22; Walgreens - COVID - Hand Sanitizer, - \$45.81; Walker Process Equipment - Gaskets - \$1,585.23; Walmart - Pipe Cleaners, Elastic - \$21.98; Walmart - Batteries, Register Tape - \$134.75; Walmart - Material, Thread, Needles - \$506.60; Watchguard Video - Body Camera Clip - \$41.00; Water & Env Eng Research Ctr - Lab Testing - \$122.00; Welfl Construction Corp - Huether Aquatics Center - \$474,690.38; Wilkens Industries Inc. - Trailer Parts - \$300.59; Yankton Area Arts Assn - 1/2 Special Approp - \$2,500.00; Yankton Area Convention - 1/4 Special Approp - \$52,430.75; Yankton Area Prog. Growth - 1/4 Special Approp - \$57,500.00; Yankton Chamber Of Com - Employee Appreciation - \$103.63; Yankton Fire & Safety Co - Extinguisher Inspection - \$296.75; Yankton Medical Clinic - Drug/Alcohol Testing - \$60.00; Yankton Redi Mix Inc. - Concrete - \$1,782.50; Yankton Rexall Drug - First Aid Kits - \$35.67; Yankton School District - 1st Qtr Shared Expenses - \$41,877.20; Yankton Winnelson Co - Water Heater - \$327.76; Ykt Janitorial & Dt Sc - Wax Flooring Project - \$1,379.45

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

Motion adopted

April Salaries by Department: Administration \$43,453.92; Finance \$34,662.35; Community Development \$25,316.27; Police/Dispatch \$169,988.02; Fire \$12,973.46; Engineering / Sr. Citizens \$45,131.22; Streets \$46,273.16; Snow & Ice \$1,392.15; Traffic Control \$3,847.43; Library \$24,556.38; Parks / SAC \$65,459.08; Marne Creek \$3,731.55; Water \$36,434.22; Wastewater \$36,197.60; Cemetery \$3,915.08; Solid Waste \$21,466.93; Landfill / Recycle \$14,020.52; Central Garage \$7,479.26

Wage Change: Bruce Ulmer \$2,303.54 bi-wk. Public Works

Status Change: Rob Buechler \$2,290.24 bi-wk. Police Officer to Acting Supervisor; Kyler Pekarek \$2,037.89 bi-wk. Police Officer to Acting Supervisor

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.

Consent Agenda items were discussed and voted on separately.

Notification to public of setting the date of May 26, 2020, at 6:00 pm in Room #114 of the Regional Technical Education Center for the next work session of the Yankton City Commission Work Session.

Action 20-227

Moved by Commissioner Webber, seconded by Commissioner Carda, to approve the application of a Transient Merchant's License from Martha's Craft from May 22nd, 2020 through June 21st, 2020. (Memorandum 20-89)

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

Motion adopted.

Action 20-228

Moved by Commissioner Moser, seconded by Commissioner Benson, to approve the application of a Transient Merchant's License from Martha's Craft from August 20th, 2020 through September 20th, 2020. (Memorandum 20-90)

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

Motion adopted.

Action 20-229

Moved by Commissioner Benson, seconded by Commissioner Webber, to establish May 26, 2020, as the date for the public hearing on the request for a Special Events (off-sale) Package Wine & Malt Beverage Dealers License for 1 day, July 18, 2020 from Yankton Area Arts (Julie Amsberry, Executive Director), 508 Douglas, GAR Hall & GAR Hall parking lot & Sacred Heart Church parking lot next to GAR Hall, for a Picnic dinner & drink pick up, Yankton, S.D.

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

Motion adopted.

Action 20-230

Moved by Commissioner Benson, seconded by Commissioner Schramm, to establish May 26, 2020, as the date for the public hearing on the applications for renewal of Malt Beverage Licenses for the 2020-21 licensing period

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

Motion adopted.

Action 20-231

Moved by Commissioner Carda, seconded by Commissioner Webber, to approve Resolution 20-31. (Memorandum 20-91)

RESOLUTION 20-31

CONDITIONAL USE

WHEREAS, Thomas Steinbach, Nathan Steinbach and Susan Brown are the owners of property legally described as the North 60 feet of Lot 7, Block 18, West Yankton Addition to the City of Yankton, South Dakota, and

WHEREAS, the above described property is zoned B-2 Highway Business which allows conditional uses under the City of Yankton's Zoning Ordinance No. 711 as amended, and

WHEREAS, this Conditional Use Permit request is necessary for the construction and occupancy of a single family home in a B-2 Highway Business District and the proposal has been reviewed and recommended for approval by a vote of the City Planning Commission.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Yankton, South Dakota hereby approves a Conditional Use Permit for a single family home in a B-2 Highway Business District, on the above described property including a waiver of the time limit for construction.

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

Motion adopted.

Action 20-232

Moved by Commissioner Moser, seconded by Commissioner Webber, to approve Resolution 20-32. (Memorandum 20-92)

RESOLUTION 20-32

WHEREAS, it appears from an examination of the plat of Lots 6, 7, and 8, Block 2 and Lots 3, 4, and 5, Block 3 of Dakota West Addition to the City of Yankton, South Dakota prepared by Joshua R. Vanderwerf, a registered land surveyor in the State of South Dakota, and

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

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

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

Action 20-233

Moved by Commissioner Miner, seconded by Commissioner Carda, to approve Resolution 20-33.
(Memorandum 20-93)

RESOLUTION 20-33

WHEREAS, it appears from an examination of the plat of Lots 47, 48, 55, 56 and 57, Crestview Homes Subdivision, in the NE 1/4 of Section 21, T93N, R56W of the 5th P.M., Yankton County, South Dakota prepared by John L. Brandt, a registered land surveyor in the state of South Dakota, and

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

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

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

Action 20-234

Moved by Commissioner Moser, seconded by Commissioner Schramm, to approve Resolution 20-34.
(Memorandum 20-94)

RESOLUTION 20-34

WHEREAS, it appears from an examination of the plat of Lots 75 and 76 Crestview Homes Subdivision, in the NE 1/4 of Section 21, T93N, R56W of the 5th P.M., Yankton County, South Dakota prepared by John L. Brandt, a registered land surveyor in the state of South Dakota, and

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

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

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

Action 20-235

Moved by Commissioner Carda, seconded by Commissioner Webber, to authorize the sub-lease of Chan Gurney Airport T-Hangar Unit No. 2. (Memorandum 20-95)

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

Action 20-236

Moved by Commissioner Carda, seconded by Commissioner Schramm, to approve Resolution 20-35.
(Memorandum 20-97)

RESOLUTION 20-35

WHEREAS, the City of Yankton owns property at 310 Pearl Street legally described as Lot 4, Block 50, Lower Yankton Addition to the City of Yankton, South Dakota, and

WHEREAS, South Dakota Codified Law allows the transfer of property to the local economic development corporation (Yankton Area Progressive Growth), and

WHEREAS, the City has determined that the unpaid taxes, liens and pending abatement costs exceed the property's value, and

WHEREAS, the Yankton Board of City Commissioners desires to transfer the described property to the local economic development corporation for the long term goal of housing development in support of community and economic development.

NOW, THEREFORE BE IT RESOLVED that the Board of City Commissioners of the City of Yankton, South Dakota, hereby agrees to transfer 310 Pearl Street legally described as Lot 4, Block 50, Lower Yankton Addition to the City of Yankton, South Dakota, to Yankton Area Progressive Growth for the purpose of the described economic development project, and

BE IT FURTHER RESOLVED that the City Manager be authorized to execute all documents associated with the described transfer including but not limited to contracts defining the goals for the described redevelopment.

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

Action 20-237

Moved by Commissioner Miner, seconded by Commissioner Benson, to approve the change order No. 2 to The Huether Family Aquatics Center contract with Welfl Construction of Yankton, South Dakota for the amount of \$33,698.00. (Memorandum 20-96)

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

City Manager, Amy Leon, gave an explanation of how City Staff will conduct the reopening of public facilities. She explained that the process will be in the following phases:

0. Planning
1. Opening with substantial restrictions dependent on risk factors, staffing and available PPE
2. Open with limited patronage and hours
3. Open with minimal restrictions

Action 20-238

Moved by Commissioner Hoffner, seconded by Commissioner Moser, to adjourn at 8:19 p.m.

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

Motion adopted.

Nathan V Johnson
Mayor

ATTEST:

Al Viereck
Finance Officer

Published on May 20th, 2020



OFFICE OF THE CITY MANAGER

www.cityofyankton.org

VOL. 55, NUMBER 10

Commission Information Memorandum

The Yankton City Commission meeting on Tuesday, May 26, 2020, will begin at 7:00 pm.

Non-Agenda Items of Interest

1) Police Department Update

The Police Department and Fire Chief Kurtenbach assisted the Yankton High School Senior Parents with a Graduation Parade on Saturday May 16, 2020.

J and H Cleaning is deep cleaning the police station and dispatch weekly. He is refusing payment indicating this is a way for him to help the community.

First interviews for police applicants were conducted Friday. Final interviews are scheduled this week.

Presented an award to Sgt. Bruening from the SD Police and Sheriff's Association. Sgt Bruening was selected as Officer of the year for leading the team in implementing the "You can Too" program in the elementary schools. This award is usually presented at the Chief's and Sheriff's Conference but due to the pandemic it was cancelled and the award was presented locally.

2) Finance Department Update

Election Day is Tuesday June 2, 2020 at City Hall and North Fire Station #2 from 7 a.m. to 7 p.m. This fills three of the nine City Commission seats and will be held in conjunction with the Primary Election. Absentee voting began April 17th at the Yankton County Government Center. Citizens are encouraged to absentee vote by mail. For more information and to view a sample ballot visit:

<http://www.cityofyankton.org/departments-services/city-commission/city-election>.

Please see the enclosed Finance Monthly Report for April.

3) Community & Economic Department Update

The large air conditioning Roof Top Unit (RTU) at The Center is scheduled to be replaced on June 8th. You may remember that this necessary replacement was a substantial part of the discussion last year at budget time. This expense is shared with Yankton County and thus part of their budgeting process also. The good news is that the quote for the replacement RTU came in several thousand dollars less than the \$30,000 estimate that was used for budgeting purposes. Any cost reductions from the budgeted amount will mean a proportionally reduced level of financial responsibility for each entity funding the project.

As you know, the East Highway 50 Improvement project was substantially completed two years ago. However, work has continued to close out the administrative portion of the cost share of the project with the State of South Dakota. There were several key property acquisition expenses that have taken a substantial amount of time to resolve with the property owners. While those issues did not slow down

the physical construction of the project, they did delay our ability to draw down contributing funds from the state. We are happy to report that two of the three issues have been resolved and we are hopeful that the third is taken care of in the next couple of months allowing us to complete the administrative closeout of the project.

4) Public Works Department Update

Street Department crews have been patching asphalt streets and alleys at various locations throughout the city, including the utility cuts on Douglas Ave. near the Huether Family Aquatics Center.

The Huether Family Aquatics Center

Underground piping, for the plumbing, and conduit, for the electrical, are now being installed in the bathhouse.



A layer of crushed rock is being placed in the lazy river area. This is on top of the sand that has already been installed. All of this is in preparation of the concrete placement.



It will not be long before structures begin taking shape.

5th Street from Green Street to Broadway Avenue

The mainline paving is complete. There are only small miscellaneous portions of sidewalk that need to be installed.

Grading is being finalized. The seeding company is schedule for May 21st. A closeout and acceptance should be on one of the next commission meeting agendas.

12th Street and Pine Street Reconstruction

A memorandum for bid acceptance is included in this meetings packet. D&G Concrete, the low bidder, has already indicated that they would like to start in early June, if awarded the contract.

5) Human Resources Department Update

We have currently accepting applications for Transfer Station Attendant, Communication Dispatcher, and Water Plant Operations Specialist. Current openings are listed on our City website under employment opportunities. Applicants can find apply through the website.

We are saying happy retirement to two of employees, Joan Lammers from our Finance Office is retiring after serving the City for the past 29 years. Dan Mason from our Water Operations has provided the City with 24 years of service. We wish them both good luck as they move to their next chapter in their lives.

6) Information Services Department Update

The new police radio site is up and we have started testing it. Programming of the radios is about 50% complete. The next major steps for the project will be moving the radios from the water tower to the new communications building, moving radios from the crow's nest to the mechanical room and installation of the new radio console control system in dispatch.

7) Fire Department Update

The Yankton Fire Department has been assisting with the weekly food distribution sponsored by Feeding South Dakota and the Yankton United Way. Recently YFD has been honored with the United Way's volunteer of the month award for their efforts. Congratulations to all that have assisted with the food drive.

Firefighter Andy Haas has submitted his resignation from YFD effective June 18. Andy has accepted a promotion and will be relocating. Thank you to Andy to his service to the Yankton community.

YFD will begin to do some hands-on training in small groups following CDC guidelines. You may see these groups working at various locations around Yankton. Meetings and larger group trainings will continue to be held virtually.

8) Parks and Recreation Department Update

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

9) Library Update

Though it will look a little different than past years, the Yankton Community Library is busy gearing up for our annual Summer Reading Program. This year's theme is *Imagine Your Story*. Many of us would have never imagined these strange times and new challenges we are currently facing. But the library is still here for the community-offering support, positivity and reading materials and movies to allow for a little escape from reality. Registration for our Summer Reading Program is now open at <http://cityofyankton.beanstack.org>. Beanstack is a digital platform where participants can track their reading and complete activities and challenges along with way. All ages are encouraged to register and take part in the program! Some of our performers that were scheduled to visit the library this summer have agreed to offer digital performances that will be available for free on our Facebook page and

website. Watch for a show from Big Bang Bubbles on June 1! We are also gearing up to offer virtual story times, a bad art competition, weekly challenges and more!

Right now, our doors are closed to the public, but our staff have been reporting to work each day. We are taking on extra cleaning and painting projects, updating procedures, answering patron inquiries by phone, email and Facebook, and taking extra precautions in handling returned items. Additionally, the library has been offering curbside pick up over the last several weeks. Right now, we are averaging 40-50 curbside pick ups per day! We continue to work on our plans to reopen the library when we are able to do so safely. We miss our patrons and our daily routines at the library, but it has been great to find new ways to fulfill our mission and support our community!

10) Environmental Services Department Update

Distribution staff repaired a water main on 8th street. The distribution/collection staff has moved into the offices in the new water plant. Staff will continue to work on the process of completely moving out of the 1929 facility.

Replacement check valves have been delivered for the water plant project. The current check valves were not operating under low pressures. The contractor will be installing the new check valves. The replacement will allow the staff to operate and utilize automation as designed.

11) Monthly reports

Yankton Police Department and Joint Powers Solid Waste monthly reports are included for your review.

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

Sincerely,

Amy Leon
City Manager

FINANCE MONTHLY REPORT

ACTIVITY	APRIL 2020	APRIL 2019	APR 2020 YTD	APR 2019 YTD
UTILITY BILLING:				
Water				
Water Sold (in gallons per 1,000)	39,979	42,929	161,844	166,615
Water Billed	\$469,319.08	\$451,119.79	\$1,881,253.11	\$1,772,466.50
Basic Water Fee/Rate per 1000 gal	\$27.51/\$6.12	\$24.61/\$5.83		
Number of Accounts Billed	5,348	5,303	21,337	21,154
Number of Bills Mailed	5,348	5,303	21,337	21,154
Total Meters Read	5,766	5,737	23,402	22,923
Meter Changes/pulled	3	1	15	15
Total Days Meter Reading	1	1	4	4
Misreads found prior to billing	0	0	0	0
Customers requesting Rereads	0	0	0	0
Sewer				
Sewer Billed	\$323,794.17	\$311,483.53	\$1,314,182.31	\$1,208,032.49
Basic Sewer Fee/Rate per 1000 gal	\$10.69/\$6.48	\$10.18/\$6.17		
Solid Waste				
Solid Waste Billed	\$103,830.68	\$104,333.32	\$414,219.38	\$416,835.31
Basic Solid Waste Fee	\$22.92	\$21.83		
Total Utility Billing:	\$896,943.93	\$866,936.64	\$3,609,654.80	\$3,397,334.30
Adjustment Total:	(\$1,040.00)	(\$140.00)	(\$1,677.24)	(\$485.00)
Misread Adjustments	\$0.00	\$0.00	\$0.00	\$0.00
Other Adjustments	\$0.00	\$0.00	(\$217.20)	(\$45.00)
Penalty Adjustments OFF	(\$1,070.00)	(\$170.00)	(\$1,550.00)	(\$490.00)
Penalty Adjustments ON	\$30.00	\$30.00	\$90.00	\$50.00
New Accounts/Connects	68	71	202	198
Accounts Finaled/Disconnects	42	51	207	205
New Accounts Set up	4	2	23	7
Delinquent Notices	447	377	1723	1562
Doorknockers	140	139	662	586
Delinquent Call List	102	90	454	303
Notice of Termination Letters	0	14	26	58
Shut-off for Non-payment	0	6	10	25
Delinquent Notice Penalties	\$4,470.00	\$3,770.00	\$17,230.00	\$15,620.00
Doorknocker Penalties	\$1,400.00	\$1,390.00	\$6,620.00	\$5,860.00
Other Office Functions:				
Interest Income	\$54,075.58	\$79,643.30	\$300,447.87	\$302,329.28
Interest Rate-Checking Account	1.29%	2.77%		
Interest Rate-CDs	N/A	N/A		
# of Monthly Vendor Checks	204	156		
Payments Issued to Vendors	\$1,895,826.79	\$2,484,055.24	\$12,721,047.77	\$14,230,318.68
# of Employees on Payroll	149	201		
Monthly Payroll	\$416,246.86	\$418,371.75	\$2,183,620.61	\$1,726,083.80

Commission Information Memorandum

PARKS AND RECREATION DEPARTMENT

SUMMIT ACTIVITIES CENTER and RECREATION PROGRAMS

The SAC is planning a phased opening and it will begin on Tuesday, May 26. We continue to monitor pandemic data in the county and will make plans accordingly.

First session summer recreation programs (in June) have been cancelled. Tentatively planning on the second session programming (July). We continue to monitor pandemic data in the county and will make plans accordingly.

Todd and the Recreation staff are planning for the State of SD Park and Recreation Conference that will be held in Yankton in October 2020.

Brittany L. is working on the 4th of July fireworks for 2020. We continue to monitor data and will make plans accordingly. Tentatively still planned at this point. Entertainment this year would consist of either a local band or a DJ due to the health situation. We continue to monitor data and will make plans accordingly.

Brittany L. is considering what to plan for Music at the Meridian in July and August of 2020. We continue to monitor data and will make plans accordingly.

The City's events and programming have been canceled through May and June. Outside groups that will have events at this time would be the local farmer's market which started on May 2. Rockin' Ribfest has been postponed to the fall. At this time, GreatLIFE is still planning for the Pro-Am tournament on June 12, 13, & 14. The events schedule will continue to be monitored and modified as the recommendations from the local health board, City Commission, federal and state governments continue to be announced. In the month of May, Brittany LaCroix will make contact with all July events to determine what their plans are or if they will be cancelling.

PARKS

The Parks Department will be installing new swings and a few new play elements at Fantle Memorial Park play area. The entire play area has been expanded for the new equipment and will utilize engineered wood fiber as the fall material under the new items.

The Parks Department has relocated five tee boxes and disc golf baskets at Fantle Memorial Park so the course is once again 18-holes. New hole signs have been installed. The course has had a lot of play this spring.

Description	Yankton Transfer	Vermillion Landfill	Total Joint	4 Month Budget	Legal 2020 Budget
Joint Power Transfer/Landfill					
<i>Total Revenue</i>	\$420,743.61	\$287,729.51	\$708,473.12	\$758,400.00	\$2,280,200.00
<i>Expenses:</i>					
Personal Services	71,709.46	112,759.62	184,469.08	247,266.00	741,798.00
Operating Expenses	94,965.72	117,653.72	212,619.44	276,468.00	829,404.00
Depreciation (est)	53,910.16	72,242.04	126,152.20	154,732.00	464,196.00
Trench Depletion	0.00	63,138.83	63,138.83	61,333.33	184,000.00
Closure/Postclosure Resrv	0.00	2,805.32	2,805.32	8,333.33	25,000.00
Amortization of Permit	0.00	367.49	367.49	438.33	1,315.00
<i>Total Operating Expenses</i>	220,585.34	368,967.02	589,552.36	748,571.00	2,245,713.00
<i>Non Operating Expense-Interest</i>	5,653.13	(10,000.33)	(4,347.20)	20,977.33	62,932.00
<i>Landfill Operating Income</i>	194,505.14	(71,237.18)	123,267.96	(11,148.33)	(28,445.00)
Joint Recycling Center					
<i>Total Revenue</i>	0.00	18,082.82	18,082.82	35,033.33	105,100.00
<i>Expenses:</i>					
Personal Services	0.00	54,672.91	54,672.91	75,803.67	227,411.00
Operating Expenses	0.00	16,902.06	16,902.06	39,833.33	119,500.00
Depreciation (est)	0.00	8,995.00	8,995.00	11,333.33	34,000.00
<i>Total Operating Expenses</i>	0.00	80,569.97	80,569.97	126,970.33	380,911.00
<i>Non Operating Expense-Interest</i>	0.00	0.00	0.00	0.00	0.00
<i>Recycling Operating Income</i>	0.00	(62,487.15)	(62,487.15)	(91,937.00)	(275,811.00)
<i>Total Operating Income</i>	\$194,505.14	(\$133,724.33)	\$60,780.81	(\$103,085.33)	(\$304,256.00)
Tonage in Trench:	<u>4/30/2019</u>	<u>4/30/2020</u>			
Asbestos	38.54	42.54	42.54	16.67	50.00
Centerville	79.97	73.76	73.76	366.67	1,100.00
Beresford	426.55	432.49	432.49	466.67	1,400.00
Clay County Garbage	4,674.14	4,483.73	4,483.73	4,833.33	14,500.00
Elk Point	336.56	353.08	353.08	86.67	260.00
Yankton County Garbage	7,854.92	7,365.80	7,365.80	7,966.67	23,900.00
<i>Total Tonage in Trench</i>	13,410.68	12,751.40	12,751.40	13,736.67	41,210.00
Operating Cost per ton			\$46.23	\$56.02	\$56.02

This report is based on the following:

Revenue accrual thru April 30, 2020

Expenses cash thru April 30, 2020 with May's bills

Joint Powers Solid Waste Authority
Financial Report Thru April 30, 2020

Description	Yankton Transfer	Vermillion Landfill	Total Joint	4 Month Budget	Legal 2020 Budget
Source of Funds					
<i>Beginning Balance</i>	\$144,277.00	\$1,752,208.00	\$1,896,485.00	\$1,896,485.00	\$1,896,485.00
<i>Operating Revenue:</i>					
Net Income	194,505.14	(133,724.33)	60,780.81	(101,418.67)	(304,256.00)
Depreciation	53,910.16	81,237.04	135,147.20	166,065.33	498,196.00
Trench Depletion	0.00	63,138.83	63,138.83	61,333.33	184,000.00
Amortization of Permit	0.00	367.49	367.49	438.33	1,315.00
<i>Non Operating Revenue:</i>					
Grant	0.00	0.00	0.00	83,333.33	250,000.00
Loan Proceeds	0.00	0.00	0.00	0.00	0.00
Contributed Capital	0.00	0.00	0.00	3,333.33	10,000.00
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	434.91	11,856.96	12,291.87	10,000.00	30,000.00
<i>Cash Flow Transfer:</i>					
Joint Power Transfer/Landfill	(243,822.50)	243,822.50	0.00	589,333.33	1,768,000.00
Joint Recycling Center	0.00	0.00	0.00	0.00	0.00
Total Funds Available	149,304.71	2,018,906.49	2,168,211.20	2,708,903.33	4,333,740.00
Application of Funds Available					
<i>Joint Power Transfer/Landfill</i>					
Equipment	2,017.37	0.00	2,017.37	253,333.33	760,000.00
Trench	0.00	0.00	0.00	0.00	0.00
Closure/Postclosure Cash Res.	0.00	2,805.32	2,805.32	8,333.33	25,000.00
<i>Joint Recycling Center</i>					
Equipment	0.00	1,657.50	1,657.50	167,000.00	501,000.00
<i>Payment Principal</i>	30,834.68	(17,318.88)	13,515.80	59,158.67	177,476.00
<i>Appropriation to Reserve</i>	0.00	0.00	0.00	0.00	0.00
Total Applied	32,852.05	(12,856.06)	19,995.99	487,825.33	1,463,476.00
Ending Balance	\$116,452.66	\$2,031,762.55	\$2,148,215.21	\$2,221,078.00	\$2,870,264.00

Joint Power Transfer/Landfill Description	Yankton Transfer	Vermillion Landfill	Total Joint	4 Month Budget	Legal 2020 Budget
<i>Revenue: (accrual)</i>					
Asbestos	\$0.00	\$2,765.11	\$2,765.11	\$2,166.67	\$6,500.00
Elk Point	0.00	17,294.44	17,294.44	20,000.00	\$60,000.00
Centerville	0.00	3,614.24	3,614.24	4,500.00	13,500.00
Beresford	0.00	21,192.01	21,192.01	25,000.00	75,000.00
Clay County Garbage	0.00	231,039.69	231,039.69	263,533.33	790,600.00
Compost-Yd Waste-Wood	0.00	2,153.63	2,153.63	3,166.67	9,500.00
Contaminated Soil	0.00	1,185.21	1,185.21	1,333.33	4,000.00
White Goods	0.00	685.70	685.70	1,666.67	5,000.00
Tires	0.00	849.21	849.21	1,333.33	4,000.00
Electronics	0.00	427.60	427.60	1,666.67	5,000.00
Other Revenue	1.73	6,522.67	6,524.40	3,366.67	10,100.00
Less Recycling Tipping Fee	0.00	0.00	0.00	0.00	0.00
Cash long	(74.18)	0.00	(74.18)	0.00	0.00
Yard Waste	0.00	0.00	0.00	0.00	0.00
Rubble	11,388.04	0.00	11,388.04	17,333.33	52,000.00
Transfer Fees	409,033.06	0.00	409,033.06	413,333.33	1,240,000.00
Metal	331.10	0.00	331.10	0.00	5,000.00
Other Operational - Solid Waste	63.86	0.00	63.86	0.00	0.00
Total Revenue	420,743.61	287,729.51	708,473.12	758,400.00	2,280,200.00
<i>Expenses: (cash)</i>					
Personal Services	71,709.46	112,759.62	184,469.08	247,266.00	741,798.00
Insurance	16,734.66	6,166.23	22,900.89	8,783.00	26,349.00
Professional Service/Fees	7,123.80	8,637.80	15,761.60	44,000.00	132,000.00
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	12,751.40	12,751.40	15,176.67	45,530.00
Professional - Legal/Audit	0.00	0.00	0.00	916.67	2,750.00
Publishing & Advertising	613.51	1,919.65	2,533.16	766.67	2,300.00
Rental	0.00	0.00	0.00	166.67	500.00
Hauling fee	0.00	0.00	0.00	0.00	0.00
Equipment repair	359.00	17,397.48	17,756.48	18,666.67	56,000.00
Motor vehicle repair	671.00	1,669.96	2,340.96	7,833.33	23,500.00
Vehicle fuel & maintenance	32,988.40	12,601.57	45,589.97	67,666.67	203,000.00
Equip, Mat'l & Labor	17,518.93	0.00	17,518.93	15,000.00	45,000.00
Building repair	5,289.26	1,976.88	7,266.14	8,000.00	24,000.00
Facility repair & maintenance	0.00	3,887.73	3,887.73	11,666.67	35,000.00
Postage	207.03	2.66	209.69	283.33	850.00
Office supplies	525.72	889.94	1,415.66	1,166.67	3,500.00
Copy supplies	34.43	89.77	124.20	125.00	375.00
Uniforms	83.88	2,105.76	2,189.64	1,733.33	5,200.00
Small Tools & Hardware	0.00	0.00	0.00	83.33	250.00
Travel & Training	0.00	788.40	788.40	1,500.00	4,500.00
Operating supply	143.97	35,868.91	36,012.88	49,200.00	147,600.00
Electricity	2,786.84	5,124.10	7,910.94	10,333.33	31,000.00
Heating Fuel - Gas	8,306.16	5,002.50	13,308.66	10,666.67	32,000.00
Water	790.36	246.50	1,036.86	1,166.67	3,500.00
WW service	338.24	0.00	338.24	433.33	1,300.00
Landfill	91.68	0.00	91.68	100.00	300.00
Telephone	358.85	526.48	885.33	1,033.33	3,100.00
Depreciation (est)	53,910.16	72,242.04	126,152.20	154,732.00	464,196.00
Trench Depletion		63,138.83	63,138.83	61,333.33	184,000.00
Closure/Postclosure Resrv		2,805.32	2,805.32	8,333.33	25,000.00
Amortization of Permit		367.49	367.49	438.33	1,315.00
Total Op Expenses	220,585.34	368,967.02	589,552.36	748,571.00	2,245,713.00

Joint Power Transfer/Landfill Description	Yankton Transfer	Vermillion Landfill	Total Joint	4 Month Budget	Legal 2020 Budget
<i>Non Operating Expense-Interest</i>	5,653.13	(10,000.33)	(4,347.20)	20,977.33	62,932.00
<i>Operating Income (Loss)</i>	\$194,505.14	(\$71,237.18)	\$123,267.96	(\$11,148.33)	(\$28,445.00)
<i>Capital:</i>					
Capital Outlay	\$2,017.37	\$0.00	\$2,017.37	\$253,333.33	\$760,000.00
Landfill Development	0.00	0.00	0.00	8,333.33	\$25,000.00
Capital Lease	0.00	0.00	0.00	0.00	\$0.00
<i>Total Capital Expenditures</i>	\$2,017.37	\$0.00	\$2,017.37	\$261,666.67	\$785,000.00
<i>Grant Reimbursement</i>	\$0.00	\$0.00	\$0.00	\$83,333.33	\$250,000.00
<i>Equipment Sale Proceeds</i>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<i>Cash Flow Transfer</i>	(\$243,822.50)	\$243,822.50	\$0.00	\$0.00	\$0.00
<i>Tonage in Trench:</i>					
Asbestos		42.54	42.54	16.67	50.00
Beresford		432.49	432.49	466.67	1,400.00
Centerville Garbage		73.76	73.76	366.67	1,100.00
Clay County Garbage		4,483.73	4,483.73	4,833.33	14,500.00
Elk Point		353.08	353.08	86.67	260.00
Yankton County Garbage		7,365.80	7,365.80	7,966.67	23,900.00
<i>Total Tonage in Trench</i>		12,751.40	12,751.40	13,736.67	41,210.00
Operating Cost per ton			\$46.23	\$56.02	\$56.02

Joint Recycling Center	Yankton	Vermillion	Total	4 Month	Legal
Description	Transfer	Center	Joint	Budget	2020 Budget
<i>Revenue:</i>					
Tipping Fees	\$0.00	0.00	\$0.00	0.00	0.00
Magazines	0.00	0.00	0.00	0.00	0.00
Metal/Tin	0.00	0.00	0.00	1,366.67	4,100.00
Plastic	0.00	3,086.33	3,086.33	6,333.33	19,000.00
Aluminum	0.00	0.00	0.00	5,333.33	16,000.00
Newsprint	0.00	2,431.40	2,431.40	3,000.00	9,000.00
Cardboard	0.00	11,130.18	11,130.18	13,333.33	40,000.00
High Grade Paper	0.00	0.00	0.00	2,666.67	8,000.00
Other Material	0.00	1,434.91	1,434.91	3,000.00	9,000.00
Contributions/Operating Grants	0.00	0.00	0.00	0.00	0.00
Total Revenue	0.00	18,082.82	18,082.82	35,033.33	105,100.00
<i>Expenses:</i>					
Personal Services	0.00	54,672.91	54,672.91	75,803.67	227,411.00
Insurance	0.00	772.94	772.94	433.33	1,300.00
Professional Service/Fees	0.00	0.00	0.00	1,000.00	3,000.00
Hazardous Waste Collection	0.00	0.00	0.00	12,666.67	38,000.00
Professional-Legal	0.00	0.00	0.00	0.00	0.00
Publishing & Advertising	0.00	188.63	188.63	333.33	1,000.00
Rental	0.00	0.00	0.00	0.00	0.00
Equipment repair	0.00	2,775.61	2,775.61	3,166.67	9,500.00
Vehicle repair & maintenance	0.00	0.00	0.00	333.33	1,000.00
Vehicle fuel	0.00	1,269.33	1,269.33	1,666.67	5,000.00
Building repair & maintenance	0.00	1,355.32	1,355.32	833.33	2,500.00
Postage	0.00	0.67	0.67	50.00	150.00
Freight	0.00	3,350.00	3,350.00	5,833.33	17,500.00
Office supplies	0.00	150.00	150.00	333.33	1,000.00
Uniforms	0.00	0.00	0.00	250.00	750.00
Materials Purchases	0.00	631.75	631.75	1,500.00	4,500.00
Travel & Training	0.00	1,051.20	1,051.20	500.00	1,500.00
Operating Supplies	0.00	33.80	33.80	3,333.33	10,000.00
Copy Supply	0.00	89.76	89.76	50.00	150.00
Electricity	0.00	1,816.34	1,816.34	2,166.67	6,500.00
Heating Fuel-Gas	0.00	1,778.79	1,778.79	1,583.33	4,750.00
Water	0.00	127.92	127.92	216.67	650.00
WW service	0.00	589.73	589.73	400.00	1,200.00
Telephone	0.00	262.07	262.07	283.33	850.00
Revenue Sharing	0.00	658.20	658.20	2,900.00	8,700.00
Depreciation (est)	0.00	8,995.00	8,995.00	11,333.33	34,000.00
Total Op Expenses	0.00	80,569.97	80,569.97	126,970.33	380,911.00
<i>Non Operating Expense-Interest</i>	0.00	0.00	0.00	0.00	0.00
Operating Income (Loss)	\$0.00	(\$62,487.15)	(\$62,487.15)	(\$91,937.00)	(\$275,811.00)
Capital Outlay	\$0.00	\$1,657.50	\$1,657.50	\$167,000.00	\$501,000.00
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 April 30, 2020

Expenses cash thru April 30, 2020 with May's bills

2020 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	51,157.35	(10,150.83)	41,006.52	3,027.49	41.65	0.00	(14,558.60)	(14,558.60)	51,157.35	(24,709.43)	26,447.92
February	18,415.53	(23,276.92)	(4,861.39)	2,676.71	56.14	0.00	(16,112.47)	(16,112.47)	18,415.53	(39,389.39)	(20,973.86)
Subtotal	69,572.88	(33,427.75)	36,145.13	5,704.20	48.45	0.00	(30,671.07)	(30,671.07)	69,572.88	(64,098.82)	5,474.06
March	61,688.74	(41,230.06)	20,458.68	3,305.44	48.19	0.00	(22,381.51)	(22,381.51)	61,688.74	(63,611.57)	(1,922.83)
Subtotal	131,261.62	(74,657.81)	56,603.81	9,009.64	48.35	0.00	(53,052.58)	(53,052.58)	131,261.62	(127,710.39)	3,551.23
April	68,896.65	(6,579.70)	62,316.95	3,741.76	41.13	0.00	(9,434.57)	(9,434.57)	68,896.65	(16,014.27)	52,882.38
Subtotal	200,158.27	(81,237.51)	118,920.76	12,751.40	46.23	0.00	(62,487.15)	(62,487.15)	200,158.27	(143,724.66)	56,433.61

5/1/2020

City of Yankton Transfer Station
Landfill Tons

Date	City	Licensed Haulers				Sub-Total	All Other	Total Transfer
	Compactors (577)	Janssen (547)	Arts (586)	Loren Fischer (648)	Kortan (673)			
January 2019	236.75	525.77	427.94	79.27	12.10	1,045.08	336.65	1,618.48
February 2019	190.00	471.97	359.65	70.64	16.95	919.21	294.94	1,404.15
March 2019	227.93	571.65	491.34	96.90	24.64	1,184.53	761.73	2,174.19
April 2019	256.85	600.51	598.67	84.66	18.68	1,302.52	828.34	2,387.71
May 2019	283.49	719.23	639.98	93.26	27.15	1,479.62	959.69	2,722.80
June 2019	238.73	674.24	596.15	97.21	23.01	1,390.61	640.63	2,269.97
July 2019	272.66	737.54	678.68	102.49	19.45	1,538.16	661.78	2,472.60
August 2019	271.79	716.67	646.85	96.51	25.81	1,485.84	646.49	2,404.12
September 2019	250.77	706.64	647.37	90.18	19.83	1,464.02	677.10	2,391.89
October 2019	264.44	698.55	602.46	76.29	21.79	1,399.09	746.34	2,409.87
November 2019	222.81	576.31	395.65	90.04	28.40	1,090.40	508.55	1,821.76
December 2019	255.63	594.80	413.36	95.38	21.83	1,125.37	443.85	1,824.85
2019 Total	2,971.85	7,593.88	6,498.10	1,072.83	259.64	15,424.45	7,506.09	25,902.39
January 2020	253.65	560.86	456.43	103.53	25.07	1,145.89	383.30	1,782.84
February 2020	204.40	478.16	362.72	75.64	20.00	936.52	417.36	1,558.28
March 2020	242.27	557.03	457.14	70.29	22.42	1,106.88	483.69	1,832.84
April 2020	281.79	531.81	488.59	70.67	24.67	1,115.74	599.76	1,997.29
2020 Total	982.11	2,127.86	1,764.88	320.13	92.16	4,305.03	1,884.11	7,171.25

CITY OF VERMILLION
LANDFILL TONS

	2020	Art's Garbage	City of Beresford	City of Elk Point	Fischer Disposal	Loren Fischer	Turner County	Vermillion Garbage	Waste Mgmt of Sioux City	Other	2020 Tons	
\$49.00 PER TON	Jan	10.20	109.82	89.82	188.77	479.63	20.89	42.05	132.71	179.52	1253.41	
	Feb	27.67	86.89	74.09	164.48	363.19	18.85	35.80	166.79	115.88	1053.64	
	Mar	36.06	117.09	87.63	200.26	442.49	18.29	39.74	120.55	312.30	1374.41	
	April	21.04	118.69	101.50	209.59	597.24	15.73	37.34	91.47	511.54	1704.14	
	May										0.00	
	June										0.00	
	July										0.00	
	Aug										0.00	
	Sept										0.00	
	Oct										0.00	
	Nov										0.00	
	Dec										0.00	
			94.97	432.49	353.04	763.10	1882.55	73.76	154.93	511.52	1119.24	5385.60
	2019	Independence Waste	Fischer Disposal	Art's Garbage	Verm. Garbage	City of Elk Point	Loren Fischer	Turner County	City of Beresford	Waste Mgmt of Sioux City	Other	2019 Tons
\$47.00 PER TON	Jan	251.85	160.44	1.38	40.19	89.90	460.19	18.60	107.72	95.90	77.24	1303.41
	Feb	208.12	129.89	0.00	34.79	64.92	391.81	17.25	88.78	87.13	121.22	1143.91
	Mar	285.37	157.90	0.00	36.76	86.23	461.80	22.06	103.14	97.45	354.21	1604.92
	April	109.02	196.50	18.06	44.91	95.41	534.63	22.06	126.91	96.98	259.07	1503.55
	May	0.00	237.28	11.05	52.41	118.72	716.97	24.39	148.43	135.51	217.08	1661.84
	June	0.00	231.29	4.26	39.19	88.62	703.50	18.65	117.18	98.28	287.07	1588.04
	July	0.00	243.62	6.14	39.03	92.44	686.59	22.05	133.57	132.19	253.62	1609.25
	Aug	0.00	237.61	13.14	44.78	101.02	631.45	20.60	130.51	164.45	317.85	1661.41
	Sept	0.00	216.84	24.49	45.03	87.91	570.31	20.40	128.66	148.41	119.59	1361.64
	Oct	0.00	237.07	10.96	45.46	107.88	645.04	24.21	123.50	117.49	310.46	1622.07
	Nov	0.00	194.26	14.61	40.24	82.40	496.07	23.08	111.12	102.46	224.55	1288.79
	Dec	0.00	205.29	13.22	40.33	96.36	434.60	19.44	112.53	116.59	219.97	1258.33
			854.36	2447.99	117.31	503.12	1111.81	6732.96	252.79	1432.05	1392.84	2761.93

Calls For Service	
911 HANG UP	5
911 OPEN	7
ALARM	13
ALCOHOL	6
AMBULANCE	13
ANIMAL	35
ASSAULT	6
BANK ALARM	3
BURGLARY BUSINESS	2
BURGLARY RESIDENTIAL	10
CHILD ABUSE	5
CITY SERVICES	1
CIVIL DISPUTE	44
COVID-19 EMERGENCY ORDINANCE	6
CRIMINAL ENTRY OF MV	5
DEATH	1
DISORDERLY CONDUCT	30
DOMESTIC VIOLENCE	19
DRIVING COMPLAINT	37
DRIVING COMPLAINT 911	12
DRUG	18
ESCORT	7
EX PATRL	14
FAMILY OFFENSE	6
FIGHT	1
FIRE	7
FOREIGN AID	20
FRAUD	8
GENERATOR TEST	1
HARASS	21
HIT&RUN	7
INFORMATION	7
JUV	19
LITTER	3
LOST & FOUND	5
MENTAL ILLNESS	8
MISC	2
MISSING PERSON	2
MOTOR ASSIST	6
NOISE COMPLAINT	20
OPN DOOR	2
PARKING	15
PAROLE/PROBATION	1
PROPERTY	18
PROTECTION ORDER	5
REQUEST	1
RUNAWAY	4
SEX CRIME	5
SIG 2	17
SIGNAL 1 INJURY	1
SUICIDE	10
SUSPICIOUS PERSON/VEHICLE	48
THEFT	37
TRAFFIC CONTROL	4
TRAFFIC STOP	49
TRESPASS	8
VANDALISM	12
VEHICLE/ROAD COMPLAINT	12
WARRANT	1
WEAPONS	8
WELFARE CHECK	62
TOTAL	762

Adult Arrest:
Individuals Arrested: 16
of Charges: 22

Juvenile Arrests:
Individuals Arrested: 6
of Charges: 7

Total Citations: 47

April 2020
YPD
Activity Report

	GENERAL SUMMARY			
	THIS MONTH		Year To Date	
	This Year	Last Year	This Year	Last Year
POLICE INCIDENTS	762	820	3746	2917
SHERIFF INCIDENTS	163	184	583	630
AMBULANCE CALLS (YPD)	13	16	76	105
FIRE / HAZMAT CALLS	7	4	16	11
FOREIGN AID CALLS	13	33	65	94
ALARMS	15	15	86	82
ANIMAL CALLS/COMPLAINTS	35	48	126	193
ANIMALS CLAIMED OR IMPOUNDED (HHS)	6	7	27	31
ANIMALS DISPOSED	0	0	0	2

	ACCIDENT SUMMARY			
	THIS MONTH		Year To Date	
	This Year	Last Year	This Year	Last Year
STATE REPORTABLE	7	11	42	54
NON REPORTABLE AND HIT & RUN	16	32	86	113
SIGNAL 1 INJURY	1	2	8	10
# PERSONS INJURED	0	2	7	11
FATALITIES	0	0	0	0
PEDESTRIAN ACCIDENT	0	0	1	0

April 2020

YPD

Citations

			THIS MONTH		YEAR TO DATE	
	This Month Juv / Adult		Total This Year	Total Last Year	Total This Year	Total Last Year
SUSPENDED, EXPIRED OR UNLICENSED DRIVER		7	7	4	50	38
CARELESS DRIVING			0	0	9	6
EXHIBITION DRIVING		3	3	1	10	1
SPEEDING	1	8	9	14	52	54
STOP SIGN, RED LIGHT VIOLATION	1	2	3	3	18	13
ANIMALS AT LARGE		0	0	0	0	0
MAINTENANCE OF FINANCIAL RESPONSIBILITY		1	1	0	31	0
OPEN CONTAINER		0	0	0	8	3
CONSUMPTION UNDERAGE (18-20 yoa)		5	5	0	13	0
LIQUOR VIOLATIONS / FURNISHING ALCOHOL TO A MINOR		0	0	0	0	0
MISDEAMEANOR DRUG VIOLATIONS (POSS. OF DRUG PARAPH)	1	8	9	21	28	62
TOBACCO VIOLATIONS		0	0	2	14	15
PETTY THEFT UNDER \$400		7	7	5	15	20
INTENTIONAL DAMAGE TO PROPERTY		0	0	0	0	1
OTHER VIOLATIONS		3	3	15	51	65
TOTAL TRAFFIC CITATIONS	3	44	47	65	299	278

April 2020
YPD
Adult Arrest

	THIS MONTH		YEAR TO DATE	
	This Year	Last Year	This Year	Last Year
MURDER	0	1	0	1
RAPE	0	0	1	0
ROBBERY	0	0	0	0
DUI	2	6	24	32
DRIVING UNDER REVOCATION	0	3	8	20
BURGLARY	1	0	4	0
ASSAULT AGGRAVATED	1	2	7	4
ASSAULT SIMPLE	2	1	6	9
CRIMES AGAINST FAMILY / DOMESTIC VIOLENCE	10	4	24	22
DISORDERLY CONDUCT	0	1	1	1
SEXUAL CONTACT/SEX OFFENSES	0	0	1	2
THEFT PETTY	0	2	4	5
THEFT GRAND	0	0	0	2
THEFT AUTO	0	1	1	2
FORGERY & COUNTERFEITING	0	1	2	2
FRAUD	0	0	0	0
EMBEZZLEMENT	0	0	0	0
INTENTIONAL DAMAGE	1	0	4	0
NARCOTIC DRUG CHARGES	2	26	81	104
LIQUOR ARRESTS	0	0	2	0
WEAPONS VIOLATION	0	0	0	2
WARRANTS	1	14	60	57
PROTECTIVE CUSTODY	0	0	0	0
ALL OTHER OFFENSES	3	40	115	135
TOTAL ARRESTS	23	102	345	400

April 2020
YPD
Juvenile Arrests

	THIS MONTH		YEAR TO DATE	
	This Year	Last Year	This Year	Last Year
CURFEW	3	0	13	0
RUNAWAY	2	2	6	5
MIC	0	4	2	14
MURDER	0	0	0	0
RAPE	0	0	0	0
ROBBERY	0	0	0	0
BURGLARY	0	0	0	0
ASSAULT AGGRAVATED	0	0	0	0
ASSAULT SIMPLE	1	0	6	2
CRIMES AGAINST FAMILY/ DOMESTIC VIOLENCE	0	0	0	0
DISORDERLY CONDUCT DISTURBANCE OF SCHOOL	0	3	6	8
SEXUAL CONTACT / SEX OFFENSES	0	0	0	0
THEFT PETTY	0	0	0	0
THEFT GRAND	0	0	0	0
THEFT AUTO	0	0	0	0
FORGERY & COUNTERFEITING	0	0	0	0
FRAUD	0	0	0	0
EMBEZZLEMENT	0	0	0	0
INTENTIONAL DAMAGE	0	0	0	0
NARCOTIC DRUG CHARGES	0	8	9	13
LIQUOR ARRESTS	0	0	1	0
WEAPONS VIOLATIONS	0	0	0	1
ALL OTHER OFFENSES	1	0	6	5
TOTAL ARRESTS	7	17	49	48

Publishing Dates: May 30 & June 6, 2020

NOTICE TO BIDDERS

Sealed bids will be received for the City Commission of the City of Yankton, South Dakota, at the office of the City Finance Officer of the City until 3:00 PM or may be hand delivered to the City Finance Office drop-box by 3:00 PM on the 11th day of June, 2020 at which time they will be publicly opened and read at City Hall Gymnasium at 416 Walnut Street.

Disposition of said bid will be held on the 22nd day of June, 2020, 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 TRANSPORT – TANKWAGON PETROLEUM PRODUCTS

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

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

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

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

Dated: May 19, 2020

-THE CITY OF YANKTON IS AN EQUAL OPPORTUNITY EMPLOYER-

AGENDA
NOTICE OF CALL
SPECIAL CITY COMMISSION MEETING

A Special Meeting of the Board of City Commissioners shall be held on Friday, June 5, 2020, at 12:00 noon, in the City Hall Gym.

The following item shall be on the Agenda:

1. Canvass of the Election Returns of the City of Yankton
Municipal Election held June 2. 2020.

The above mentioned item and no other shall be discussed at said Special Meeting.

By Order of

Nathan V Johnson
Mayor

ATTEST:

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 transfer of ownership and location of a Retail (on-off sale) Malt Beverage & SD Farm Wine License for July 1, 2020, to June 30, 2021, from Shree, LLC d/b/a Shree, LLC (Diapan Patel, Owner), 821 Broadway Avenue, to P & P Lottery Enterprises, LLC d/b/a Pin-ups Casino & Gaming Lounge (James Palmer, Member), 3010 Broadway Avenue, Room 5, Yankton, S.D.

NOTICE IS FURTHER GIVEN that a Public Hearing upon the application will be held on Monday, June 8, 2020 at 7:00 p.m. during the City Commission Meeting. Due to Covid-19, City Commission Meetings are conducted electronically. To participate in the City Commission Meeting, you can comment or ask questions utilizing the chat function on the YouTube Livestream <https://www.youtube.com/channel/UCD1a1hf1dJkiLVS VXnmdRQg/live> or email commission@cityofyankton.org or call (605) 668-5251, where any person or persons interested in the approval or rejection of the above application may appear and be heard.

Dated at Yankton, South Dakota,
this 26th day of May, 2020.



Al Viereck
FINANCE OFFICER

____ Voice vote

Memorandum #20-98

To: City Manager
From: Finance Department
Date: May 18, 2020
Subject: Special Events (off-sale) Package Wine & Malt Beverage Dealers Lic.

We have received an application for a Special Events (off-sale) Package Wine & Malt Beverage Dealers License for 1 day, July 18, 2020 from Yankton Area Arts (Julie Amsberry, Executive Director), 508 Douglas, GAR Hall & GAR Hall parking lot & Sacred Heart Church parking lot next to GAR Hall, for a Picnic dinner & drink pick up, 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 20-99

To: City Manager
From: Finance Officer
Date: May 18, 2020
Subject: Renewal of Malt Beverage Licenses for the 2020-2021 Licensing period.

We have received the following applications for the renewal of Malt Beverage & SD Farm Wine Licenses for July 1, 2020 through June 30, 2021 licensing period.

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

Angelas La Mexicana, LLC dba Angelas La Mexicana, 401 Picotte St.
Hanten, Inc. dba Ben's Brewing Company, 222 W. 3rd St.
IHAH, LLC dba Big River Burrito Company, 100 Douglas Ave.
Boomers, Inc. dba Boomers Lounge, 100 E. 3rd St.
ADDAR INC. dba Broadway Inn, 1210 Broadway
Casey's Retail Company dba Casey's General Store #2268, 1000 Broadway
Casey's Retail Company dba Casey's General Store #2260, 608 E. 8th St.
Casey's Retail Company dba Casey's General Store #3855, 2300 Broadway
Chuck Stop, LLC dba Charlie's Pizza, 804 Summit St.
Cheers Bar & Grill, LLC dba Cheers Bar & Grill, LLC, 310 Walnut St.
Chuck Stop, LLC dba Chuck Stop, 800 Summit St.
Cockatoo Bar & Zebra Club, 100 E. 3rd St.
Cork 'N Bottle, Inc. dba Cork 'N Bottle, 1500 Broadway
Czeckers, Inc. dba Czeckers, Inc., 407 Walnut St.
Diggers Inc. dba Diggers Casino, 2020 Elm St. #7
East Eight, LLC dba Econo Lodge, 611 W. 23rd St.
El Tapatio Family Mexican Restaurant, Inc. dba El Tapatio Family Mexican Restaurant, 2502 Fox Run Parkway
GL Management, LLC dba Fox Run Golf Course, 600 W. 27th St.
The Fox Stop, Inc. dba The Fox Stop, 1316 W. 30th St.
Diggers, Inc. dba Goldrush, 2020 Elm St. Suite 7B
Arrowhead Holding, LLC dba Gramps, 700 E. 4th St.
ABG Ventures dba Happy Hourz, 311 Douglas Ave.
SYMS, LLC dba Holiday Inn Express Hotel & Suites, 2607 Broadway
Hy-Vee Inc. dba Hy-Vee Gas, 2110 Broadway
TC Corner, LLC dba JR's Oasis, 2404 E. Hwy 50
JoDean Corp. dba JoDean Corp., 2809 Broadway
King Buffet Mongolian Grill Restaurant, Inc. dba King Buffet Mongolian Grill, 3013 N. Broadway, Suite 5
SAN JOSE, INC. dba Mexico Viejo, 1809 Broadway
WR Capital I, LLC dba Minerva's Grill & Bar, 1607 E. Hwy 50, Suite A
P & P Lottery Enterprises, LLC, 3010 Broadway, Room 2
P & P Lottery Enterprises, LLC, 3010 Broadway, Room 3
P & P Lottery Enterprises, LLC, 3010 Broadway, Room 4
Annis Properties, Inc. dba Patriot Express, 2217 Broadway
Annis Properties, Inc. dba Patriot Express 02, 100 E. 4th St., Suite A
Annis Properties, Inc. dba Patriot Express 02, 100 E. 4th St.

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

TST, Inc. dba Phinney's Pub & Casino, Yankton Mall
NPC International, Inc. dba Pizza Hut #2791, 2003 Broadway
Annis Properties, Inc. dba Prairie Pumper, 909 Broadway
Pump-N-Stuff Yankton, Inc. dba Pump-N-Stuff, 215 W. 2nd St.
Pump-N-Stuff Yankton, Inc. dba Pump-N-Stuff, 215 W. 2nd St., Suite 2
Pure Ice Partners, LLC dba Pure Ice Company, 101 Capital St.
Zaccon, Inc. dba Roadrunner Convenience Mart, 300 W. 23rd St.
Zaccon, Inc. dba Roadrunner Convenience Mart, 300 W. 23rd St., Suite 2
Kathy J. Shelburg dba Shelburg Concessions, Sertoma Park, 15th & Ferdig St.
SHREE, LLC dba SHREE, 821 Broadway, Suite 2
SHREE, LLC dba SHREE, 821 Broadway, Suite 3
Diggers Inc. dba Smokey Hollow, 2020 Elm St., Suite 7A
Morgen, LLC dba South Point, 1101 Broadway, Suite 107A
Morgen, LLC dba South Point, 1101 Broadway, Suite 109
Morgen, LLC dba South Point Gaming Lounge, 1101 Broadway, Suite 111A
Morgen, LLC dba South Point Gaming Lounge, 1101 Broadway, Suite 111C
Flusswerks, LLC dba The Landing, 104 Capital St.
Tokyo Japanese Cuisine of Yankton, Inc. dba Tokyo Japanese Cuisine of Yankton, Inc., 2007 Broadway, Suite J
Gerstner Oil Company, Inc. dba Triple Time Rudy's, 1606 Broadway
Dave Tunge dba Mule Train, 901 Broadway, Suite A
Dave Tunge dba Kankota's, 901 Broadway, Suite C
Dave Tunge dba Sportsman's, 901 Broadway, Suite B
Two Rivers Technology, LLC dba Two Rivers Technology, LLC, 301 E. 3rd St.
Upper Deck, Inc. dba Upper Deck, 311-315 Broadway
Walgreen Co. dba Walgreens #09806, 2020 Broadway
Walnut Tavern, Inc. dba Walnut Tavern, 100 W. 3rd St.
WILLA B's, LLC dba WILLA B's, LLC, 114 Douglas Ave., Suite 2
Yankton Missouri River Kampground, LLC dba Yankton Missouri River KOA, 807 Bill Baggs Rd.
Yankton Morning Optimist, Inc. dba Yankton Morning Optimist, Inc., Riverside Park, 200 Levee St.

The above applications are in compliance with City Code of Ordinances, as checked by the Department of Finance.

A police check has been done on all the above applicants by the Yankton Police Department.

The applicants are in compliance with all Building and Fire Codes.



Al Viereck
Finance Officer

Memorandum #20-101

To: Amy Leon, City Manager
From: Dave Mingo, AICP Community and Economic Development Director
Subject: 2020 Sidewalk Cafe Permit Application-301 East 3rd St. DBA The Boat House
Date: May 14, 2020

Attached is a Sidewalk Cafe Permit Application for 301 East 3rd Street doing business as The Boat House. The application as submitted meets the minimum ordinance requirements. A permit is valid for a calendar year.

Sidewalk Cafes are permitted in specifically identified areas of a B-3 Central Business District. Several considerations included in the approval of permits are:

- Outdoor food or beverage sales and dining may only occur on the sidewalks that are adjacent to the building or structure in which the business is located.
- A five-foot wide pedestrian zone must be maintained, not including the curb zone, the two-foot area nearest the curb. The pedestrian zone shall be kept easily navigable. Once approved, the location of the pedestrian zone cannot change without City Commission action in the form of an amendment to the existing permit, or as part of the annual renewal process.
- The city commission may adjust the location of the requested pedestrian zone as a part of their action on the application.
- No food or beverage service devices can be attached to the sidewalk or other public areas without approval.
- All equipment must be moved indoors during non-business hours, unless the tables and chairs are secured in an approved manner or constructed of such material and placed so that they cannot be inadvertently moved or blown by the wind. Residential style plastic chairs and tables are not permitted.
- All garbage and cigarette refuse containers must be specifically manufactured for their intended use. The outdoor cafe area must be monitored and cleared of empty cans, bottles and other refuse during business hours and at closing time. Sidewalk areas shall be swept and cleaned as needed.

Respectfully submitted,



Dave Mingo, AICP
Community and Economic Development Director

Recommendation: It is recommended that the City Commission approve Memorandum #20-101 granting a 2020 Sidewalk Cafe Permit to 301 East 3rd Street doing business as The Boat House.

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

Amy Leon
City Manager

_____ Roll Call

Sidewalk Café Permit 301 E. 3rd

Additional information provided via email from the applicant:

From: Chris Hunhoff [mailto:chunhoff@2riverstech.com]

Sent: Thursday, May 14, 2020 1:12 PM

To: Brad Bies <BBies@cityofyankton.org>

Cc: Dave Mingo <DMingo@cityofyankton.org>

Subject: Re: Sidewalk Permit

See attached. We will have metal 5 tables that are 3'x3' each with 4 metal chairs. One table on the corner will have an umbrella.

The current plan is to move all tables indoors at night. There are anchors in the concrete that the previous tenants used to secure merchandise on the sidewalk. We may at a later date secure the tables to those if we find it's safe and feasible. The chairs and umbrellas will always be stored inside during off-hours.

We do not plan to have anything other than tables and chairs in the patio area.

CITY OF YANKTON

Sidewalk Cafe Permit Application

Annual permit for calendar year: 2020

Permit No. _____

Permit Fee: \$25.00

Please note: the application must be reviewed and approved by the City Commission before sidewalk cafe activities may begin.

Legal Description		
Address <u>301 E 3rd St</u>		
Owner	Mailing Address	Phone Number
<u>Two Rivers Technology</u>	<u>PO Box 307 Yankton, SD</u>	<u>605-760-1222</u>
Operator/Contact Person	Mailing Address	Phone Number
<u>Chris Hurhoff</u>	<u>309 E 19th St Yankton, SD</u>	<u>605-760-1222</u>
<p>Sidewalk cafe activities are only allowed in the sidewalk cafe zone as described in the City of Yankton's Sidewalk Cafe Ordinance.</p> <p><i>Public Sidewalk Use Zones</i> shall be defined as:</p> <ol style="list-style-type: none"> 1. Curb zone: Two feet from the face of the curb toward the private property line. 2. Pedestrian zone: A five foot wide corridor on the sidewalk not including the curb zone. 3. Sidewalk cafe permit zone: Remaining area of the public sidewalk not included in the curb zone or pedestrian zone. Sidewalk cafes may be located in this zone. 		
<p>Site Plan Requirement</p> <p>Please note this permit application must be accompanied by a site plan to scale showing the above described use zones and proposed sidewalk cafe request. The plan should also indicate all items to be placed on the sidewalk: tables, chairs, decorations, serving equipment, etc...</p>		
<p>Additional comments (Please describe the items to be placed on the sidewalk and the how they will be stored/secured)</p> <p><u>We will use the space for outdoor tables and seating to support additional capacity while maintaining extensive social distancing.</u></p>		
<p><u>Ch Stur</u> <u>5-6-20</u></p>		<p>_____</p>
Signature of Owner or Authorized Agent (Date)		City of Yankton Authorized Agent (Date)
<p>I certify that I am aware of the terms and conditions of the Sidewalk Cafe Permit and I agree to comply with all requirements of the associated City of Yankton Sidewalk Cafe Ordinance. Any person who violates any of the provisions of this ordinance may have their permit revoked and is further subject to the penalties described in Section 1-8 in the Code of Ordinances for the City of Yankton, South Dakota.</p>		

Memorandum #20-102

To: Amy Leon, City Manager
From: Adam Haberman, Public Works Director
Subject: 2020 Application for Local Federal Bridge Replacement Funds
Date: May 18, 2020

In mid-February 2020, the State of South Dakota was allocated \$33,823,212 to be used for the replacement or rehabilitation of bridges listed in poor condition. These funds are an apportionment of Highway Infrastructure Program Funds pursuant to the Department of Transportation Appropriations Act, 2020 and are available for obligation until September 30, 2023. Allocation is available to states for which the percentage of total deck area of bridges classified as in poor condition is at least 5% percent as determined based on the National Bridge Inventory as of December 31, 2018. In South Dakota, 970 of the 3,928 total bridges on local roadways are listed in poor condition. With these funds available, the Local Federal Bridge Replacement Program was created. The South Dakota Department of Transportation (SDDOT) will accept requests for bridge replacement projects by application, which are due June 12, 2020. Poor condition bridges in all counties, cities and towns are eligible to apply. The projects that are funded will have 81.95% Federal Aid and 18.05% local match. The SDDOT will bundle and administer funded projects.

The City of Yankton Cedar Street Bridge is listed as an overall poor condition on the National Bridge Inventory and is eligible to apply for the Local Federal Bridge Replacement Program. The estimated cost to replace the existing bridge is \$1,860,000. If the project is successful in the application process and awarded funding, the estimated 81.95% Federal Share would be \$1,524,270 and the estimated 18.05% Local Share would be \$335,730. Successful replacement projects would likely take place in the 2024 or 2025 construction seasons.

Attached is the 2020 Application for Local Federal Bridge Replacement Funds through the South Dakota Department of Transportation, and the Federal Aid Bridge Replacement Program Resolution for County and Urban Projects, for the City of Yankton, Cedar Street Bridge replacement.

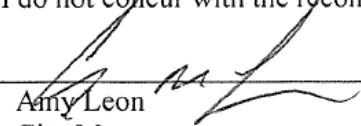
Recommendation: It is recommended the City Commission approve the 2020 Application for Local Federal Bridge Replacement Funds through the South Dakota Department of Transportation and approve the Federal Aid Bridge Replacement Program Resolution for County and Urban Projects for the replacement of the City of Yankton Cedar Street Bridge, and authorize the City Manager to execute any and all documents pertaining to this project as outlined in Memorandum #20-102.

Respectfully submitted,



Adam Haberman
Public Works Director

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



Amy Leon
City Manager

____ Roll call



2020 APPLICATION FOR LOCAL FEDERAL BRIDGE REPLACEMENT FUNDS

South Dakota Department of Transportation
SUBMIT APPLICATION TO: Wade.Dahl@state.sd.us

Must be postmarked by June 12, 2020

Identification	NBI Structure # 000000068121204	Federal Aid Route Number: NA
	Owner: City of Yankton	Over: Marne Creek
	Location: 350 feet north of West 6 th Street	Road/Street/Avenue Name: Cedar Street
	Preliminary Engineering: <input type="checkbox"/> Completed by Local OR <input type="checkbox"/> Completed by BIG Grant PCN _____ OR <input checked="" type="checkbox"/> To be included with this program	
Eligibility	<p>All Projects: (Provide explanation below if any of the following are False)</p> <p><input checked="" type="checkbox"/> True <input type="checkbox"/> False – Bridge is on the National Bridge Inventory?</p> <p><input checked="" type="checkbox"/> True <input type="checkbox"/> False – Bridge overall condition is rated as Poor? (Per list of eligible structures as provided by SDDOT)</p> <p><input checked="" type="checkbox"/> True <input type="checkbox"/> False – Local Government currently has funds or ability to obtain funds to provide an 18.05% match on all eligible costs?</p> <p><input checked="" type="checkbox"/> True <input type="checkbox"/> False – Local Government currently has funds or ability to obtain funds to cover all in-eligible costs?</p> <p><input checked="" type="checkbox"/> True <input type="checkbox"/> False – Bridge site currently has access and no issues with initiating field survey work?</p> <p><input checked="" type="checkbox"/> True <input type="checkbox"/> False – Bridge site has adequate right of way or there are no concerns with acquiring adequate right of way</p> <p><input checked="" type="checkbox"/> True <input type="checkbox"/> False – Structure serves multiple residences, farms, ranches or a multi-lot development?</p> <p><input checked="" type="checkbox"/> True <input type="checkbox"/> False – Structure is located on a Full Maintenance Road?</p> <p><input checked="" type="checkbox"/> True <input type="checkbox"/> False – Roadway does not terminate into a field entrance, driveway, single residence, farm, or ranch?</p> <p><input checked="" type="checkbox"/> True <input type="checkbox"/> False – Local Public Agency (LPA) is in full compliance with Federal and State NBIS requirements?</p> <p><input checked="" type="checkbox"/> True <input type="checkbox"/> False – General maintenance been performed on the structure?</p> <p>For PE completed by Local: Include a Type, Size, & Location (TS&L) report with application</p>	
Work Description	<p><u> The substructure of the existing structure has experienced significant section loss. It is being proposed that the</u> <u>existing structure be removed, and a new structure constructed in its place. The work would include a site survey</u> <u>and hydraulic analysis to determine structures sizes for replacement options, selection of an acceptable structure</u> <u>size and layout, development of construction plans for new structure and approach grading, and construction of</u> <u>the replacement structure. The existing structure is 100'-2" Three-Span Prestressed Precast Concrete Double-Tee</u> <u>bridge, 45° LHF Skew, with Steel Pile Bents and Steel Pile Abutments, 37'-0" clear roadway with two 8'-0"</u> <u>sidewalks. For estimating purposes, a 106'-4" Three-Span Continuous Concrete bridge, 45° LHF Skew, with</u> <u>Concrete Bents and Concrete Abutments, 37'-0" clear roadway with two 8'-0" sidewalks, is being considered.</u></p> <p>_____</p> <p>_____</p>	
LPA Authorization	<p>_____</p> <p>LPA Contact (print)</p> <p>Contact email and phone number: _____</p> <p>Attach resolution from Commission/Council authorizing application for grant.</p>	

**FEDERAL AID BRIDGE REPLACEMENT PROGRAM RESOLUTION
FOR COUNTY AND URBAN PROJECTS**

WHEREAS, _____ The City of Yankton _____ desires the replacement of the bridge hereinafter described:

STRUCTURE NUMBER AND LOCATION: **SN 68-121-204**
Approx. 350 feet north of West 6th Street on Cedar Street (42.87481N, -97.39526W)

LIST OF CURRENT LANDOWNERS ADJACENT TO THE PROJECT (NAMES & ADDRESSES): **Walnut Properties, LLC, 613 Walnut St., Yankton, SD 57078;**
Key Funding Group, 309 West 7th St., Yankton, SD 57078;
Bryan Anderson and Daniel Anderson, 611 Cedar St., Yankton, SD 57078;
City of Yankton, 416 Walnut St., Yankton, SD 57078.

AND WHEREAS, _____ The City of Yankton _____ is obligated and hereby agrees to provide proper maintenance as required by the Federal Highway Act as amended and supplemented thereto for project after construction is completed and to regulate or cause to be regulated the installation of utility facilities within the limits of the right-of-way of the proposed project in accordance with State and Federal requirements.

AND WHEREAS, _____ The City of Yankton _____ is obligated and hereby agrees to reimburse the State for all costs not reimbursable with Bridge Replacement Funds.

AND WHEREAS, the bridge is in need of replacement for the following reasons:

1. The condition rating is Poor .
2. The bridge is not located on a County or Township designated No Maintenance or Minimum Maintenance Road.
3. The bridge is located on a Federal Aid Route _____, a school bus route _____, a mail route X , a field to farm to market route _____, a lake or recreation access route _____, or other (please specify) _____.
4. The load carrying capacity of the existing bridge can ___ or cannot X be improved to carry legal loads by rehabilitation of the existing bridge.

NOW THEREFORE BE IT RESOLVED:

That the South Dakota Department of Transportation be and hereby is authorized and requested to program for construction, in accordance with the "Local Roads Plan" and the State's "Standard Specifications for Roads and Bridges," the bridge replacement project at the above described location. Items to be handled by State forces with Federal Participation will include hydraulic study review, foundations investigation (if necessary), plan reviews, and construction administration.

Estimated Cost of Project Including Engineering:	\$	<u>1,860,000</u>
Federal Share (81.95%):	\$	<u>1,524,270</u>
Local Share (18.05%):	\$	<u>335,730</u>

Vote of Commissioners/Council: Yes _____ No _____

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

ATTEST:

County Auditor/City Finance Officer

Chairman/Mayor

Memorandum #20-103

To: Amy Leon, City Manager
From: Bradley Moser, Civil Engineer
Subject: Bid Award for the 12th Street – Douglas Avenue to Mulberry Street & Pine Street
 – 10th Street to 15th Street Reconstruction Project
Date: May 19, 2020

Bids for the 12th Street & Pine Street reconstruction project were opened on May 14, 2020. The project is a complete street reconstruction. There is no major utility or underground work planned. Sidewalk installation in locations where there currently is none has been included in the scope of work.

As you can see from the bids results, this is a very uncertain time, as far as construction goes. Some contractors are looking for work, while others have a full schedule. This is seen in the disparity of the bids received.

The bids received are listed below:

- | | |
|---|--------------|
| 1. D&G Concrete Construction, Inc., Sioux Falls, SD | \$646,174.99 |
| 2. Masonry Components, Inc., Yankton, SD | \$727,166.90 |
| 3. Feimer Construction Co., Inc., Yankton, SD | \$998,974.45 |

The low bidder meets the specifications and is \$133,354.81 lower than the most recent Engineer's estimate of \$779,529.80. D&G Concrete Construction has proven that they are capable of completing projects of this nature. Based on their work history, city staff recommends that the bid be awarded to D&G Concrete Construction, Inc., in the amount of \$646,174.99.

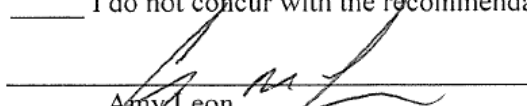
Respectfully submitted,



Bradley Moser
Civil Engineer

Recommendation: It is recommended that the City Commission award the contract to D&G Concrete Construction, Inc., in the amount of \$646,174.99, as explained in Memorandum #20-103.

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



 Amy Leon
 City Manager

cc: Adam Haberman

_____ Roll call

MEMORANDUM #20-104

To: Yankton Board of City Commissioners
From: Ross K. Den Herder, Yankton City Attorney
Subject: COVID-19 Temporary Emergency Ordinance No. #2
Date: May 19, 2020

In light of the current COVID-19 pandemic, this Commission passed Ordinance #1033 (COVID-19 Temporary Emergency Ordinance No. #1), which granted the City Commission the power to close certain businesses and limit the size of communal gatherings within City limits. Although those powers are not currently being exercised, the Commission retains and may exercise those powers by passage of a resolution until the Ordinance “sunset” (expires) on June 8, 2020. Currently, Yankton is projected to see its peak of active COVID-19 cases in late June, or perhaps sometime in July, 2020. It remains possible that Yankton could experience a dangerous spike in active cases that could threaten to overload our healthcare system. Without a replacement Ordinance granting emergency powers to act by resolution, our Commission would be unable to take swift action to slow the spread of the disease after June 8, 2020.

The purpose of COVID-19 Temporary Emergency Ordinance No. #2 is to simply keep and extend those powers of the City Commission beyond June 8, 2020. The Ordinance is structured similar to Ordinance #1033. However, in its current form, the Ordinance does not directly impose any business closures, gathering restrictions, or any other restrictions upon the public. Rather, it extends the power of the Commission to do so by passing a resolution at any future regular or special meeting. Here is a summary of the powers it grants to the Commission:

- (1) The Commission may close businesses of the same four general category groupings as regulated under Ordinance #1033 for the time prescribed within a future Commission resolution. The specific business types included or excluded from each category grouping may also be modified by resolution;
- (2) The Commission may impose operational or occupancy limitations on any business type for the period of time set within the resolution; and
- (3) The Commission may impose a 10-person “communal gathering” limitation in a similar manner to the regulation in Ordinance #1033 for the period of time set within the resolution.

Before the Commission exercises these powers, it must first receive a recommendation from the City’s Board of Health. If the Commission passes a resolution exercising any of these powers, a violation of such resolution is a class 2 misdemeanor punishable by a fine of up to \$500 and up to 30 days in the county jail.

If a majority of you are comfortable with the terms in this Ordinance, you may simply hold off on a second reading until this Commission is ready to exercise these powers. When you are ready to act, you may call a special meeting on 24 hour notice and adopt the ordinance making it effective the moment it is published in the Yankton P&D – likely the next day. Be advised, however, that once it is effective, you will still need to hold another special meeting to consider a health board recommendation and pass a resolution to exercise the powers contained within the ordinance.

Ross K. Den Herder, City Attorney

ORDINANCE #1034

COVID-19 TEMPORARY EMERGENCY ORDINANCE NO. #2

A TEMPORARY EMERGENCY ORDINANCE TO ADDRESS A PUBLIC HEALTH CRISIS BY IMPLEMENTING CERTAIN MEASURES WHICH HAVE BEEN DEEMED NECESSARY TO SLOW THE COMMUNITY SPREAD OF THE VIRUS RESPONSIBLE FOR THE COVID-19 DISEASE.

WHEREAS, the City of Yankton has the authority pursuant to SDCL 9-29-1 and 9-32-1 to pass Ordinances for the purpose of promoting the health, safety, morals and general welfare, of the community and to do what may be necessary or expedient for the promotion of health or the suppression of disease; and

WHEREAS, an outbreak of the COVID-19 disease, which is caused by the novel coronavirus SARS-CoV-2 (the “virus”), has been confirmed in more than 213 countries and territories, including the United States; and

WHEREAS, COVID-19 is a severe respiratory disease caused by the virus transmitted by person-to-person contact, or by contact with surfaces contaminated by the virus. In some cases, especially among older adults and persons with serious underlying health conditions, virus infection can result in serious illness requiring hospitalization, admission to an intensive care unit, and death; and

WHEREAS, the World Health Organization (WHO), the Centers for Disease Control and Prevention (CDC), and the Secretary of the U.S. Department of Health and Human Services have declared the outbreak of the virus causing the COVID-19 disease as a public health emergency; and

WHEREAS, on March 13, 2020, President Donald Trump declared a national emergency in response to the global pandemic of COVID-19; and

WHEREAS, on the same day, Governor Kristi Noem, issued Executive Order 2020-04 which declared a state of emergency to exist in the State of South Dakota in response to the spread of the virus causing the COVID-19 disease; and

WHEREAS, on March 16, 2020, the City of Yankton passed resolution 20-21, which declared a state of emergency to exist in the City of Yankton in response to the spread of the virus causing the COVID-19 disease; and

WHEREAS, cases of infection from the virus causing the COVID-19 disease have been confirmed in the State of South Dakota, and cases of community transmission exist in Yankton County, South Dakota; and

WHEREAS, the CDC and health experts have recommended social distancing to slow the spread of the virus; and

WHEREAS, social distancing is a method of slowing down or stopping the spread of a contagious disease by reducing the probability of contact between infected persons and those not infected in order to minimize disease transmission; and

WHEREAS, the failure to successfully implement social distancing has resulted in higher numbers of infected individuals and has the potential to overwhelm the capacity of the City's health care providers; and

WHEREAS, it is important that control measures be taken to reduce or slow down the spread of the virus in order to protect the health and safety of the City's residents, especially for seniors and those with underlying health conditions that make them particularly vulnerable to the COVID-19 disease.

WHEREASE, the City of Yankton Board of Health, exercising its authority within Ordinance Sec. 11-32 of the Yankton Code of Municipal Ordinances, has found that the rules and regulations contained within this Ordinance are necessary for the prevention and spread of the contagious virus causing the deadly COVID-19 disease within the city and recommended the passage thereof by the Yankton Board of City Commissioners.

NOW THEREFORE, BE IT ORDAINED by the Yankton Board of City Commissioners that:

Section 1. Upon recommendation of the City of Yankton Board of Health and passage of a resolution of the Yankton Board of City Commissioners, all restaurants, coffee houses, bars, breweries, dance clubs, gentlemen's clubs, cafes, and other similar places of public accommodation offering food and beverages for on-site consumption, including any alcohol licensees with on-sale privileges, are closed to on-site/on-sale patrons. These businesses may continue to operate in order to provide take-out, delivery, curbside service, and drive-thru food service. These businesses may also continue to offer goods for sale in the same manner, so long as people are not permitted to gather in violation of Section 7 below. Any business continuing to operate in order to provide off-site consumption food service or sale of goods should implement procedures to ensure social distancing and operate in compliance with federal and state health guidance in order to prevent the spread of the virus causing the COVID-19 disease. The list of the business types closed by this Section may be increased or decreased by recommendation of the City Board of Health and passage of a resolution of the Yankton Board of City Commissioners. This closure shall remain in effect for the period of time set forth in the resolution adopted by the Yankton Board of City Commissioners.

Section 2. Upon recommendation of the City of Yankton Board of Health and passage of a resolution of the Yankton Board of City Commissioners, all recreational facilities, pools, health and fitness facilities and clubs, social clubs, fraternal organizations, athletic and weight training facilities, barber shops, hair salons, nail salons, spas and massage services, estheticians, tattoo parlors, movie and live production theaters, event centers, meeting halls, and music and entertainment venues are directed to close and cease operations. These businesses may continue to offer goods for sale under the conditions outlined in Section 1. Any business continuing to operate in order to provide goods for sale should implement procedures to ensure social distancing and operate in compliance with federal and state health guidance in order to prevent the spread of the virus causing the COVID-19 disease. The list of the

business types closed by this Section may be increased or decreased by recommendation of the City Board of Health and passage of a resolution of the Yankton Board of City Commissioners. This closure shall remain in effect for the period of time set forth in the resolution adopted by the Yankton Board of City Commissioners.

Section 3. Upon recommendation of the City of Yankton Board of Health and passage of a resolution of the Yankton Board of City Commissioners, all tobacco shops and lounges, vaping shops and lounges, hookah lounges, and other similar business which allow for on-site consumption of any product by smoking or inhaled vapor are directed to cease allowing any on-site consumption, but may continue to offer goods for sale under the conditions outlined in Section 1. Any business continuing to operate in order to provide goods for sale should implement procedures to ensure social distancing and operate in compliance with federal and state health guidance in order to prevent the spread of the virus causing the COVID-19 disease. The list of the business types closed by this Section may be increased or decreased by recommendation of the City Board of Health and passage of a resolution of the Yankton Board of City Commissioners. This closure shall remain in effect for the period of time set forth in the resolution adopted by the Yankton Board of City Commissioners.

Section 4. Upon recommendation of the City of Yankton Board of Health and passage of a resolution of the Yankton Board of City Commissioners, all pool halls, video game arcades, video lottery casino operations, bowling alleys, indoor ice skating rinks, and other similar recreational or entertainment facilities are directed to close and cease operations. These businesses may continue to offer goods for sale under the conditions outlined in Section 1. Any business continuing to operate in order to provide goods for sale should implement procedures to ensure social distancing and operate in compliance with federal and state health guidance in order to prevent the spread of the virus causing the COVID-19 disease. The list of the business types closed by this Section may be increased or decreased by recommendation of the City Board of Health and passage of a resolution of the Yankton Board of City Commissioners. This closure shall remain in effect for the period of time set forth in the resolution adopted by the Yankton Board of City Commissioners.

Section 5. The closures in this order do not apply to the following:

- (a) Places of public accommodation that offer food and beverages for off-site consumption, including grocery stores, markets, retail stores that offer food, convenience stores, pharmacies, drug stores, and food pantries, other than any portion of such business which would be subject to the requirements of Section 1.
- (b) Room service in hotels.
- (c) Health care facilities, residential care facilities, congregate care facilities, and correctional facilities.
- (d) Crisis shelters, homeless shelters, churches, soup kitchens, or other similar institutions.
- (e) Any emergency facility necessary for the response to the current public health emergency or any other community emergency or disaster.

- (f) Any outdoor recreational facility where safe distances between patrons may be maintained (i.e. the outdoor portions of any golf course or archery range).
- (g) Daycare providers.
- (h) Any other business type or service established by recommendation of the City of Yankton Board of Health and passage of a resolution of the Yankton Board of City Commissioners.

Section 6. Upon recommendation of the City of Yankton Board of Health and passage of a resolution of the Yankton Board of City Commissioners, the occupancy and operation of any business may be restricted in any manner deemed appropriate by the Yankton Board of City Commissioners to slow the spread of the virus causing the COVID-19 disease for a period of time established within the resolution. Each person violating an occupancy or operational restriction established by resolution of the Yankton Board of City Commissioners in accordance with this Section shall be deemed to be in violation of this Ordinance.

Section 7. Upon recommendation of the City of Yankton Board of Health and passage of a resolution of the Yankton Board of City Commissioners, it shall be unlawful In the City of Yankton for any person to participate in a “communal gathering” as defined herein for the period of time established within the resolution, which prohibition shall be governed by the following terms:

- (a) For purposes of this Ordinance, a "communal gathering" is any indoor or outdoor gathering of people, subject to the exceptions and clarifications below, that brings together or is likely to bring more than ten (10) persons at the same time in a single room or other single confined or enclosed space, including, but not limited to an office space or similar confined place of employment, a single family residence, or a residential apartment unit.
- (b) For purposes of this Ordinance, a "communal gathering" does not include larger gatherings in the following locations only if individuals not living within the same household remain at least six feet (6') from one another:
 - (i) public parks, sidewalks, streets, and any outdoor recreational facility where safe distances between patrons may be maintained (i.e. the outdoor portions of any golf course or archery range);
 - (ii) parking lots and common areas of any hotel, office building or residential apartment buildings;
 - (iii) grocery stores, shopping malls, manufacturing facilities, daycare providers, or other retail or business establishments where larger numbers of people may be present, but where it is unusual for people to be within six feet (6') of one another for extended periods;
 - (iv) hospitals, mental health or substance abuse treatment facilities, and medical clinics and facilities, long term care and assisted living facilities; and

- (v) Any other location established by recommendation of the City Health Board and approved by resolution of the Yankton Board of City Commissioners.

Section 8. Each person in violation of this Ordinance or in violation of any resolution passed in accordance with the terms of this Ordinance shall be guilty of a Class 2 misdemeanor, and shall be subject to the penalties established under Ordinance Sec. 1-8 of the Yankton Code of Municipal Ordinances. Each day a violation of this Ordinance occurs is considered a separate offense.

Section 9. Ordinance Sunset Date. This Ordinance shall remain in effect for a period not to exceed One Hundred Eighty (180) Days following the date of publication of this Ordinance, at which time it shall be automatically repealed without further action of the Yankton Board of City Commissioners unless specifically readopted for an additional period of time by the Yankton Board of City Commissioners in accordance with SDCL 9-19-7. Any effective period of time identified in the other Sections of this Ordinance may be extended or reduced within the period of time covered by this Ordinance by a resolution of the Yankton Board of City Commissioners.

BE IT FURTHER ORDAINED, that, pursuant to SDCL 9-19-13, this Ordinance is necessary for the immediate preservation of the public peace, health, safety, and welfare of the City and shall become effective immediately upon passage and publication.

Dated this ___ day of _____, 2020.

CITY OF YANKTON

Nathan V Johnson, Mayor

ATTEST:

Al Viereck, Finance Officer

(SEAL)

Adopted:
1st Reading:
2nd Reading:
Publication Date:
Effective Date: (Date of Publication – Emergency Clause)