



CITY OF YANKTON

2020_08_24

**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.

Monday, August 24, 2020

City of Yankton Community Meeting Room

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

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, limited access will be provided through the west door of the CMTEA building. You will be asked to state what item you would like to participate in and allowed access one person at a time into the meeting room. You will be asked to introduce yourself and make your comments. Alternatively, you can comment or ask questions utilizing the chat function on the YouTube Livestream.

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

I. ROUTINE BUSINESS

1. Roll Call
2. Approve Minutes of regular meeting of August 10, 2020 and Budget Workshop Meeting of August 10, 2020 Attachment I-2
3. City Manager’s Report Attachment I-3
4. Public Appearances – Dylan Wilson

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. **Possible Quorum Event**
September 12, 2020, 10:00 am, in front of Yankton County Courthouse for Bridge Dedication Ceremony, no official commission action

III. **OLD BUSINESS**

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

1. **Public hearing for sale of alcoholic beverages**
Consideration of Memorandum #20-156 regarding the request for a Special Events Retail (on-sale) Malt Beverage License and Special Retail (on-sale) Wine Dealers License for 1 day, September 12, 2020, from Ag United for South Dakota, Families Feeding Families Event, located at NFAA 800 Archery Lane, Yankton, SD 57078

Attachment III-1

2. **Parking Ordinance – Public Hearing**
Consideration of Memorandum #20-153 regarding the second reading and public hearing, an Ordinance #1037 regarding the Parking Ordinance within the City of Yankton

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. **Planning Commission Recommendation – CUP**
Consideration of Memorandum #20-159 regarding Resolution #20-57, an extraterritorial jurisdiction Conditional Use Permit for additional height on a tower on the E 1/2 of the SW 1/4, Section 11, T93N, R56W of the 5th P.M., Yankton County, South Dakota. Powder River Development Services, LLC, applicant. Address, 2000 SD Hwy 314.

Attachment IV-1

2. **Planning Commission Recommendation –CUP**
Consideration of Memorandum #20-160 regarding Resolution #20-58, an amendment to an adjacent Conditional Use Permit for a self-storage facility on the North half of Lot 9, except the south 20 feet, Block 1, Airport Acres addition, City and County of Yankton. WDM Properties, LLC, applicant. Address, 3010 Piper Street.

Attachment IV-2

- 3. Establish Public Hearing - Rezoning**
Introduction and first reading of Ordinance #1039 and establishing September 14, 2020 as the date for a public hearing to consider a rezoning from R-2 Single Family Residential to B-2 Highway Business on The part of the Northeast Quarter of the Northeast Quarter (NE1/4 NE1/4), Section Two (2), Township Ninety-three (93) North, Range Fifty-six (56) West of the 5th PM, lying Northeast of the present right of way of the Chicago, Milwaukee, and St. Paul Railroad Company, now known as Chicago, Milwaukee, St. Paul and Pacific Railroad Company, consisting of a triangular parcel, EXCEPT Lot H-1 as platted in Book S9, page 56, Yankton County, South Dakota, less highways and roads. JTG Properties, LLC, owner. Address, 3007 West City Limits Road.

Attachment IV-3
- 4. Planning Commission Recommendation – Plat Review**
Consideration of Memorandum #20-162 regarding Resolution #20-59, a plat of Lots 1, 2, 3, 4, 5, 6, and 7 in Block 10 Westbrook Estates in Tract 1 of Law Addition in the Southeast Quarter of Section 2, Township 93 North, Range 56 West of the 5th Principal Meridian, City of Yankton, Yankton County, South Dakota. Yankton Development Enterprises, LLC., Kelly Nielson, President, owner. Address, south side of the 1600 Block of W. 25th Street

Attachment IV-4
- 5. Bid Award – Skid Steer Joint Powers**
Consideration of Memorandum #20-158 and Resolution #20-56 recommending approval of the Bid Award for Skid Steer Loader for the Public Works Department, Joint Powers Division

Attachment IV-5
- 6. Final Project Acceptance – Dakota West Estates II Addition**
Consideration of Memorandum #20-121 regarding Acceptance of the Utility and Street Improvements for West Street – Dakota West Estates II Addition

Attachment IV-6
- 7. Establish Road Tax Rate for 2020**
Consideration of Memorandum 20-157 in support of Resolution #20-55 setting the 2020 Yankton Road Tax Rate

Attachment IV-7
- 8. No Parking Resolution**
Consideration of Memorandum #20-163 regarding Resolution #19-60 regarding No Parking Resolution at 300 E 6th Street

Attachment IV-8
- 9. Ordinance Pertaining to Proposed 2021 Budget – Set Public Hearing**
Introduction, first reading and establish September 14, 2020 as the second reading, and public hearing Ordinance #1038, an ordinance to appropriate monies for defraying the necessary expenses and liabilities of the City of Yankton, South Dakota, for the fiscal year beginning January 1, 2021, and ending December 31, 2021, and providing for the levy of annual taxes for all funds created by ordinance within said City

Attachment IV-9

10. Time Management / Human Resources Software Agreement

Consideration of Memorandum #20-165 regarding Time Management / Human Resources Software Agreement Proposal

Attachment IV-10

11. Penalties for Parking Violations

Consideration of Memorandum #20-164 in support of Resolution #20-61 regarding Penalties for Parking Violations

Attachment IV-11

V. OTHER BUSINESS

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

VI. ADJOURN THE MEETING OF AUGUST 24, 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
CITY COMMISSION BUDGET WORKSHOP SESSION, 8:00 P.M.
AUGUST 10th, 2020**

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

Roll Call: Present: Commissioners Benson, Brunick, Carda, Maibaum, Miner, Moser, Schramm and Webber. City Attorney Den Herder and City Manager Leon were also present. Absent: None. Quorum present.

City Manager Amy Leon presented a synopsis of the proposed 2021 City of Yankton Budget. She highlighted personnel services, proposed utility rates and outside agency funding. No changes to the proposed budget were offered by any commissioners. The consensus was to bring a budget ordinance to the next commission meeting for an introduction and first reading.

There were no public appearances at this time.

Action 20-323

Moved by Commissioner Benson, seconded by Commissioner Miner, to adjourn at 6:56 p.m.

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

Motion adopted.

Nathan V Johnson
Mayor

ATTEST:

Al Viereck
Finance Officer

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
AUGUST 10TH, 2020**

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

Roll Call: Present: Commissioners Benson, Brunick, Carda, Maibaum, Miner, Moser, Schramm and Webber. City Attorney Den Herder and City Manager Leon were also present.

Quorum present.

Action 20-314

Moved by Commissioner Miner, seconded by Commissioner Moser, to approve Minutes of work session meeting of July 27, 2020 and regular meeting of July 27, 2020.

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

Motion adopted.

Action 20-315

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

1 Office Solution - Office Supplies - \$19.85; Academy Of Dance Inc - Summer Program - \$156.80; Adobe Creative Cloud - Contracted Service - \$70.27; Adobe Stock - Contracted Service - \$31.94; Aerzen USA Corp. - Air Blower Parts - \$1,342.24; Airside Solutions Inc - Control Board - \$547.89; Alert Magazine LLC - Ad - \$205.00; Alfa Laval - GBT Aqua Belt - \$1,292.42; Amazon - Non Contact Thermometers - \$291.45; Amazon - Hand Sanitizer - \$121.30; Amazon - Signage - \$64.62; Amazon - Dvd - \$36.01; Amazon - Book - \$24.98; Amazon - Dvd's - \$75.16; Amazon - Cart Replacement Wheels - \$27.64; Amazon - Books - \$110.11; Amazon - Book - \$20.57; Amazon - Book - \$9.99; Amazon - Book - \$12.98; Amazon - Spray Bottles - \$29.90; Amazon - Book - \$5.98; Amazon - Hand Sanitizer Stations - \$455.92; Amazon - Stamp - \$26.95; Amazon - Disposable Face Masks - \$575.20; Animal Health Clinic - Exam-Xray - \$343.47; A-Ox Welding Supply Co Inc - Chemicals - \$48.01; Association For Rural - Arsl Virtual Conference - \$130.00; AT&T Bill Payment - Cell Phone - \$206.82; Auto Value Yankton - Filters - \$637.54; Autozone - Power Steering Pump - \$266.19; Avenu Insights & Analytics LLC - Maint Program Support - \$1,969.83; Boller Printing - Accident Forms - \$135.00; Bomgaars - Floor Dry - \$1,771.86; BP Get N Go - Travel Expense - \$12.78; Buhl Cleaners - Towels - \$942.43; C & B Yankton - Mower Blades - \$115.36; C & R Supply - SDPRA Sponsorship Refund - \$500.00; Canva - Advertisements - \$119.40; Carda/Garrett - CDL License Reimburse - \$95.00; Casey's Gen Store - Working Lunch - \$30.08; Cedar Knox Public Power Dist - Elect - \$1,627.11; Center Point Large - Books - \$133.62; Centurylink - Phone - \$1,221.17; Chewy.Com - Dog Bed - \$47.82; Christensen Radiator A - Condenser Repair - \$444.37; City Of Vermillion - Jt Power Cash Trans - \$81,131.48; City Of Yankton-Parks - Landfill Charges - \$373.38; City Of Yankton-Solid Waste - Compacted Garbage - \$17,268.04; City Utilities - Wtr/Ww Charges - \$40,531.52; Concrete Material - Bituminous Mix - \$30,277.25; Concrete Materials - Memorial Park Concrete - \$128.25; Core & Main - Water Supplies - \$2,778.78; Cornhusker Intl Truck Inc - Filters - \$255.32; Cornwell D-P Tools Inc - Air Impact Wrench - \$285.04; Cox Auto Supply - Socket Set - \$169.01; Credit Collection Service Inc - Util Coll June 20 - \$280.99; Crescent Electric - Electrical Supplies - \$83.87; Culligan Water - Filter Rental Fee - \$50.00; D & G Concrete Const. - 12th St Reconst C-12-20 - \$270,204.81; DAS/Dakotacare Admin Services - Flex Spending

Fees - \$29.10; Dash Medical Gloves - Latex Gloves - \$67.90; Davis Equipment Turfwerks - Mower Repairs - \$348.50; Design Solutions & Integration - Programming - \$3,831.40; Discount Plumbing - Condensate Removal Pump - \$100.52; Double H Paving Inc - Runway Reconstruction - \$652,555.78; Dude Solutions Inc - Software - \$8,400.00; Ehresmann Engineering - Pipe - \$35.24; Electric Pump - Inc. - Exhaust Fan Motor - \$353.40; Ethanol Products LLC - Co2 - \$903.72; Fastenal Company 01sdy - Paper Towels - \$90.83; Fejfar Plumbing & Heat - Plaza Waterfall Repair - \$610.21; Ferguson Enterprises - 3/4 & 1 Meters - \$11,390.89; Findaway - Books - \$674.36; Flexible Pipe Tool Company - Sewer Hose - \$2,625.00; Frontier Mills - Grass Seed - \$78.31; Geotek Eng & Testing Serv Inc - Testing - \$180.00; Gerstner Oil Co - Fuel - \$39,503.42; GPS Industries - GPSI Rental - \$1,920.00; Graham Tire - Tire Repair - \$17.50; Grainger - Irrigation Parts - \$257.25; Graymont Wi LLC - Lime - \$4,731.52; Green For Life Environmental - Equipment Repairs - \$68.22; Growmark - Weed Spray - \$242.80; H & K Oil Inc - Balance Tires - \$40.00; Hach Company - Probe - \$254.00; Harn R/O Systems Inc - Chemicals - \$4,900.00; Hawkins Inc - Chemicals - \$36,919.04; HDR Engineering Inc - Wtr Treatment Plant Cons - \$65,792.51; Heatec Inc - Fire Box - \$17,909.79; Hebbert/Mindra - Tree Reimbursement - \$100.00; Heritage Homes Inc. - 1/2 Sp Appropriation - \$1,250.00; Hill/Sue D - Summer Program - \$404.00; Howe Inc. - Inspect Fire Sprinkler - \$350.00; Huelife LLC - Professional Services - \$7,535.26; Hy-Vee - Employee Retirement - \$176.51; In Book Page - Subscription - \$354.00; Interstate All Battery - Battery - \$2,279.60; IR Industrial - Air Blower Parts - \$716.87; J & H Care & Cleaning Company - Janitorial Services - \$4,000.00; Metrofax - Fax - \$9.95; Jackson/Brooke - Boot Allowance - \$130.00; JCL Solutions - Cleaning Supplies - \$680.28; Johnson Controls - Repair Weather Barrier - \$5,814.00; Kaiser Heating & Cooling Inc. - Service Call - \$248.00; Kaiser Refrigeration - Park Supplies - \$200.97; Kisch Construction - Irrigation Repairs - \$993.88; Klein's Tree Service - Tree Removal Program - \$4,825.00; Kopetsky's Ace - Roundup - \$675.23; Language Line - Interp Service - \$168.10; Larry's Heating & Cooling - Ac Rooftop Unit - \$26,000.00; Lee/Michael - Boot Allowance - \$130.00; Lewis And Clark Ford L - Truck Repair - \$247.03; Lions Club - 1/2 Yr Membership Dues - \$35.00; Locators & Supplies Inc - Locating Flags - \$370.77; Maibaum/Tony - Tech Reimbursement - \$79.82; Mark's Machinery Inc - Mower Repairs - \$145.77; Mead Lumber - Gridmarker - \$415.13; Menards - Mulch - \$2,437.92; Mexico Viejo Restauran - Staff Appreciation - \$74.90; Meyer Inc - Memorial Park Play Fiber - \$2,908.00; Midamerican Energy - Fuel - \$935.03; Midamerican Energy - Fuel - \$669.83; Midwest Boiler Repair Inc - Boiler Repairs - \$2,397.00; Midwest Laboratories - Monthly Nutrient Test - \$142.84; Midwest Tape - Av - \$69.98; Midwest Tire And Muffler - Tires - \$803.35; Midwest Turf & Irrigation - Repair Radiator - \$1,252.10; Millenium Recycling - Single Stream Fee - \$2,657.20; Missouri Sedimentation Action - Special Appropriation - \$9,500.00; Moser/Stephanie - Tech Reimbursement - \$41.52; Motor Vehicle Dept, SD - Title & License - \$21.20; Multitherm Heat Transfer - Multitherm PSC - \$3,223.07; NASRO - Membership - \$40.00; National Field Archery Assn - Summer Programs - \$640.00; National Filter - GBT Belt Replacement - \$591.43; Northern Tool - Equipment Repair - \$392.69; Northern Tool Equip - Safety Cones - \$539.64; Northwestern Energy - Elect - \$88,009.81; Northwestern Public Serv Corp - Relocate Street Lights - \$459.78; NRA Membership - Membership - \$20.00; NY Times - Subscription - \$120.00; Observer - Advertising - \$48.00; Olson/Jeremy - Uniform Ball Cap - \$29.50; Olson's Pest Technician - Pest Control - \$90.00; Olson's Pest Technician - Pest Control - \$140.00; O'Reilly Auto Parts - Control Arm Assembly - \$899.58; Outreach Marketing - Hand Sanitizer Stations - \$1,722.33; Overhead Door Co - Door Repair - \$129.77; AED Market - AED Cabinet - \$129.00; Buy Bulk Disp - Face Mask Dispensers - \$83.93; NTOA - Membership - \$35.00; Pied Piper Flowers - Library Board - \$19.24; Provantage - Software - \$650.00; Quadient Leasing USA Inc - Postage - \$678.00; Racom Corporation - Radio Access - \$1,007.98;

Reisner/Royce - CDL License Reimburse - \$130.00; Riverside Hydraulics, - Hoses, Fittings, Ends - \$1,325.50; Ryken/Robert - Boot Allowance - \$130.00; Sage/Heather - Membership Refund - \$162.54; Sanford Health Fndtn - Program Supplies - \$60.00; Sanitation Products Inc - Rear Loading Refuse Body - \$75,687.95; Schrecht Llc - Sidewalk Reimbursement - \$837.00; SD Dept Of Health Publ - Water Samples - \$3,490.00; SD Property Management - Park Flags - \$189.03; SDNAFVSA - Membership - \$200.00; Sherwin Williams - Paint - \$66.85; Slowey Construction Inc - Riverside Drive Reconst - \$126,749.70; South Dakota Magazine - Subscription - \$45.00; Southgate - Tire Repair - \$17.00; Cure Uv - Uv Light Wand - \$119.99; Hansen Locksmithing - Reprogrammed Door Locks - \$86.00; Limeworks - Cemetery Headstone Clean - \$495.19; Stockwell Engineers Inc - Aquatics Facility Design - \$42,911.40; Sturdevants - Truck Repairs - \$209.45; Sunset Law Enforcement - Rifle Ammunition - \$840.00; T & R Contracting Inc - Apron Expansion - \$4,339.17; Tea Pizza Ranch - Travel Expense - \$21.99; Teledyne Instruments - Sampler Repair Parts - \$457.96; Tessman Company - Chemicals - \$1,143.56; The Ups Store - Shipping - \$65.22; Third Millennium Asso Inc - Utility Bills - \$634.05; TMA Yankton - Toro Mower Repair - \$510.70; Todd, Inc/Michael - Signs - \$115.88; Tractor Supply Co - Wood Chips For Dog Bed - \$5.99; Traffic Control Corp - Traffic Lights - \$4,058.00; Tramp/Jason - Reimb Safety Glasses - \$55.00; Transource - Headlights - \$176.37; Trinity Lutheran Church - Irrigation Repairs - \$2,000.00; TRK Hosting - Web Hosting - \$7.95; Truck Trailer Sales - Filters, Belt - \$438.30; Truck Trailer Sales - Dot Inspection Repairs - \$2,377.75; Turfwerks Omaha - Equipment Repair - \$161.34; United States Postal Service - Postage Meter - \$527.90; Us Bank Equipment Finance - Copier Lease - \$334.49; USPS PO - Evidence Postage - \$79.50; Vermeer High Plains - Chipper Repair - \$126.29; Viddler Inc - Video Hosting - \$41.49; Vogt's - Uniform Alterations - \$18.00; Voigt/Cameron - Boot Allowance - \$109.68; VWR International Inc - Lab Supply - \$124.79; Verizon- Internet Access - \$2,008.58; Wal-Mart - Office Supplies - \$140.89; Wal-Mart - Print Ribbon, Postage - \$125.65; Watchguard Video - Watchguard Body Camera - \$120.00; Welfl Construction Corp - Aquatics Center C-17-19 - \$427,917.04; Wiebelhaus/Jean - Taxes - \$201.32; Wm Supercenter #1483 - Office Supplies - \$73.48; Xerox Corporation - Copier Lease - \$1,608.97; Xerox Corporation - Copier Lease - \$192.23; Xerox Financial Services - Copier Lease - \$1,036.81; Yankton Area Convention & - 1/4 Sp Approp - \$52,430.75; Yankton Area Prog. Growth - 1/4 Sp Approp - \$58,490.58; Yankton Chamber Of Com - Employee Retirement - \$207.25; Yankton County Auditor - Safety Center Share - \$13,322.05; Yankton Fire & Safety Co - Fire Extinguisher - \$75.00; Yankton Medical Clinic - Pre Employment Physical - \$1,275.00; Yankton Redi Mix Inc - Concrete - \$260.00; Yankton Winnelson Co - Riverside Bathroom Parts - \$200.32; Yanktonmediainc - P&D Subscription - \$133.09; Ykt Janitorial & Dt Sc - Garbage Can Liners - \$428.76; Zep Manufacturing Co - Disinfectant Wipes - \$686.20; Zoom - Zoom Meeting Account - \$15.96

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

July 2020 Salaries by Department: Administration \$50,449.59; Finance \$30,769.65; Community Development \$25,318.12; Police/Dispatch \$175,831.80; Fire \$12,973.46; Engineering / Sr. Citizens \$46,496.85; Streets \$45,346.12; Traffic Control \$3,847.43; Library \$24,657.99; Parks / Sac \$105,373.70; Marne Creek \$5,355.25; Water \$34,720.50; Wastewater \$42,542.80; Cemetery \$7,269.71; Solid Waste \$19,369.18; Landfill / Recycle \$17,243.11; Central Garage \$7,633.94

New Hires: Tanner Termansen \$1,512.61 bi-wk. Utilities Maintenance Work; Cameron Voigt \$1,754.19 bi-wk. Police; Anthony Maibaum \$483.71 Monthly City Commissioner; Ben Brunick \$483.71 Monthly City Commissioner; Corey Pospisil \$3,691.19 bi-wk. Human Resources

Wage Changes: Kory Bromley \$10.00 hr. Rec Div; Aleesha Alverson \$10.75 hr. Rec Div

Position Changes: Dylan Wilson \$1,821.34 bi-wk. Police Officer to School Resource Officer; Brian Frick \$2,837.15 bi-wk. Sr. Grounds Main. Worker to Parks & Grounds Superintendent

Mayor Nathan Johnson read the proclamation declaring it National Water Quality Month.

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.

A reminder that August 24th, 2020 at 6:00 p.m. is the next date of the Yankton City Commission Work Session. No official action was taken.

Action 20-316

Moved by Commissioner Moser, seconded by Commissioner Brunick, to approve a raffle be held by the Avera Foundation from August 17, 2020 through September 18, 2020, in the City of Yankton. (Memorandum 20-154)

Roll Call: All Commissioners voting “Aye” were Benson, Brunick, Carda, Maibaum, Miner, Moser, Schramm and Webber; voting “Nay” None. Abstain: Mayor Johnson
Motion adopted.

Action 20-317

Moved by Commissioner Benson, seconded by Commissioner Schramm, to establish August 24, 2020, as the date for the public hearing on the request for a Special Events Retail (on-sale) Malt Beverage License and Special Retail (on-sale) Wine Dealers License for 1 day, September 12, 2020, from Ag United for South Dakota, Families Feeding Families Event, located at NFAA 800 Archery Lane, Yankton, SD 57078.

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

Commissioner Moser introduced and Mayor Johnson read the title of Ordinance No. 1037, AN ORDINANCE AMENDING THE PARKING FINE REGULATION IN THE CITY OF YANKTON, and set the date of the second reading and public hearing as August 24th, 2020.

Action 20-318

Moved by Commissioner Webber, seconded by Commissioner Miner, to approve the Mayor’s appointments to various City Advisory Boards and Commissions per attached Memorandum 20-152.

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

Motion adopted.

Action 20-319

This was the time and place for the bid opening of the 2020-2021 Annual Supply of Bulk De-Icing Salt. The following bids were received and opened on July 30th, 2020 at 3:00 pm.: Johnson Feed, Canton, South Dakota for \$71.00 per ton; Blackstrap Inc., Neligh, Nebraska for \$62.90 per ton; Central Salt, Lyons, Kansas for \$76.01 per ton; and Nebraska Salt and Grain Co, Gothenburg, Nebraska for \$74.91 per ton. (Memorandum 20-151) Moved by Commissioner Moser, seconded by Commissioner Brunick, to award Blackstrap Inc., Neligh, Nebraska, in the amount of \$62.90 per ton for the Annual Supply of Bulk De-Icing Salt in the 2020-2021 winter season.

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

Motion adopted.

Action 20-320

Moved by Commissioner Carda, seconded by Commissioner Miner, to approve Resolution 20-54. (Memorandum 20-150)

RESOLUTION 20-54

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

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

PROPERTY TO BE SURPLUS

2012 Volvo ECR88 Mini Excavator Serial. #15818

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

Motion adopted.

Action 20-321

Moved by Commissioner Schramm, seconded by Commissioner Benson, to approve Resolution 20-52. (Memorandum 20-148)

RESOLUTION 20-52

WHEREAS, the City of Yankton created TID #2 (Morgan Square) effective June 13, 2005, and

WHEREAS, the City approved a contractual relationship to reimburse the developer (Southeast Properties LLC / Marv Looby) for certain public improvements paid for by the developer within the site including, grading and excavation of the site, certain storm sewer and drainage facilities, public water distribution systems, and 11th Street improvements, amounting to \$275,715.49 plus an annual interest rate accrual of 8%, and

WHEREAS, the City of Yankton fully satisfied our contractual responsibility to the Developer with our last reimbursement dated June 17, 2020,

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

That the City Commission direct the State of South Dakota Department of Revenue and the Yankton County Auditor's office to dissolve TID #2.

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

General discussion was held on an alternative to Citywide Cleanup as described in Memorandum 20-155 and provide staff guidance on program implementation. There were no objections to the plan. No official action was taken.

Action 20-322

Moved by Commissioner Moser, seconded by Commissioner Benson, to adjourn at 7:55 p.m.

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

Nathan V Johnson
Mayor

ATTEST:

Al Viereck
Finance Officer



OFFICE OF THE CITY MANAGER

www.cityofyankton.org

VOL. 55, NUMBER 16

Commission Information Memorandum

The Yankton City Commission meeting on Monday, August 24, 2020, will begin at 7:00 pm.

Non-Agenda Items of Interest

1) Community & Economic Department Update

Warmer dry weather has slowed the growth of lawns, but staff continues to monitor and respond to nuisance vegetation issues. This time of the year weeds tend to grow faster than grass, and less frequent mowing can sometimes mean weeds shoot up above dormant grass. Staff takes a proactive approach that includes both education and enforcement efforts.

2) Parks and Recreation Department Update

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

3) Police Department Update

The Police Department will be participating in a weekly radio show with host Jeff Erickson on KYNT at 7:40 am (live) and noon replay. We will be talking about different topics that come up during the week and have some set topics already established like our new complaint form.

Chief Harris and Commander Brandt will be participating in an FBI National Academy online conference.

Chief Harris participated in an online meeting with state officials regarding upcoming marijuana initiatives and amendments.

Chief Harris will be attending an online meeting for a SDML committee on the Safety and Welfare of first responders.

Officer Cole Larson was recently chosen to receive the department's thumbs up award. Cole paid for some groceries of an individual who thought their wallet was stolen. Cole also recently made a traffic stop that helped solve several thefts in the area.

4) Library Update

The library is currently staffed Monday, Tuesday and Friday from 8am to 5pm; Wednesday and Thursday from 8am to 6pm; and Saturday from 8am to 12pm. We are planning to expand our hours a little further to include 8am-6pm Mondays through Thursdays in September. During those hours our staff are able to offer curbside pickup, set up or renew library cards over the phone, and take appointments for services such as using the computer, copier, microfilm machines, faxing, notary, etc. or just to browse and pick out their own items.

The library is continuing to offer virtual events. On August 18 we shared a virtual video of local historian, Doug Haar, with a presentation marking the 75th anniversary of the dropping of the atomic bomb. This video can still be found on our Facebook page. We have a live virtual event scheduled for September 24th at 7pm. This event will feature a discussion about this year's One Book South Dakota selection, *Unfollow* by Megan Phelps-Roper. This book describes Megan's experiences in and departure from the controversial Westboro Baptist Church. The author currently resides in Clark, SD. Dr. Jamie Sullivan will lead this book discussion along with an intro and commentary from the author!

5) Fire Department Update

Underwriters Laboratories was in Yankton last week to do the annual testing on the ladder truck and the fire department's ground ladders. The apparatus and all ground ladders were again certified for use for another year. This is just a portion of the annual testing required each year. Later this year our self-contained breathing apparatus and our fire apparatus pumps will undergo annual certification. All of this is done to keep our firefighters safe and ensure proper operation and readiness for the next incident.

Deputy Chief Nickles has been extremely busy with code inspections, reviews and inquires on many new construction projects, several remodel projects and other projects that require fire code reviews. This is just a part of the effort that YFD puts in to keep its citizens safe and to mitigate fires in the facilities that are being reviewed

6) Public Works Department Update

Street Department crews have milled the asphalt pavement on 29th Street from Douglas to Belmont and St. Benedict Drive. Once milled, the streets are prepared for a new asphalt "overlay" on the milled surface, which is scheduled to take place the week of August 17th and 24th.

Crews will also be concentrating on the 12th Street and Pine Street project to pave asphalt once the contractor has those streets prepared for paving.

The Huether Family Aquatics Center

The final concrete pour on the competition pool floor took place on August 18. Formwork has already started on the walls. There has been no specific date as to when the concrete will start being placed for the walls.

The slide tower is installed along with the shade feature on top. Slides have been assembled but are not fully secured. Additional work on the bottom end of the slides needs to be completed before this happens.

Block work continues on the bathroom portion of the main building. The contractor is currently working on the exterior walls.

Riverside Drive from Green Street to Broadway Avenue

The mainline paving, from Green Street to Locust Street, was completed on August 18. Sawing and sealing will occur in the next couple of days.

The utility work is nearing the end. Water replacement is completely done. There is approximately 50 feet of sanitary sewer that needs to be installed, as well as a service line. In addition, approximately 200 feet of storm sewer between Locust Street and Linn Street, needs to be installed yet.

12th Street and Pine Street Reconstruction

All of the concrete work is finalized.

The contractor will be completing the backfill around sidewalks and behind the curb in the next week. The base course has been graded and is ready for the city crews to pave it. Seeding will occur once the streets are done.

7) Environmental Services Department

Staff is continuing to work with the South Dakota Department of Environment and Natural Resources (DENR) on reclassification of our water and wastewater systems. Our current Water Plant is a class III facility and will be reclassified as a class IV facility based on improvements and changes in the treatment. Staff is also looking the water distribution and wastewater collection system classifications. Both systems are currently a class II system based on a population less than 15,000. Staff is preparing for a reclassification based on the potential for a new census population greater than 15,000. Both Distribution and Collection will be reclassified as a class III system. Systems are required to have operators certified at or above the level of classification. This will require some staff to increase the level of certification. Increased levels of certification will require additional continuing educational units for staff.

8) Finance Department Update

The City of Yankton has received its first covid-related reimbursement from the State of South Dakota's Local Government COVID Recovery Fund (CRF). This claim was for \$7,999.90 for cleaning equipment. Several payroll and supply-related claims are still pending for approval.

The Finance Office Utilities system had an issue on August 7 with some utility payments not posted. On August 11, delinquent notices were sent out to 115 customers with an assessed \$10 penalty. We have taken care of fixing this issue and removed the penalties. We have added another checks and balances measure to avoid this in the future. Our apologies for this inconvenience and new bills have been mailed on August 18 with these penalty corrections.

Enclosed in your packet is the Monthly Finance Report for July.

9) Human Resources Update

The final recommendation has been made in regards to Human Capital Management, which includes Time Management as well as Payroll and HR modules. The group has worked diligently to come up with the best option for the City which includes flexibility and growth as technology continues to grow.

The Library circulation assistant position has closed. Corey and Dana will be reviewing those applications Friday, August 21 and begin interviewing the following week.

The Senior Grounds Maintenance Worker position interviews have been completed. Corey is participating in these interviews as well and has gotten positive feedback from other panel members. We have five internal candidates that applied and many external candidates. Corey preferred to talk to all the internal candidates as one way to get to know them and their desire/motivation to grow with the City. The group filtered the external applications to three. An offer is expected to be extended next week.

The Employee Committee met regarding the summer picnic. Due to COVID-19, it is unwise to have a buffet style meal. The committee offered different ideas ranging from using a food truck to deliver to possibly cancelling it and using the funds for the Christmas party. However, with all events being uncertain, the committee wants to move forward with a summer meal. More details to come.

10) Information Services Department Update

The radio and radio console project continues to progress slowly. The civil contractor has finished installing the remote panel for the generator and connecting the backup power to the monitoring system. The alarms have been successfully tested and are now fully operational. Demolition work continues with the removal of the old equipment at the public safety center. The contractor still needs to remove the old equipment at the water tower location and provide documentation and system test results. The officers have experienced some performance issues with the portable radios and the contractor is working thru numerous possible solutions to resolve the issues.

11) Monthly reports

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

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

Sincerely,

Amy Leon
City Manager

PARKS AND RECREATION DEPARTMENT

SUMMIT ACTIVITIES CENTER and RECREATION PROGRAMS

The SAC has created an operations plan to coincide with Yankton School District operations. The SAC operation, which is located in a shared facility with the Yankton School District, is working under two goals:

1) safety of everyone- staff and patrons.

2) Help in the effort to have in-school classes during the entire 2020-2021 school year.

We continue to monitor pandemic data in the county, monitor YSD in-school operations, and will adjust plans accordingly. The facility will not be able to go back to what everyone knew as “normal” operations until the Yankton School District is able to sustain in-school classes for the foreseeable future. We hope this can be in the current school year of 2020-2021, but realize this may not happen until future school years.

This operation plan will not only include memberships to the recreation facility, but will also include all city/community activities such as leagues, concerts, meetings, other rentals, etc.

After meetings with the school district at the end of July, there will be no rentals through December 31, 2020.

A letter detailing the SAC operations plan and new fee structure has been sent to all SAC patrons.

- **SAC member attendance for August 1 – 15– 721 visits**
(2019- 2,265 visits, 2018- 2,465 visits, 2017- 2,315 visits, 2016- 2,501 visits)
- **New Members Joined– 6**
(2019- 38 people, 2018- 44 new members, 2017- 37 people, 2016- 14 people)
- **Great Life Check-Ins- 265**
 - August 1: 7
 - August 2: 14
 - August 3: 26
 - August 4: 16
 - August 5: 29
 - August 6: 17
 - August 7: 15
 - August 8: 13
 - August 9: 8
 - August 10: 27
 - August 11: 19
 - August 12: 26
 - August 13: 20
 - August 14: 16
 - August 15: 12

Capital Building Rentals

- Days Rented – 3 Dates

Park Shelter Rentals

- Riverside- 6 Rentals
- Memorial – 0 Rentals
- Westside – 0 Rentals
- Rotary – 0 Rentals
- Sertoma – 0 Rentals
- Tripp – 0 Rentals
- Meridian Bridge – 0 Rentals

PARKS

The Senior Grounds Maintenance Worker position interviews are taking place. The interviewing committee hopes to make a decision and have someone hired by Friday, August 28. There are five internal candidate interviews and three external candidate interviews.

All of the Parks summer staff have left our employment so the regular crew is working to keep up with the demands of the system in the fall.

The ball fields at Sertoma Park, Summit Activities Center, and Riverside Park will be dragged and prepared each weekday according to practice and game schedules submitted to the Parks Department. Field reservations as of 8/18:

Youth Softball:

Saturday, September 5- Mt. Marty alumni weekend games on the Sertoma north two turf fields.

Saturday, September 19- high school softball tournament at Sertoma Park fields.

Men's Softball:

Men's softball is planning an end of season tournament on August 29 and 30.

Adult Co-Ed Softball:

A non-city organized league started August 9 and will conclude in October. This league plays games on Sunday afternoons at Sertoma Park. May use up to three fields depending on number of teams.

FINANCE MONTHLY REPORT

Activity	JULY 2020	JULY 2019	JULY 2020 YTD	JULY 2019 YTD
UTILITY BILLING:				
Water				
Water Sold (in gallons per 1,000)	82,537 M	71,089 M	347,349 M	324,795 M
Water Billed	\$745,722.00	\$631,935.54	\$3,723,062.41	\$3,318,299.43
Basic Water Fee/Rate per 1000 gal.	\$27.51/\$6.12	24.61/\$5.83		
Number of Accounts Billed	5,590	5,544	37,919	37,484
Number of Bills Mailed	5,590	5,544	37,919	37,484
Total Meters Read	5,815	5,759	40,835	40,179
Meter Changes/pulled	11	4	33	25
Total Days Meter Reading	1	1	7	7
Misreads found prior to billing	0	0	0	0
Customers requesting Rereads	0	0	0	0
Sewer				
Sewer Billed	\$363,245.25	\$345,935.53	\$2,347,371.65	\$2,171,794.66
Basic Sewer Fee/Rate per 1000 gal.	\$10.69/\$6.48	\$10.18/\$6.17		
Solid Waste				
Solid Waste Billed	\$104,761.20	\$99,103.84	\$728,075.85	\$688,139.66
Basic Solid Waste Fee	\$22.92	\$21.83		
Total Utility Billing:	1,030,547.39	\$1,076,974.91	5,635,428.16	\$6,178,233.75
Adjustment Total:	(\$916.60)	(\$848.93)	(\$2,873.64)	(\$1,495.01)
Misread Adjustments	\$0.00	\$0.00	\$0.00	\$0.00
Other Adjustments	(\$786.60)	(\$738.93)	(\$1,013.64)	(\$785.01)
Penalty Adjustments OFF	(\$150.00)	(\$120.00)	(\$1,980.00)	(\$800.00)
Penalty Adjustments ON	\$20.00	\$10.00	\$120.00	\$90.00
New Accounts/Connects	195	197	673	614
Accounts Finaled/Disconnects	60	77	394	430
New Accounts Set up	0	9	29	26
Delinquent Notices	370	452	2,849	2,774
Doorknockers	149	133	1,116	1,063
Delinquent Call List	83	81	745	598
Notice of Termination Letters	20	18	102	110
Shut-off for Non-payment	5	8	46	53
Delinquent Notice Penalties	\$3,700.00	\$4,520.00	\$28,490.00	\$27,740.00
Doorknocker Penalties	\$1,490.00	\$1,330.00	\$11,160.00	\$10,630.00
Other Office Functions:				
Interest Income	\$18,575.25	\$75,639.09	\$365,552.23	\$462,556.77
Interest Rate-Checking Account	0.43%	2.68%		
Interest Rate-CDs	N/A	N/A		
# of Monthly Vendor Checks	141	162		
Payments Issued to Vendors	\$ 5,632,473.36	\$ 2,046,645.73	\$ 23,881,104.55	\$ 22,223,447.11
# of Employees on Payroll	181	267		
Monthly Payroll*	\$ 452,649.14	\$ 494,327.63	\$ 3,313,555.69	\$ 3,340,030.53

Description	Yankton Transfer	Vermillion Landfill	Total Joint	7 Month Budget	Legal 2020 Budget
Joint Power Transfer/Landfill					
<i>Total Revenue</i>	\$839,431.44	\$584,806.80	\$1,424,238.24	\$1,327,200.00	\$2,280,200.00
<i>Expenses:</i>					
Personal Services	148,185.06	214,163.90	362,348.96	432,715.50	741,798.00
Operating Expenses	129,572.23	287,720.00	417,292.23	483,819.00	829,404.00
Depreciation (est)	94,342.78	129,014.89	223,357.67	270,781.00	464,196.00
Trench Depletion	0.00	118,983.24	118,983.24	107,333.33	184,000.00
Closure/Postclosure Resrv	0.00	5,424.34	5,424.34	14,583.33	25,000.00
Amortization of Permit	0.00	710.58	710.58	767.08	1,315.00
<i>Total Operating Expenses</i>	<u>372,100.07</u>	<u>756,016.95</u>	<u>1,128,117.02</u>	<u>1,309,999.25</u>	<u>2,245,713.00</u>
<i>Non Operating Expense-Interest</i>	<u>5,653.13</u>	<u>21,280.55</u>	<u>26,933.68</u>	<u>36,710.33</u>	<u>62,932.00</u>
<i>Landfill Operating Income</i>	<u>461,678.24</u>	<u>(192,490.70)</u>	<u>269,187.54</u>	<u>(19,509.58)</u>	<u>(28,445.00)</u>
Joint Recycling Center					
<i>Total Revenue</i>	<u>0.00</u>	<u>42,075.85</u>	<u>42,075.85</u>	<u>61,308.33</u>	<u>105,100.00</u>
<i>Expenses:</i>					
Personal Services	0.00	107,152.18	107,152.18	132,656.42	227,411.00
Operating Expenses	0.00	33,654.11	33,654.11	69,708.33	119,500.00
Depreciation (est)	0.00	15,920.00	15,920.00	19,833.33	34,000.00
<i>Total Operating Expenses</i>	<u>0.00</u>	<u>156,726.29</u>	<u>156,726.29</u>	<u>222,198.08</u>	<u>380,911.00</u>
<i>Non Operating Expense-Interest</i>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
<i>Recycling Operating Income</i>	<u>0.00</u>	<u>(114,650.44)</u>	<u>(114,650.44)</u>	<u>(160,889.75)</u>	<u>(275,811.00)</u>
<i>Total Operating Income</i>	<u>\$461,678.24</u>	<u>(\$307,141.14)</u>	<u>\$154,537.10</u>	<u>(\$180,399.33)</u>	<u>(\$304,256.00)</u>
Tonage in Trench:	<u>7/31/2019</u>	<u>7/31/2020</u>			
Asbestos	75.16	67.57	67.57	29.17	50.00
Centerville	145.06	125.87	125.87	641.67	1,100.00
Beresford	825.73	810.13	810.13	816.67	1,400.00
Clay County Garbage	8,732.60	8,679.45	8,679.45	8,458.33	14,500.00
Elk Point	636.34	639.92	639.92	151.67	260.00
Yankton County Garbage	15,637.60	14,333.21	14,333.21	13,941.67	23,900.00
<i>Total Tonage in Trench</i>	<u>26,052.49</u>	<u>24,656.15</u>	<u>24,656.15</u>	<u>24,039.17</u>	<u>41,210.00</u>
Operating Cost per ton			<u>\$45.75</u>	<u>\$56.02</u>	<u>\$56.02</u>

This report is based on the following:

Revenue accrual thru July 31, 2020

Expenses cash thru July 31, 2020 with August's bills

Joint Powers Solid Waste Authority
Financial Report Thru July 31, 2020

Description	Yankton Transfer	Vermillion Landfill	Total Joint	7 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	461,678.24	(307,141.14)	154,537.10	(177,482.67)	(304,256.00)
Depreciation	94,342.78	144,934.89	239,277.67	290,614.33	498,196.00
Trench Depletion	0.00	118,983.24	118,983.24	107,333.33	184,000.00
Amortization of Permit	0.00	710.58	710.58	767.08	1,315.00
<i>Non Operating Revenue:</i>					
Grant	0.00	0.00	0.00	145,833.33	250,000.00
Loan Proceeds	0.00	0.00	0.00	0.00	0.00
Contributed Capital	0.00	0.00	0.00	5,833.33	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	584.25	18,650.57	19,234.82	17,500.00	30,000.00
<i>Cash Flow Transfer:</i>					
Joint Power Transfer/Landfill	(473,453.06)	473,453.06	0.00	1,031,333.33	1,768,000.00
Joint Recycling Center	0.00	0.00	0.00	0.00	0.00
<i>Total Funds Available</i>	<u>227,429.21</u>	<u>2,201,799.20</u>	<u>2,429,228.41</u>	<u>3,318,217.08</u>	<u>4,333,740.00</u>
Application of Funds Available					
<i>Joint Power Transfer/Landfill</i>					
Equipment	2,017.37	0.00	2,017.37	443,333.33	760,000.00
Trench	0.00	0.00	0.00	0.00	0.00
Closure/Postclosure Cash Res.	0.00	5,424.34	5,424.34	14,583.33	25,000.00
<i>Joint Recycling Center</i>					
Equipment	0.00	1,657.50	1,657.50	292,250.00	501,000.00
<i>Payment Principal</i>	30,834.68	59,231.59	90,066.27	103,527.67	177,476.00
<i>Appropriation to Reserve</i>	0.00	0.00	0.00	0.00	0.00
<i>Total Applied</i>	<u>32,852.05</u>	<u>66,313.43</u>	<u>99,165.48</u>	<u>853,694.33</u>	<u>1,463,476.00</u>
<i>Ending Balance</i>	<u>\$194,577.16</u>	<u>\$2,135,485.77</u>	<u>\$2,330,062.93</u>	<u>\$2,464,522.75</u>	<u>\$2,870,264.00</u>

Joint Power Transfer/Landfill Description	Yankton Transfer	Vermillion Landfill	Total Joint	7 Month Budget	Legal 2020 Budget
<i>Revenue: (accrual)</i>					
Asbestos	\$0.00	\$4,392.10	\$4,392.10	\$3,791.67	\$6,500.00
Elk Point	0.00	31,591.35	31,591.35	35,000.00	\$60,000.00
Centerville	0.00	6,203.79	6,203.79	7,875.00	13,500.00
Beresford	0.00	39,963.33	39,963.33	43,750.00	75,000.00
Clay County Garbage	0.00	450,806.73	450,806.73	461,183.33	790,600.00
Compost-Yd Waste-Wood	0.00	4,415.59	4,415.59	5,541.67	9,500.00
Contaminated Soil	0.00	3,346.64	3,346.64	2,333.33	4,000.00
White Goods	0.00	2,691.80	2,691.80	2,916.67	5,000.00
Tires	0.00	4,116.80	4,116.80	2,333.33	4,000.00
Electronics	0.00	1,218.61	1,218.61	2,916.67	5,000.00
Other Revenue	5.29	36,060.06	36,065.35	5,891.67	10,100.00
Less Recycling Tipping Fee	0.00	0.00	0.00	0.00	0.00
Cash long	(74.02)	0.00	(74.02)	0.00	0.00
Yard Waste	0.00	0.00	0.00	0.00	0.00
Rubble	31,699.55	0.00	31,699.55	30,333.33	52,000.00
Transfer Fees	802,182.75	0.00	802,182.75	723,333.33	1,240,000.00
Metal	5,554.01	0.00	5,554.01	0.00	5,000.00
Other Operational - Solid Waste	63.86	0.00	63.86	0.00	0.00
Total Revenue	839,431.44	584,806.80	1,424,238.24	1,327,200.00	2,280,200.00
<i>Expenses: (cash)</i>					
Personal Services	148,185.06	214,163.90	362,348.96	432,715.50	741,798.00
Insurance	19,513.46	6,166.23	25,679.69	15,370.25	26,349.00
Professional Service/Fees	7,601.13	39,393.59	46,994.72	77,000.00	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	24,656.15	24,656.15	26,559.17	45,530.00
Professional - Legal/Audit	0.00	0.00	0.00	1,604.17	2,750.00
Publishing & Advertising	761.14	1,919.65	2,680.79	1,341.67	2,300.00
Rental	0.00	0.00	0.00	291.67	500.00
Hauling fee	0.00	0.00	0.00	0.00	0.00
Equipment repair	879.20	34,571.31	35,450.51	32,666.67	56,000.00
Motor vehicle repair	902.49	1,701.85	2,604.34	13,708.33	23,500.00
Vehicle fuel & maintenance	52,440.81	22,553.31	74,994.12	118,416.67	203,000.00
Equip, Mat'l & Labor	23,990.68	0.00	23,990.68	26,250.00	45,000.00
Building repair	5,671.11	2,934.91	8,606.02	14,000.00	24,000.00
Facility repair & maintenance	0.00	5,075.29	5,075.29	20,416.67	35,000.00
Postage	351.62	4.08	355.70	495.83	850.00
Office supplies	545.14	1,072.04	1,617.18	2,041.67	3,500.00
Copy supplies	110.33	90.97	201.30	218.75	375.00
Uniforms	83.88	3,998.06	4,081.94	3,033.33	5,200.00
Small Tools & Hardware	0.00	0.00	0.00	145.83	250.00
Travel & Training	0.00	1,182.60	1,182.60	2,625.00	4,500.00
Operating supply	570.97	126,789.63	127,360.60	86,100.00	147,600.00
Electricity	4,599.77	8,848.78	13,448.55	18,083.33	31,000.00
Heating Fuel - Gas	8,878.23	5,002.50	13,880.73	18,666.67	32,000.00
Water	1,338.76	835.60	2,174.36	2,041.67	3,500.00
WW service	544.94	0.00	544.94	758.33	1,300.00
Landfill	160.44	0.00	160.44	175.00	300.00
Telephone	628.13	923.45	1,551.58	1,808.33	3,100.00
Depreciation (est)	94,342.78	129,014.89	223,357.67	270,781.00	464,196.00
Trench Depletion		118,983.24	118,983.24	107,333.33	184,000.00
Closure/Postclosure Resrv		5,424.34	5,424.34	14,583.33	25,000.00
Amortization of Permit		710.58	710.58	767.08	1,315.00
Total Op Expenses	372,100.07	756,016.95	1,128,117.02	1,309,999.25	2,245,713.00

Joint Power Transfer/Landfill Description	Yankton Transfer	Vermillion Landfill	Total Joint	7 Month Budget	Legal 2020 Budget
<i>Non Operating Expense-Interest</i>	5,653.13	21,280.55	26,933.68	36,710.33	62,932.00
<i>Operating Income (Loss)</i>	\$461,678.24	(\$192,490.70)	\$269,187.54	(\$19,509.58)	(\$28,445.00)
<i>Capital:</i>					
Capital Outlay	\$2,017.37	\$0.00	\$2,017.37	\$443,333.33	\$760,000.00
Landfill Development	0.00	0.00	0.00	14,583.33	\$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	\$457,916.67	\$785,000.00
<i>Grant Reimbursement</i>	\$0.00	\$0.00	\$0.00	\$145,833.33	\$250,000.00
<i>Equipment Sale Proceeds</i>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<i>Cash Flow Transfer</i>	(\$473,453.06)	\$473,453.06	\$0.00	\$0.00	\$0.00
<i>Tonage in Trench:</i>					
Asbestos		67.57	67.57	29.17	50.00
Beresford		810.13	810.13	816.67	1,400.00
Centerville Garbage		125.87	125.87	641.67	1,100.00
Clay County Garbage		8,679.45	8,679.45	8,458.33	14,500.00
Elk Point		639.92	639.92	151.67	260.00
Yankton County Garbage		14,333.21	14,333.21	13,941.67	23,900.00
<i>Total Tonage in Trench</i>		24,656.15	24,656.15	24,039.17	41,210.00
Operating Cost per ton			\$45.75	\$56.02	\$56.02

Joint Recycling Center Description	Yankton Transfer	Vermillion Center	Total Joint	7 Month Budget	Legal 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	2,391.67	4,100.00
Plastic	0.00	7,613.07	7,613.07	11,083.33	19,000.00
Aluminum	0.00	0.00	0.00	9,333.33	16,000.00
Newsprint	0.00	2,431.40	2,431.40	5,250.00	9,000.00
Cardboard	0.00	29,548.00	29,548.00	23,333.33	40,000.00
High Grade Paper	0.00	0.00	0.00	4,666.67	8,000.00
Other Material	0.00	2,483.38	2,483.38	5,250.00	9,000.00
Contributions/Operating Grants	0.00	0.00	0.00	0.00	0.00
Total Revenue	0.00	42,075.85	42,075.85	61,308.33	105,100.00
<i>Expenses:</i>					
Personal Services	0.00	107,152.18	107,152.18	132,656.42	227,411.00
Insurance	0.00	772.94	772.94	758.33	1,300.00
Professional Service/Fees	0.00	0.00	0.00	1,750.00	3,000.00
Hazardous Waste Collection	0.00	0.00	0.00	22,166.67	38,000.00
Professional-Legal	0.00	0.00	0.00	0.00	0.00
Publishing & Advertising	0.00	228.58	228.58	583.33	1,000.00
Rental	0.00	0.00	0.00	0.00	0.00
Equipment repair	0.00	4,037.77	4,037.77	5,541.67	9,500.00
Vehicle repair & maintenance	0.00	0.00	0.00	583.33	1,000.00
Vehicle fuel	0.00	1,757.14	1,757.14	2,916.67	5,000.00
Building repair & maintenance	0.00	2,116.28	2,116.28	1,458.33	2,500.00
Postage	0.00	1.03	1.03	87.50	150.00
Freight	0.00	7,460.00	7,460.00	10,208.33	17,500.00
Office supplies	0.00	274.41	274.41	583.33	1,000.00
Uniforms	0.00	0.00	0.00	437.50	750.00
Materials Purchases	0.00	1,463.55	1,463.55	2,625.00	4,500.00
Travel & Training	0.00	1,576.80	1,576.80	875.00	1,500.00
Operating Supplies	0.00	2,462.33	2,462.33	5,833.33	10,000.00
Copy Supply	0.00	157.10	157.10	87.50	150.00
Electricity	0.00	3,237.58	3,237.58	3,791.67	6,500.00
Heating Fuel-Gas	0.00	1,899.32	1,899.32	2,770.83	4,750.00
Water	0.00	281.30	281.30	379.17	650.00
WW service	0.00	711.23	711.23	700.00	1,200.00
Telephone	0.00	464.54	464.54	495.83	850.00
Revenue Sharing	0.00	4,752.21	4,752.21	5,075.00	8,700.00
Depreciation (est)	0.00	15,920.00	15,920.00	19,833.33	34,000.00
Total Op Expenses	0.00	156,726.29	156,726.29	222,198.08	380,911.00
<i>Non Operating Expense-Interest</i>	0.00	0.00	0.00	0.00	0.00
Operating Income (Loss)	\$0.00	(\$114,650.44)	(\$114,650.44)	(\$160,889.75)	(\$275,811.00)
Capital Outlay	\$0.00	\$1,657.50	\$1,657.50	\$292,250.00	\$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 July 31, 2020

Expenses cash thru July 31, 2020 with August'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
May	73,019.77	(27,879.43)	45,140.34	3,481.88	45.87	0.00	(20,571.85)	(20,571.85)	73,019.77	(48,451.28)	24,568.49
Subtotal	273,178.04	(109,116.94)	164,061.10	16,233.28	46.16	0.00	(83,059.00)	(83,059.00)	273,178.04	(192,175.94)	81,002.10
June	93,839.34	(40,289.25)	53,550.09	4,297.65	48.55	0.00	(16,301.77)	(16,301.77)	93,839.34	(56,591.02)	37,248.32
Subtotal	367,017.38	(149,406.19)	217,611.19	20,530.93	46.66	0.00	(99,360.77)	(99,360.77)	367,017.38	(248,766.96)	118,250.42
July	100,313.99	(21,803.96)	78,510.03	4,125.22	41.25	0.00	(15,289.67)	(15,289.67)	100,313.99	(37,093.63)	63,220.36
Subtotal	467,331.37	(171,210.15)	296,121.22	24,656.15	45.75	0.00	(114,650.44)	(114,650.44)	467,331.37	(285,860.59)	181,470.78

8/6/2020

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
May 2020	281.34	635.55	490.00	54.95	28.55	1,209.05	541.69	2,032.08
June 2020	282.67	612.60	440.23	78.61	25.93	1,157.37	895.50	2,335.54
July 2020	300.31	645.12	461.73	90.00	34.49	1,231.34	854.57	2,386.22
2020 Total	1,846.43	4,021.13	3,156.84	543.69	181.13	7,902.79	4,175.87	13,925.09

**July 2020
YPD**

Calls For Service	
911 HANG UP	7
911 OPEN	6
ALARM	19
ALCOHOL	9
AMBULANCE	26
ANIMAL	64
ASSAULT	7
ASSIST	5
ATTEMPT TO LOCATE	3
BANK ALARM	1
BURGLARY BUSINESS	2
BURGLARY RESIDENTIAL	9
CHILD ABUSE	2
CITY SERVICES	6
CIVIL DISPUTE	35
CRIMINAL ENTRY OF MV	10
DISORDERLY CONDUCT	45
DOMESTIC VIOLENCE	25
DRIVING COMPLAINT	32
DRIVING COMPLAINT 911	11
DRUG	14
ESCORT	10
EX PATRL	12
FAMILY OFFENSE	6
FIGHT	4
FIRE	3
FIREWORKS	47
FOREIGN AID	12
FRAUD	23
GAS DRIVE OFF	3
HARASS	24
HAZMAT	2
HIT&RUN	14
INFORMATION	14
INSPECT	9
JUV	20
LITTER	3
LOST & FOUND	8
MENTAL ILLNESS	14
MISC	6
MISSING PERSON	2
MOTOR ASSIST	22
NOISE COMPLAINT	14
OPN DOOR	7
PARKING	31
PAROLE/PROBATION	4
PROPERTY	20
PROTECTION ORDER	6
REQUEST	4
RUNAWAY	3
SAFETY TALK	1
SEX CRIME	10
SIG 2	18
SIGNAL 1 INJURY	2
SUICIDE	7
SUSPICIOUS PERSON/VEHIC	93
THEFT	56
TRAFFIC CONTROL	5
TRAFFIC STOP	264
TRESPASS	16
VANDALISM	17
VEHICLE/ROAD COMPLAINT	15
WARRANT	17
WEAPONS	7
WELFARE CHECK	67
Total	1280

Adult Arrest:
Individuals Arrested: 61
Charges: 91

Juvenile Arrest:
Individuals Arrested: 3
of Charges: 5

Covid

Total Citations: 108

July 2020
YPD
Activity Report

	GENERAL SUMMARY			
	THIS MONTH		Year To Date	
	This Year	Last Year	This Year	Last Year
POLICE INCIDENTS	1280	971	7075	5738
SHERIFF INCIDENTS	218	171	1121	1160
AMBULANCE CALLS (YPD)	26	25	148	178
FIRE / HAZMAT CALLS	5	3	36	22
FOREIGN AID CALLS	19	26	111	145
ALARMS	31	23	155	144
ANIMAL CALLS/COMPLAINTS	64	51	269	375
ANIMALS CLAIMED OR IMPOUNDED (HHS)	15	12	58	69
ANIMALS DISPOSED	0	0	0	2

	ACCIDENT SUMMARY			
	THIS MONTH		Year To Date	
	This Year	Last Year	This Year	Last Year
STATE REPORTABLE	8	15	70	102
NON REPORTABLE AND HIT & RUN	26	23	161	188
SIGNAL 1 INJURY	2	3	16	18
# PERSONS INJURED	5	2	20	18
FATALITIES	0	0	0	0
PEDESTRIAN ACCIDENT	0	0	1	0

July 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		15	15	17	94	72
CARELESS DRIVING		1	1	3	11	11
EXHIBITION DRIVING		3	3	0	21	4
SPEEDING	2	27	29	12	102	91
STOP SIGN, RED LIGHT VIOLATION		3	3	4	25	24
ANIMALS AT LARGE			0	0	0	1
MAINTENANCE OF FINANCIAL RESPONSIBILITY	1	9	10	11	46	44
OPEN CONTAINER			0	2	10	8
CONSUMPTION UNDERAGE (18-20 yoa)		5	5	0	22	0
LIQUOR VIOLATIONS / FURNISHING ALCOHOL TO A MINOR			0	0	0	0
MISDEAMEANOR DRUG VIOLATIONS (POSS. OF DRUG PARAPH)	2	11	13	30	74	121
TOBACCO VIOLATIONS	5		5	0	20	22
PETTY THEFT UNDER \$400		7	7	10	37	39
INTENTIONAL DAMAGE TO PROPERTY		1	1	3	1	4
OTHER VIOLATIONS		16	16	20	85	133
TOTAL TRAFFIC CITATIONS	10	98	108	112	548	574

July 2020
 YPD
 Adult Arrest

	THIS MONTH		YEAR TO DATE	
	This Year	Last Year	This Year	Last Year
MURDER	0	0	0	1
RAPE	0	0	1	0
ROBBERY	0	0	0	0
DUI	4	13	44	60
DRIVING UNDER REVOCATION	3	5	16	35
BURGLARY	1	1	5	3
ASSAULT AGGRAVATED	3	2	12	8
ASSAULT SIMPLE	2	3	12	23
CRIMES AGAINST FAMILY / DOMESTIC VIOLENCE	5	6	47	41
DISORDERLY CONDUCT	0	2	2	7
SEXUAL CONTACT/SEX OFFENSES	0	0	1	3
THEFT PETTY	0	0	15	6
THEFT GRAND	1	1	1	3
THEFT AUTO	0	1	1	3
FORGERY & COUNTERFEITING	0	0	2	2
FRAUD	0	0	0	0
EMBEZZLEMENT	0	0	0	0
INTENTIONAL DAMAGE	1	1	5	2
NARCOTIC DRUG CHARGES	15	39	127	190
LIQUOR ARRESTS	0	0	2	0
WEAPONS VIOLATION	0	0	0	2
WARRANTS	27	23	113	118
PROTECTIVE CUSTODY	0	0	0	0
ALL OTHER OFFENSES	29	64	178	273
TOTAL ARRESTS	91	161	584	780

July 2020
YPD
Juvenile Arrests

	THIS MONTH		YEAR TO DATE	
	This Year	Last Year	This Year	Last Year
CURFEW	2	18	25	24
RUNAWAY	3	4	12	17
MIC	0	3	5	22
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	1
ASSAULT SIMPLE	0	0	6	3
CRIMES AGAINST FAMILY/ DOMESTIC VIOLENCE	0	0	0	1
DISORDERLY CONDUCT DISTURBANCE OF SCHOOL	0	0	6	9
SEXUAL CONTACT / SEX OFFENSES	0	0	0	0
THEFT PETTY	0	0	1	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	2	10	15
LIQUOR ARRESTS	0	0	1	0
WEAPONS VIOLATIONS	0	0	2	2
ALL OTHER OFFENSES	0	1	6	10
TOTAL ARRESTS	5	28	74	104

Memorandum #20-156

To: City Manager
From: Finance Department
Date: August 10, 2020
Subject: Special Events Malt Beverage/Wine License-Ag United for South Dakota

We have received an application for a Special Events Malt Beverage (on-sale) Retailers License and a Special RETAIL (on-sale) Wine dealers License for 1 day, September 12, 2020, from Ag United for South Dakota, Families Feeding Families Event, located at NFAA, 800 Archery Lane, Yankton, SD.

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 #20-153

To: Yankton City Commission

From: City Attorney Ross Den Herder

Date: August 17, 2020

Re: Ordinance #1037 - Amendment to Ordinance Section 14-161– Penalties for Parking Violations.

As a joint effort between the City Attorney and the Yankton Police Department, we present the Commission with amendments to the City’s ordinance setting forth the penalty for parking violations.

If this amendment is adopted, the City will begin enforcing its parking tickets by filing a small claims action against the registered owner of the vehicle that is parked in violation of the City’s parking ordinance.

At this time, parking violations are treated as criminal offenses subject to a criminal penalty set by resolution of the Commission. When a parking ticket is issued, the registered owner of the vehicle has the option of paying the criminal penalty or appearing in criminal magistrate court to object to the ticket. If the registered owner does neither, a warrant has been issued for arrest.

Judge Kasey Sorensen, our local magistrate judge who handles parking offenses, notified City Attorney Den Herder that she is no longer willing to issue warrants when ticket offenders fail to pay their fines or appear before her to dispute a parking ticket. The reason she cites is that there is no way to be certain whether the owner/driver has actually received the ticket. Indeed, wind may blow a ticket off of a vehicle, subjecting a vehicle owner to fines and arrest with no knowledge they have been charged with a crime. She determined a change to this method of enforcement was necessary to protect the individual’s right to “due process of law” afforded under the Constitution.

For the City, the net effect is that without the ability to issue warrants, there is no means to force a parking offender to appear before the court to answer for the crime. Following a meeting between City Attorney Den Herder, a representative of the YPD, and Judge Sorensen, it was determined that the best way to enforce parking violations would be through the small claims process in small claims court because the “service of process” requirements are simpler (certified mail is sufficient).

As a quick primer, the small claims process utilizes an informal civil court process, which allows parties to sue individuals for smaller amounts of money or property. Pursuant to this process, if the registered owner of a vehicle does not pay the parking ticket within 14 days after it is placed on the vehicle, the City can file a small claims petition with the Yankton County Clerk of Courts. The petition will be mailed to the vehicle owner and he/she will be given a deadline for filing a response to the petition. If a denial is filed with the Court, a trial similar to the ticket trials that are now held will be set. At trial, the judge will determine whether the vehicle owner is

responsible for the fine. If no denial is filed, the Judge will enter a default judgment in favor of the City.

This is the same process the City uses to collect delinquent water bills. It is also the process that is used by Sioux City, Iowa, to enforce speed camera tickets.

Because changes are being proposed to the method of enforcement, it was also deemed necessary to clarify: (1) exactly how long a Defendant has to pay their fine; (2) the fact that the fine is subject to escalation if the fine is not paid within the time frame set by the ordinance; and (3) under what circumstances the fact that the registered owner was not driving the vehicle is a defense. This simply codifies the way the City has handled these matters for many years.

Respectfully submitted

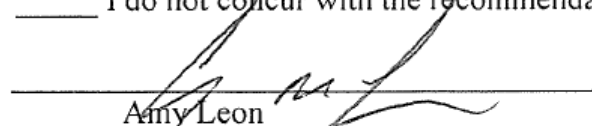


Ross Den Herder
City Attorney

Recommendation: It is recommended that the Board of Commissioners adopt Ordinance #1037 amending the Chapter 14 regarding parking and parking-related ordinances as red-lined.

I concur with the recommendation.

I do not concur with the recommendation.



Amy Leon
City Manager

Roll call

**An Ordinance amending the parking fine regulation in the City of Yankton.
Be it ordained that:**

Section 14-161 shall be amended to read as follows:

Section 14-161. Penalty for parking violations.

The registered owner of any vehicle in violation of this article or any other parking ordinance within the Yankton Municipal Code shall be subject to a civil fine set from time to time by resolution of the Board of City Commissioners. It is no defense that the vehicle was illegally parked by another, unless it is shown by the registered owner that ownership of the vehicle was lawfully transferred to another or the vehicle was being used without the consent of the registered owner at the time it was illegally parked, and in such event the civil fine shall be the responsibility of the new owner or the individual responsible for illegally parking the vehicle. Such fines shall be subject to escalation in an amount set from time to time by resolution of the Board of City Commissioners if not paid within fourteen (14) days after the citation is issued. Such fines may also be enforced through the small claims procedure pursuant to SDCL Chapter 15-39.

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

Nathan V Johnson, Mayor

Attest:

Al Viereck, Finance Officer

**An Ordinance amending the parking fine regulation in the City of Yankton.
Be it ordained that:**

Section 14-161 shall be amended to read as follows:

Section 14-161. Penalty for parking violations.

The registered owner of any vehicle in violation of this article or any other parking ordinance within the Yankton Municipal Code shall be subject to a civil fine. The schedule for any person who shall violate or permit or allow anyone to violate this article shall be set from time to time by resolution of the Board of City Commissioners. It is no defense that the vehicle was illegally parked by another, unless it is shown by the registered owner that ownership of the vehicle was lawfully transferred to another or the vehicle was being used without the consent of the registered owner at the time it was illegally parked, and in such event the civil fine shall be the responsibility of the new owner or the individual responsible for illegally parking the vehicle. Such fines shall be subject to escalation in an amount set from time to time by resolution of the Board of City Commissioners if not paid within fourteen (14) days after the citation is issued. Such fines may also be enforced through the small claims procedure pursuant to SDCL Chapter 15-39.

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

Nathan V Johnson, Mayor

Attest:

Al Viereck, Finance Officer

Memorandum #20-159

To: Amy Leon, City Manager
From: Dave Mingo, AICP Community and Economic Development Director
Subject: Planning Commission Action #20-43 / Resolution #20-57
Date: August 14, 2020

ETJ CONDITIONAL USE PERMIT REQUEST

ACTION NUMBER: 20-43

E.T.J. MEMBER ACTION REQUIRED: No

APPLICANT / OWNER: Powder River Development Services, LLC, applicant.

ADDRESS / LOCATION: Address is 2000 SD Hwy 314. (please reference the attached air photo).

PROPERTY DESCRIPTION: E 1/2 of the SW 1/4, Section 11, T93N, R56W of the 5th P.M., Yankton County, South Dakota.

ZONING DISTRICT: ETJ A-1 Agricultural

PREVIOUS ACTION: None.

COMMENTS:

The City has received an Extraterritorial Jurisdiction Conditional Use Permit application for a 20-foot addition / extension on an existing 300-foot-tall communications tower (a lightning rod would also extend above that). The proposed addition is illustrated in the attached elevation drawing. Staff has received and reviewed a complete plan set of the proposal.

As you know, the City of Yankton has worked hard to promote coordination and colocation of providers in an effort to reduce the number of towers needed to serve the City and surrounding area. The proposal provides additional opportunities for colocation. Federal regulations stipulate that a City cannot prohibit the installation of wireless facilities. However, we do have the ability to direct their development in certain ways.

Staff has not received any contacts from neighboring property owners subsequent to the publication and mailing of required notices.

Specific items to consider include:

Compatibility with area land uses: The area is zoned A-1 Agricultural with surrounding uses

_____ Roll Call

including farm land and commercial / industrial occupancies. The houses in the area to the south of the site are existing nonconforming uses in a highway business district.

Noise: The generator at the site will need to be “exercised” periodically. The operations are typically once a week for 20 to 60 minutes. The generator noise would be similar to that of a truck idling and therefore not in excess of current uses in the area.

Lighting: Lighting can be an issue with towers. The proposed additional 20 feet should not have a noticeable lighting impact on area property owners.

Aesthetics: Federal Law dictates that local jurisdictions cannot prohibit towers for aesthetic reasons. We are pleased that the applicant has chosen to upgrade an existing tower rather than proposing a new, separate location.

Parking: There are no parking related issues to consider with this request.

Staff recommends approval of the proposed request based on the comments included in the above summary.

HEARING SCHEDULE:

- July 13, 2020: The Planning Commission established August 10, 2020 as the date for public hearing on the proposed request.
- August 10, 2020: The Planning Commission conducts hearing and makes a recommendation to the City Commission.
- August 24, 2020: The City Commission considers a resolution and makes the final decision.

Planning Commission including ETJ Members results: The Planning Commission including ETJ Members recommended approval of the proposed Conditional Use Permit.

RESOLUTION #20-57
ETJ Conditional Use Permit

WHEREAS, Powder River Development Services, LLC is the owner of a tower located on 1/2 of the SW 1/4, Section 11, T93N, R56W of the 5th P.M., Yankton County, South Dakota, and

WHEREAS, the above described property is zoned ETJ A-1 Agricultural which allows conditional uses under the City of Yankton's Extraterritorial Jurisdiction Zoning Ordinance No. 797 as amended, and

WHEREAS, this conditional use permit request is necessary for a 20-foot addition, plus lightning rod, to an existing 300-foot-tall tower and the proposed project 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 20-foot addition, plus lightning rod, to an existing 300-foot-tall tower, as depicted in the associated documentation, on the above described property.

Adopted:

Nathan V. Johnson, Mayor

ATTEST:

Al Viereck, Finance Officer

City of Yankton
City Planning Commission
Yankton, SD 57078

Re: Conditional Use Permit

Dear Commission Members:

This letter, pursuant to the City of Yankton's Zoning Ordinance, is an application hereby made for a Conditional Use Permit for the property herein described.

Description of Conditional Use Permit desired: Extend the height of the existing tower 20' from approx. 300' to approx. 320'. Lightning rod to extend approx. 10' above the tower for a total height of approx. 330'. Carrier antennas may extend above the height of the tower to approx. 324'. Modify the tower structurally to support the added tower height and carrier equipment being proposed. Carrier equipment to be collocated on the tower following the tower height extension and may include equipment such as antennas, radios, cables, surge suppression units, diplexers, sector frames, and other associated tower equipment. The carrier collocation will also include equipment at the base of the existing tower and may include equipment such as cabinets, cables, platforms, generator, and other associated ground equipment. See attached Construction Drawings and Modification Drawings for additional details on the proposed tower height extension and carrier collocation.

The address of the property is: 2000 SD HWY 314, Yankton, SD 57078

Lot Number: NA **Block Number:** NA
Addition: Legal: Section 11-T93N-R56W
Zoning District: ETJ: A-1 Agricultural

Check One

of which I own, or

(See attached MOL) of which I rent / lease (application must include consent document from the owner).

I/We have included a set of drawings or site plan, to scale, showing all conditions as to lot dimensions, building dimensions (proposed and existing), proposed uses of buildings (proposed, existing and future), location of off street parking, dimensions and number of spaces, the location of landscaping and/or screening that is proposed, and any easements that might exist or are proposed if necessary.

I/We have included a receipt for Fifty dollars (\$50.00), from the City Finance Department for processing this request.

I hereby depose and say that all the above statements and statements contained in this application and related attachments are true.

Thank you for your consideration,

Dated this 28 day of July, 2020

Ryan Streff (Powder River Development)/
Site Acquisition Agent
OBO Jackee Spohr (Back and Veatch)
printed / typed name and title if applicable



7/28/20

signature

Ryan Streff
Powder River Development
2340 River Pointe Circle
Minneapolis, MN 55411
address

Jackee Spohr
Black & Veatch
7760 France Ave. Suite 1200
Bloomington, MN 55435
address

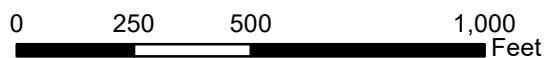
City Receipt Account Number 101.3231

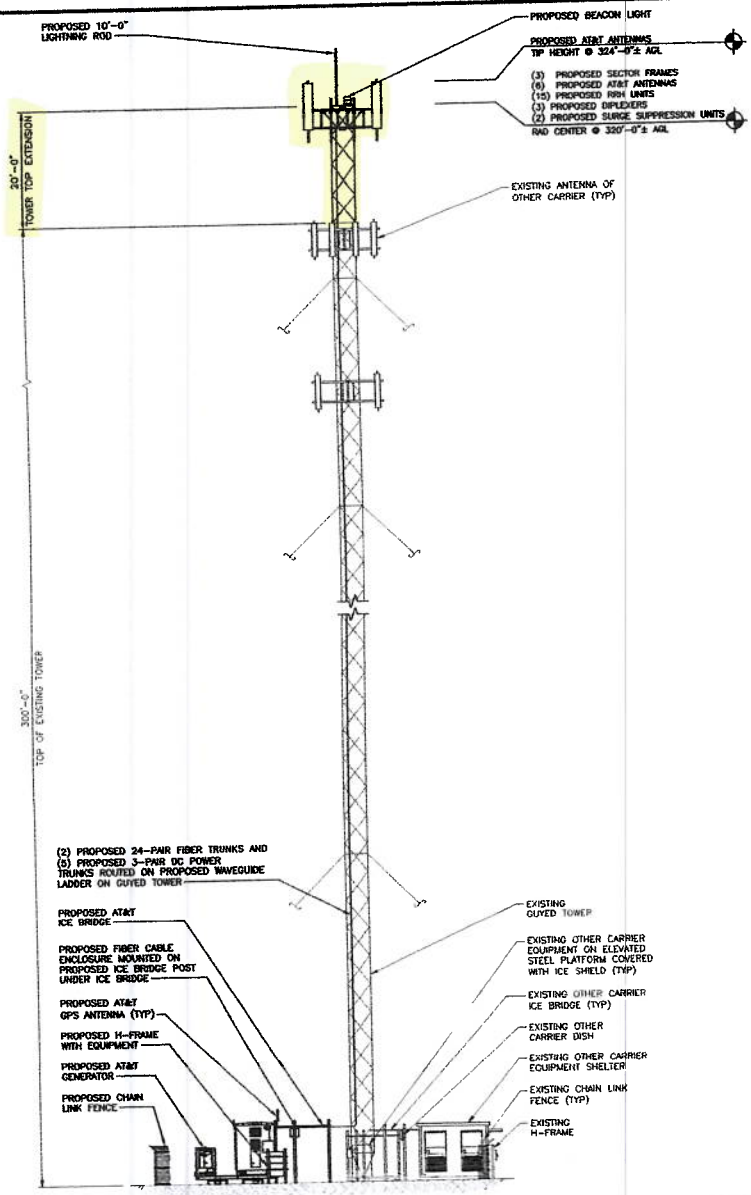


City of Yankton

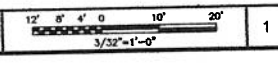
ETJ Conditional Use Permit

Additional height on an existing tower on the E 1/2 of the SW 1/4,
Section 11, T93N, R56W of the 5th P.M., Yankton County, South Dakota.
Powder River Development Services, LLC, applicant. Address, 2000 SD Hwy 314.





PROPOSED TOWER (SOUTH) ELEVATION



Memorandum #20-160

To: Amy Leon, City Manager
From: Dave Mingo, AICP Community and Economic Development Director
Subject: Planning Commission Action #20-44 / Resolution #20-58
Date: August 14, 2020

CONDITIONAL USE PERMIT REQUEST

ACTION NUMBER: 20-44

E.T.J. MEMBER ACTION REQUIRED: No

APPLICANT / OWNER: WDM Properties, LLC, applicant.

ADDRESS / LOCATION: 3010 Piper Street (ref attached site plan and air photo).

PROPERTY DESCRIPTION: North half of Lot 9, except the south 20 feet, Block 1, Airport Acres addition, City and County of Yankton.

ZONING DISTRICT: B-2 Highway Business.

PREVIOUS ACTION: None.

COMMENTS: The applicant is requesting an amendment to a recently issued Conditional Use Permit for a self-storage facility. The amendment would expand the project area to include the above legal description which is south of the previously issued permit location. Attachments are representative of what the requested project may look like. Final site planning details and storm water management design details will likely shift some of the eventual improvements on the site.

Self-storage facilities as defined by the City of Yankton Zoning Ordinance No. 711 are allowed in B-2 Highway Business Districts under certain conditions.

The proposal meets all of the applicable area and setback provisions. Self-storage facilities are required to be configured so that the doors of the buildings do not face, or are screened, from adjacent residentially zoned property. There is residential property to the east of the site. Based on these conditions, unscreened access doors cannot face to the east. Additionally, any lighting on the site is not permitted to spill onto adjacent residential occupancies. Light placement and possibly the use of shields can accommodate the requirement. The site design must also ensure that storm water drainage does not exceed historic runoff levels.

All appropriate mailings and publications have occurred. Staff has not been contacted by any adjoining property owners subsequent to the required mailing and publication of the hearing notice.

_____ Roll Call

The proposed project involves a number of partners and plans for the phased construction of the development. Construction phases will likely not occur prior to the expiration of the city's standard Conditional Use Permit window of one year. Therefore, the request also includes a waiver of the one-year timeframe. Considering the land uses in the neighborhood and the layout of the site plan, staff does not have any issues with waiving the one-year time period of the permit if approved.

Staff recommends approval of the amendment request with the time limit waiver. Although not required by ordinance, we also strongly recommend that the applicant consider a "good neighbor" approach to addressing visibility to the property from the east of the project. Privacy slats, and / or a planting of coniferous trees would accomplish a great deal in regards to neighborhood aesthetics regarding current occupancies.

HEARING SCHEDULE:

- July 13, 2020: The Planning Commission established August 10, 2020, as the date for public hearing on the proposed request.
- August 10, 2020: The Planning Commission conducts a hearing and makes a recommendation to the City Commission.
- August 24, 2020: The City Commission considers a resolution and makes the final decision.

Planning Commission results: The Planning Commission recommended approval of the proposed Conditional Use Permit amendment.

RESOLUTION #20-58
Conditional Use Permit Amendment

WHEREAS, WDM Properties, LLC., is the applicant for a project on property legally described as the North half of Lot 9, except the south 20 feet, Block 1, Airport Acres addition, City and County of Yankton being directly adjacent to a previously approved Conditional Use Permit location, and

WEREAS, the applicant is requesting an amendment to the previously approved Conditional Use Permit to include the property legally described above, 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 operation of a self-storage facility and the associated plans have 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 self-storage facility as represented and depicted in the associated documentation, on the above described property including a waiver of the time limit for construction.

Adopted:

Nathan V. Johnson, Mayor

ATTEST:

Al Viereck, Finance Officer

City of Yankton
City Planning Commission
Yankton, SD 57078

Re: Conditional Use Permit

Dear Commission Members:

This letter, pursuant to the City of Yankton's Zoning Ordinance, is an application hereby made for a Conditional Use Permit for the property herein described.

Description of Conditional Use Permit desired: The amendment of an existing Conditional Use Permit. The amendment would provide for additional structure(s) on the below described adjacent property to the permit approved by Resolution #20-12 which provided for the construction and occupancy of a self-storage facility in a B-2 Highway Business District.

The address of the property is: 3010 Piper Street.

Lot Number: North Half of Lot 9 except the South Twenty Feet (S20') of Block 1
Addition: Airport Acres Addition
Zoning District: B-2 Highway Business

Check One

X of which I own, or have contractually obligated.

 of which I rent / lease (application must include consent document from the owner).

I/We, if required, have included a set of drawings or site plan, to scale, showing all conditions as to lot dimensions, building dimensions (proposed and existing), proposed uses of buildings (proposed, existing and future), location of off street parking, dimensions and number of spaces, the location of landscaping and/or screening that is proposed, and any easements that might exist or are proposed if necessary.

I/We have included a receipt for Fifty dollars (\$50.00), from the City Finance Department for processing this request.

I hereby depose and say that all the above statements and statements contained in this application and related attachments are true.

Thank you for your consideration,

Dated this 16th day of June, 2020

WDM Properties LLC
printed / typed name and title if applicable

Maui Mong, member
signature

2314 Valley Road
Yankton SD 57078
address

1 square = 5'

271

141

130

10

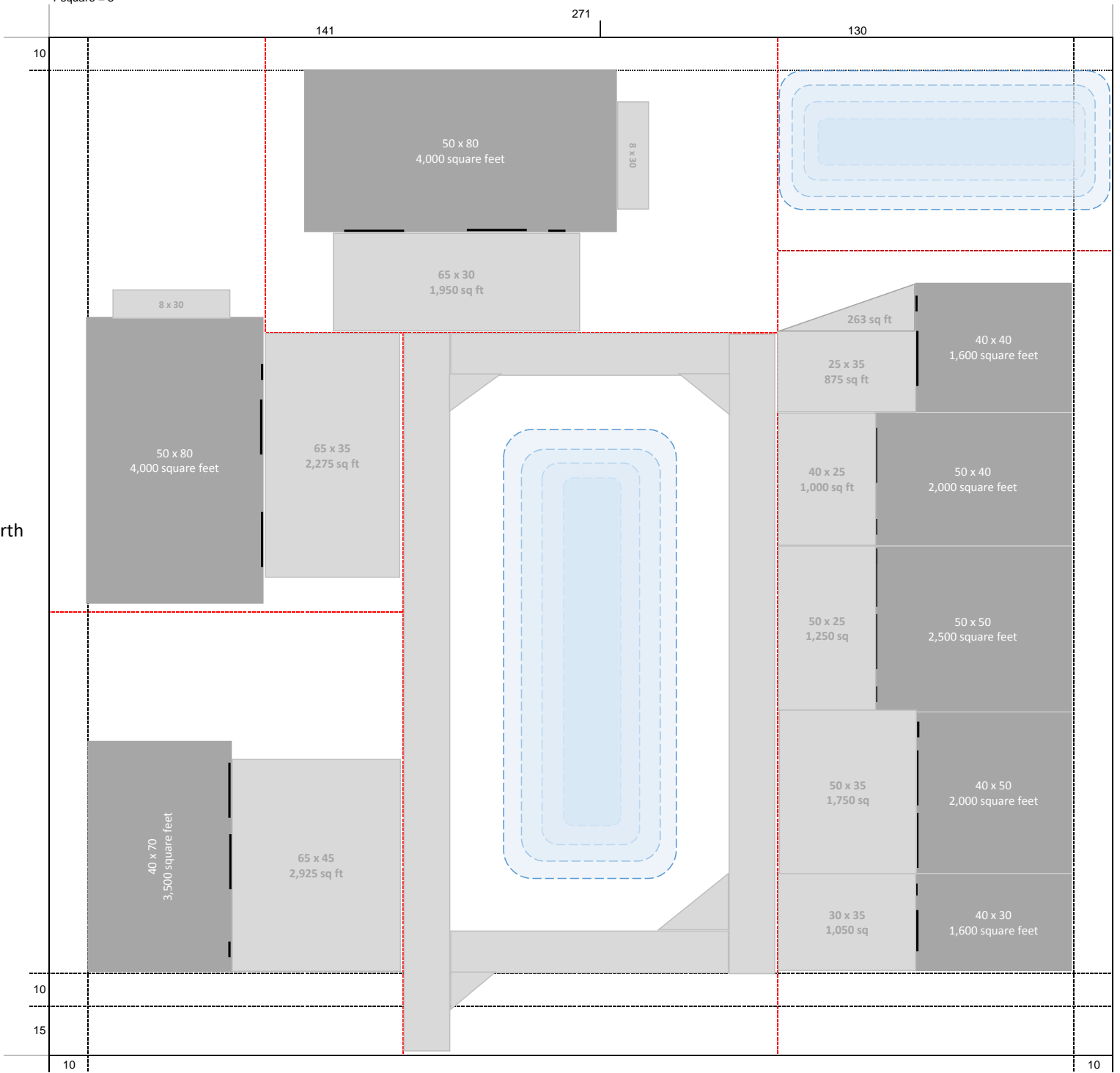
10

15

10

10

North



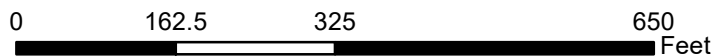
Piper Street



City of Yankton

Conditional Use Permit

North half of Lot 9 except the south 20 feet, Block 1, Airport Acres Addition to the City of Yankton, South Dakota.



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

Memorandum #20-161

To: Amy Leon, City Manager
From: Dave Mingo, AICP Community and Economic Development Director
Subject: Proposed Rezoning, Ordinance #1039
Date: August 14, 2020

PROPOSED REZONING

ACTION NUMBER: 20-45

E.T.J. MEMBER ACTION REQUIRED: Yes

APPLICANT / OWNER: JTG Properties, LLC, owner.

ADDRESS / LOCATION: 3007 West City Limits Road. Please reference the attached map

PROPERTY DESCRIPTION & REZONING REQUEST:

R-2 Single Family Residential to B-2 Highway Business on The part of the Northeast Quarter of the Northeast Quarter (NE1/4 NE1/4), Section Two (2), Township Ninety-three (93) North, Range Fifty-six (56) West of the 5th PM, lying Northeast of the present right of way of the Chicago, Milwaukee, and St. Paul Railroad Company, now known as Chicago, Milwaukee, St. Paul and Pacific Railroad Company, consisting of a triangular parcel, EXCEPT Lot H-1 as platted in Book S9, page 56, Yankton County, South Dakota, less highways and roads.

PREVIOUS ACTION:

Annexation of land by owner's petition by the City Commission on July 27, 2020.

COMMENTS:

The applicant has submitted the required petition to initiate governing body consideration of the proposed rezoning. This property is a triangle shaped parcel of land southwest of the intersection of 31st Street and West City Limits Road. The owners are requesting that the land be rezoned in order to provide for new commercial occupancies. The site is zoned residential as a holdover from the transition process from the extraterritorial jurisdiction into the city limits.

_____ Introduce

Important issues to consider when reviewing this rezoning include compatibility with current and planned adjacent land uses as described in the City Comprehensive Plan. Rezoning of this area would constitute an extension of the commercially zoned property across the street to the east and north. It is also buffered from the residentially zoned property by the railroad.

It is staff's opinion that the proposal is an extension of existing uses to the east that are compatible with other adjacent occupancies. The lot is not practically suitable for residential development because of its shape and proximity to principal arterial streets.

All appropriate publications and notifications have been completed to date. There have been no comments received.

Staff recommends that the proposed rezoning be approved.

HEARING SCHEDULE:

July 13, 2020	The Planning Commission establishes August 10, as the date for a public hearing.
August 10, 2020	The Planning Commission holds a public hearing to consider the issue. All appropriate notices will have been published and mailed.
August 24, 2020	The City Commission establishes September 14, 2020 as the date for a public hearing.
September 14, 2020	The City Commission holds a public hearing to consider the issue. All appropriate notices will have been published and mailed. A super majority (6-3) vote of the City Commission cannot be protested out by the neighborhood. A simple majority (5-4) could be.
September 24, 2020	Estimated publication date of record of City Commission action.
October 14, 2020	The City Commission action is effective (estimated date).

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

ORDINANCE NO. 1039

AN ORDINANCE TO REZONE PROPERTY DESCRIBED HEREIN

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

Section 1.

From R-2 Single Family Residential to B-2 Highway Business, The part of the Northeast Quarter of the Northeast Quarter (NE1/4 NE1/4), Section Two (2), Township Ninety-three (93) North, Range Fifty-six (56) West of the 5th PM, lying Northeast of the present right of way of the Chicago, Milwaukee, and St. Paul Railroad Company, now known as Chicago, Milwaukee, St. Paul and Pacific Railroad Company, consisting of a triangular parcel, EXCEPT Lot H-1 as platted in Book S9, page 56, Yankton County, South Dakota, less highways and roads. JTG Properties, LLC, owner. Address, 3007 West City Limits Road.

As depicted on the associated Rezoning Map.

Section 2. Saving Clause.

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

Section 3. Effective Clause.

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

Adopted:

1st Reading:

2nd Reading:

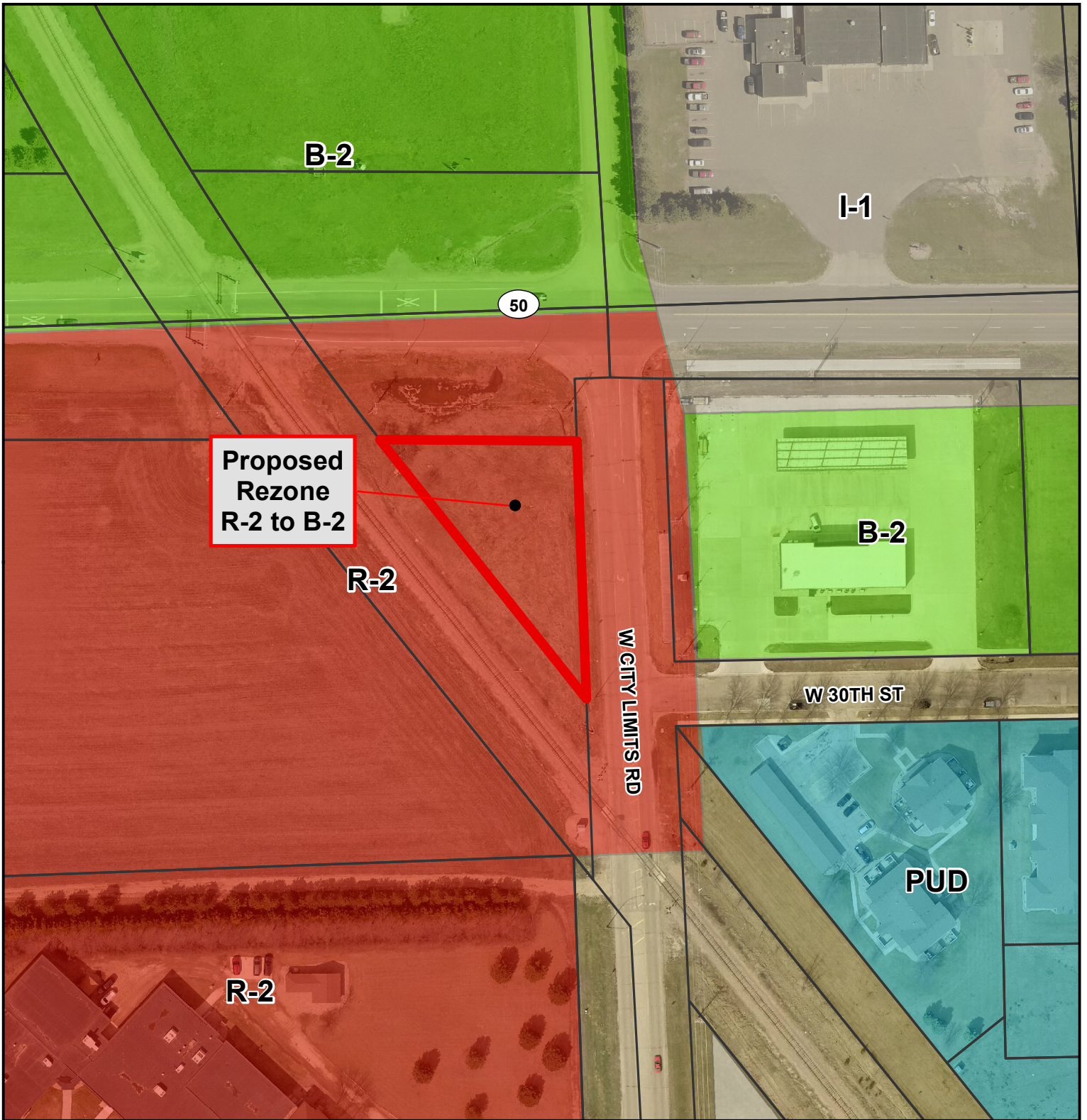
Publication Date:

Effective Date:

Nathan V. Johnson, Mayor

ATTEST:

Al Viereck, Finance Officer



City of Yankton

Rezone from R-2 Single Family Residential
to B-2 Highway Business

City of Yankton, SD

Re: Rezoning of Property in the City of Yankton

Dear Commission Members:

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

Address: 3007 West City Limits Road, Yankton, South Dakota.

Legal Description: The part of the Northeast Quarter of the Northeast Quarter (NE1/4 NE1/4), Section Two (2), Township Ninety-three (93) North, Range Fifty-six (56) West of the 5th PM, lying Northeast of the present right of way of the Chicago, Milwaukee, and St. Paul Railroad Company, now known as Chicago, Milwaukee, St. Paul and Pacific Railroad Company, consisting of a triangular parcel, EXCEPT Lot H-1 as platted in Book S9, page 56, Yankton County, South Dakota, less highways and roads (reference associated map) which I own, from the existing zoning of R-2 Single Family Residential, to a new a new zoning classification of B-2 Highway Business.

The reason for the zoning change is: To allow commercial occupancies on the property.

Thank you for your consideration.

Dated this 17th day of July, 2020



JTG Properties, LLC. Authorized Member signature
803 Jason Way
Yankton, SD 57078

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

Prior to the introduction of any ordinance proposing changes in the Zoning Ordinance there shall first be filed with the City Finance Officer the written consent of forty (40) percent of the owners of equity in the lots included in any proposed district and the lands within two hundred and fifty feet (250) from any part of such proposed district measured by excluding streets and alleys. A corporation shall be construed to be a sole owner. When parcels of land are in the name of more than one person, ownership representation shall be in proportion to the number of signers who join in the petition in relation to the number of owners.

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

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

City Receipt Account Number 101.3231

PETITION TO INITIATE REZONING

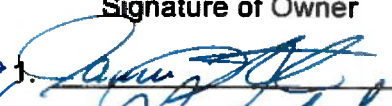
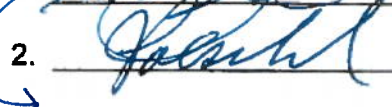
We, the undersigned real estate owners, each owning property within two hundred and fifty (250) feet of the below described property, excluding streets and alleys, hereby give our consent to rezoning:

Address: 3007 West City Limits Road, Yankton, South Dakota.

Legal Description: The part of the Northeast Quarter of the Northeast Quarter (NE1/4 NE1/4), Section Two (2), Township Ninety-three (93) North, Range Fifty-six (56) West of the 5th PM, lying Northeast of the present right of way of the Chicago, Milwaukee, and St. Paul Railroad Company, now known as Chicago, Milwaukee, St. Paul and Pacific Railroad Company, consisting of a triangular parcel, EXCEPT Lot H-1 as platted in Book S9, page 56, Yankton County, South Dakota, less highways and roads. Reference associated map.

From the existing zoning of R-2 Single Family Residential to a new a new zoning classification of B-2 Highway Business.

By signing this petition, the below property owners do not waive their right to legally protest this rezoning request at a later date.

Signature of Owner	Printed Name and Address of Owner
1. 	The Fox Stop : James Grotenhuis 1316 W 30th St. Yankton, SD 57028
2. 	Jerome Poeschl 213 Katherine Way Yankton, SD 57028
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____

3 (three) properties need to be represented by signature for this petition to be valid. For properties where more than one owner is listed, all listed owners must sign in order for that property to be represented on this petition.

Memorandum #20-162

To: Amy Leon, City Manager
From: Dave Mingo, AICP Community and Economic Development Director
Subject: Planning Commission Action #20-47 / Resolution #20-59
Date: August 14, 2020

PLAT REVIEW

ACTION NUMBER: 20-47

E.T.J. MEMBER ACTION REQUIRED: No

OWNER / APPLICANT: Yankton Development Enterprises, LLC., Kelly Nielson, President.

ADDRESS / LOCATION: South side of the 1600 Block of W. 25th Street.

PROPERTY DESCRIPTION: Lots 1, 2, 3, 4, 5, 6, and 7 in Block 10 Westbrook Estates in Tract 1 of Law Addition in the Southeast Quarter of Section 2, Township 93 North, Range 56 West of the 5th Principal Meridian, City of Yankton, Yankton County, South Dakota.

ZONING DISTRICT: Pending Rezoning. Currently B-2.

PREVIOUS ACTION: Phase II Westbrook rezoning and annexation in 2015 and 2017.

COMMENTS: The proposed plat and previously approved associated Developer's Agreement meet the requirements of the City's Subdivision Ordinance and Zoning Ordinance. This plat represents the first portion of Westbrook Phase 2 that is located south of 25th Street. Phase 2 will eventually extend south almost all the way to 23rd Street

Staff recommends approval of the plat.

MEETING SCHEDULE:

August 10, 2020: Planning Commission reviews plat and makes recommendation to the City Commission.

August 24, 2020: City Commission reviews the plat and makes a final decision.

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

RESOLUTION #20-59

Plat

WHEREAS, it appears from an examination of the plat of Lots 1, 2, 3, 4, 5, 6, and 7 in Block 10 Westbrook Estates in Tract 1 of Law Addition in the Southeast Quarter of Section 2, Township 93 North, Range 56 West of the 5th Principal Meridian, City of Yankton, Yankton County, South Dakota prepared by Paul A. Sandman, 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 and associated Developer's Agreement for the above described property is hereby approved.

Adopted:

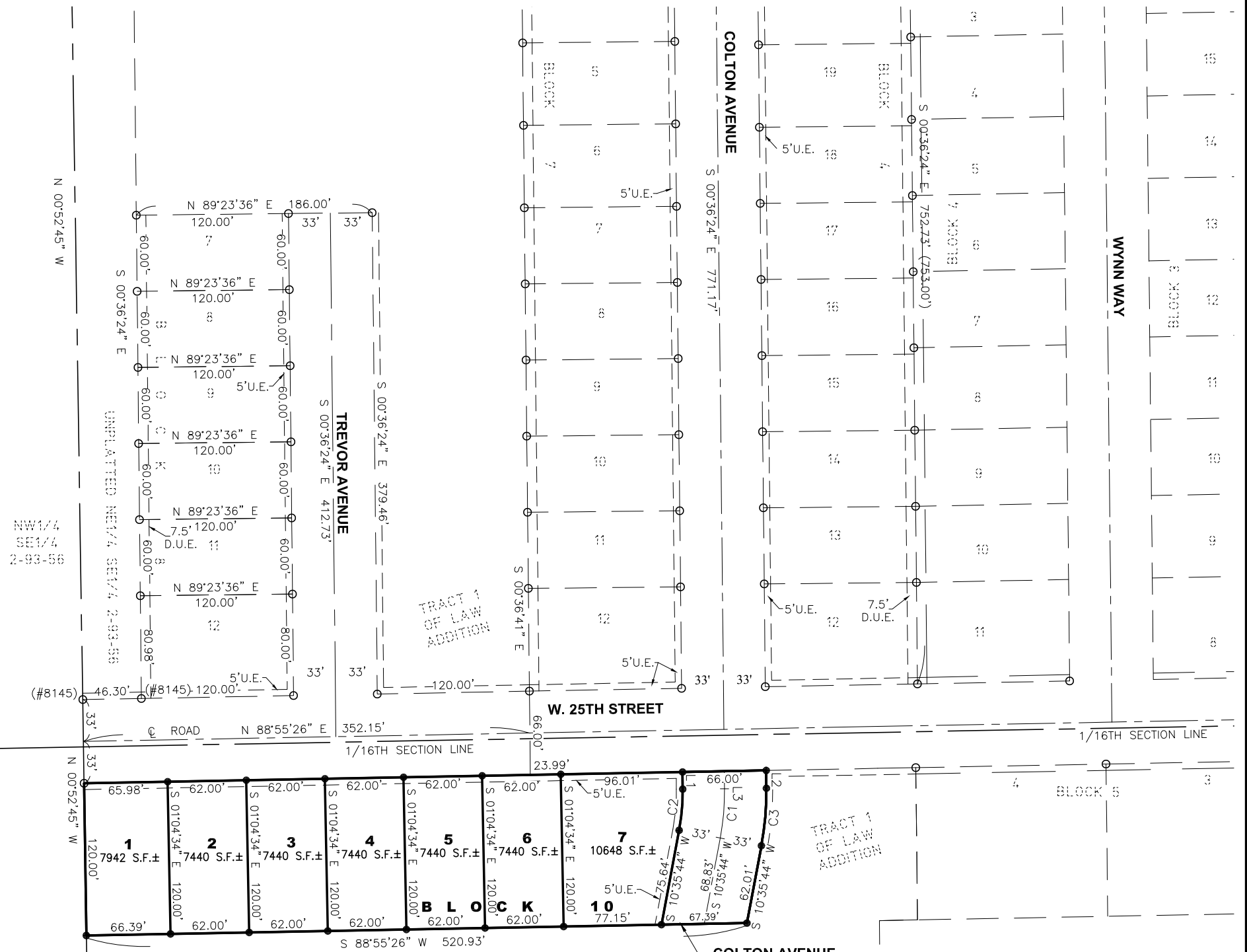
Nathan V. Johnson, Mayor

ATTEST:

Al Viereck, Finance Officer

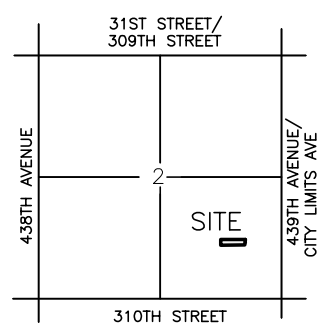
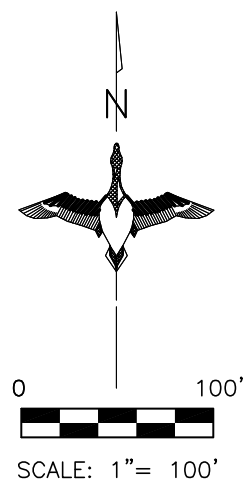
PLAT OF LOTS 1, 2, 3, 4, 5, 6 AND 7 IN BLOCK 10 OF WESTBROOK ESTATES

IN TRACT 1 OF LAW ADDITION, IN THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 93 NORTH, RANGE 56 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF YANKTON, YANKTON COUNTY, SOUTH DAKOTA.

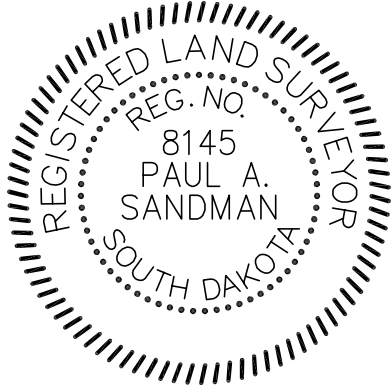


CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	200.00'	39.10'	39.04'	S 04°59'40" W	11°12'09"
C2	167.00'	32.65'	32.60'	N 04°59'40" E	11°12'09"
C3	233.00'	45.56'	45.48'	N 04°59'40" E	11°12'09"

LINE	BEARING	DISTANCE
L1	S 00°36'24" E	13.50'
L2	S 00°36'24" E	14.04'
L3	S 00°36'24" E	13.50'



AREA MAP N.T.S.
SECTION 2, T93N, R56W
5TH P.M.



PREPARED BY:

Midwest Land Surveying, Inc.
Land Surveying and GPS Consulting
211 E. 14th Street Sulte 100
Sioux Falls, South Dakota 57104
Phone: (605) 339-8901 FAX:(605) 274-8951

AREA TABLE	
STREETS	0.184 AC.±
LOTS	1.281 AC.±
TOTAL	1.465 AC.±

- LEGEND:**
- SET 5/8" REBAR W/CAP #8145
 - FOUND MONUMENT (#11950 UNLESS NOTED OTHERWISE)
 - AC. ACRES
 - S.F. SQUARE FEET
 - S.T.S.E STORM SEWER EASEMENT
 - U.E. UTILITY EASEMENT
 - D.U.E. DRAINAGE AND UTILITY EASEMENT
 - R/W RIGHT-OF-WAY
 - PREVIOUSLY PLATTED LINE
 - - - EASEMENT LINE
 - N.T.S. NOT TO SCALE

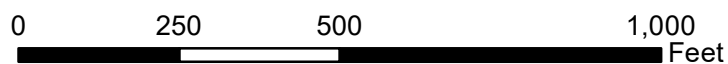
NOTES:
BASIS OF BEARINGS IS UTM-ZONE 14
THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
EASEMENTS OF RECORD WERE NOT RESEARCHED AND ARE NOT SHOWN ON THE PLAT.



City of Yankton

Plat Location Map

Plat of Lots 1, 2, 3, 4, 5, 6 & 7 in Block 10 of Westbrook Estates
in Tract 1 of Law Addition, in the SE 1/4 of Section 2, T93N R56W
of the 5th P.M., City of Yankton, Yankton County, South Dakota



Memorandum #20-158

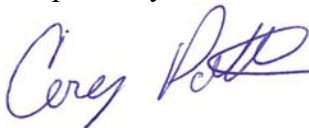
To: Amy Leon, City Manager
From: Corey Potts, Public Works Manager
Subject: Purchase of Skid Steer through Sourcewell Contract bid for the City of Yankton, Public Works Department, Joint Powers Division.
Date: August 12, 2020

The adopted 2020 City of Yankton budget provides funding for a new skid steer for the Department of Public Works, Joint Powers Division. The skid loader that is to be replaced is unit #260, a 2006 Bobcat Skid Steer. The skid steer is 14 years old and used extensively at the Transfer Station to push construction and solid waste into trailers. The 2006 Bobcat skid steer will be traded-in.

A bid contract through the Sourcewell contract allows the City to purchase a new skid steer through Mark’s Machinery, Yankton South Dakota. The skid steer to be purchased is a new 2020 S64 T4 Bobcat Skid Steer Loader and attachments, for the amount of \$49,279.58. The trade-in value for the 2006 Bobcat Skid Street is \$10,000.00, which is credited towards the purchase of the 2020 Bobcat Skid Steer. The Final price for the 2020 Bobcat Skid Street will be \$39,279.58. There is \$50,000 budgeted for this skid steer purchase

City Staff recommends the purchase of a new 2020 S64 T4 Bobcat Skid Steer Loader with attachments for \$39,279.58 with trade in from Mark’s Machinery, Yankton, South Dakota, based on the Sourcewell contract.

Respectfully submitted,

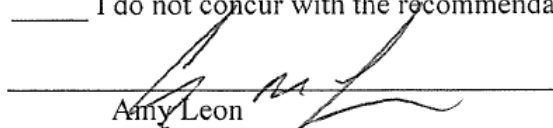


Corey Potts
Public Works Manager

Recommendation: It is recommended the City Commission approve Memorandum #20-158 for the purchase of a new 2020 Skid Steer and attachments for the amount of \$39,279.58, with trade in, for the Department of Public Works, Joint Powers Division from Mark’s Machinery, of Yankton, South Dakota, based on the Sourcewell contract and approve Resolution #20-56 to trade-in the 2006 Skid Steer

I concur with the recommendation.

I do not concur with the recommendation.


Amy Leon
City Manager

Roll call

RESOLUTION #20-56

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

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

PROPERTY TO BE TRADED-IN

2006 Bobcat S205 VIN. #530512051

Dated this ____ day of August, 2020

Nathan V Johnson
Mayor

ATTEST:

Al Viereck
Finance Officer

Memorandum #20-121

To: Amy Leon, City Manager
From: Bradley Moser, Civil Engineer
Subject: Acceptance of the Utility and Street Improvements for West Street – Dakota West Estates II Addition
Date: August 14, 2020

The developer, Steve Drotzmann, is asking that the utility and street improvements on a portion of Dakota West Estates II Addition be accepted. The improvements are located along West Street and include the following lots:

- Block 2, Lots 6 thru 8,
- Block 3, Lots 3 thru 5
- All in Dakota West Addition

The street construction and utility installations were completed in accordance to the approved plans and have passed the required testing. In addition, the Environmental Services Department has inspected the utility improvements and found them to be satisfactory.

The billing costs associated with the inspection, administrative services and service connection fees have been calculated. A payment of \$557.13 has been received from the developer. The calculation totals are as follows:

Total Personnel Labor Costs	\$298.13
Sewer Connection Fees	<u>\$259.00</u>
GRAND TOTAL:	\$557.13

It is recommended that the City Commission accept the utility and street improvements as described above.

Respectfully submitted,

Bradley Moser
Civil Engineer

Recommendation: It is recommended that the City Commission accept the utility and street improvements for West Street - Phase II of the Dakota West Estates Addition, as detailed in Memorandum #20-121.

I concur with the recommendation.

I do not concur with the recommendation.

 Amy Leon
 City Manager

_____ Roll call

Memorandum #20-157

To: Amy Leon, City Manager
From: Bradley Moser, Civil Engineer
Subject: 2020 Yankton Road Tax (YRT) Resolution of Necessity
Date: August 17, 2020

The attached Resolution of Necessity #20-55 establishes the Yankton Road Tax (YRT) assessment rate to be applied for 2020 and collected in 2021. The annual assessment to properties is reviewed each year in conjunction with the preparation of the City’s budget.

The YRT Resolution of Necessity #20-55 provides for the maintenance of the City of Yankton streets. This resolution sets the rate at which property will be assessed for maintenance items such as grading, crack filling, spall repair, patching, chip sealing and other items that are accomplished on the City street system, annually.

City staff recommends that there be no change to the rate at this time. The anticipated annual revenue received at the established 50 cents per foot rate, is \$430,424.24. The rate will be applied consistent with the procedure outlined by state law.

Respectfully submitted,

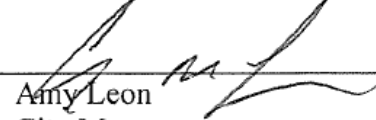


Bradley Moser
Civil Engineer

Recommendation: It is recommended that the City Commission adopt Resolution of Necessity #20-55 which establishes the Yankton Road Tax (YRT) assessment rate for 2020.

I concur with the recommendation.

I do not concur with the recommendation.



Amy Leon
City Manager

cc: Al Viereck, Finance Officer
Adam Haberman, Public Works Director

____ Roll call

RESOLUTION OF NECESSITY #20-55
(Yankton Road Tax)

WHEREAS, the Board of City Commissioners of the City of Yankton has deemed that the City streets, alleys and roadways must be properly reconstructed and repaired, and;

WHEREAS, the City of Yankton's streets are repaired by grading, crack filling, spall repair, patching and chip sealing, and;

WHEREAS, a yearly inventory of City streets is conducted in order to determine the streets in need of repair,

NOW, THEREFORE, BE IT RESOLVED, that for the purpose of maintaining and repairing the streets, and surfacing thereof, that an assessment of fifty cents per front foot be levied upon all parcels or portions of parcels fronted or abutting streets and fifty cents per front foot be levied upon parcels or portions of parcels fronted or abutting alleys within the City of Yankton.

The City Finance Officer is hereby directed to certify such assessments together with the regular assessments for 2020 collectable in 2021 to the County Auditor to be collected as municipal taxes for general purposes.

Adopted:

Nathan V Johnson
Mayor

ATTEST:

Al Viereck
Finance Officer

Memorandum #20-163

To: Amy Leon, City Manager
From: Bradley Moser, Civil Engineer
Subject: Resolution #20-60, Restricting Parking on the 300 Block of East 6th Street
Date: August 17, 2020

The attached Resolution #20-60 which if approved will restrict parking on the street adjacent to 300 East 6th Street - Prairie Homes Assisted Living. The zone would be on the north side of the road and would extend from the ADA ramp at the 6th and Pine intersection, east to the driveway approach servicing the facility. The approximate length of the no parking zone would be 148 feet. Attached is an aerial photograph that depicts the restriction proposed.

The City was contacted by the owners of the assisted living facility. They explained their issues with current parking situation. Many of the clientele at the facility, utilize bussing as their primary form of transportation. It is our understanding that buses make stops there several times a day. Unfortunately, with the on-street parking there is typically no curbside area open to drop off their clients. The width of the roadway in this area is narrow. If buses are forced to drop off their clients in the roadway this creates additional vehicle congestion. Also, eliminating the on-street parking at this location would not only help the assisted living facility with their drop off situation, it would prevent the bottleneaking at the stop sign that occurs when someone parks too close to the intersection.

The City Engineering Department has consulted with the Yankton Police Department and they are in full support of the proposed no parking.

Based on this information, City staff recommends approval of Resolution #20-60, which prohibits parking on the north side of 6th Street from the Pine Street intersection east to the driveway approach for Prairie Homes Assisted Living.

Respectfully submitted,

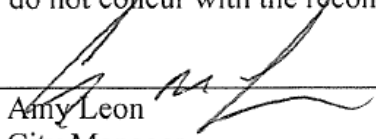


Bradley Moser
Civil Engineer

Recommendation: It is recommended that the City Commission approve Resolution #20-60, prohibiting parking on the north side of 6th Street from the Pine Street intersection east to the driveway approach for Prairie Homes Assisted Living, as explained in Memorandum #20-163.

I concur with the recommendation.

I do not concur with the recommendation.



Amy Leon
City Manager

cc: Adam Haberman

____ Roll call

RESOLUTION #20-60

**NO PARKING ON NORTH SIDE OF EAST 6TH STREET
FROM PINE STREET TO THE DRIVEWAY APPROACH
FOR 300 EAST 6TH STREET**

WHEREAS, 6th Street is a narrow road, being only 27' in total width; and

WHEREAS, and adjacent property owner has indicated that there an issue with buses being able to drop off residents, and

WHEREAS, eliminating on-street parking, in this location, would alleviate congestion that occurs, and

WHEREAS, no parking, on front of 300 East 6th, would provide a safer environment for the residents, and

WHEREAS, The Board of City Commissioners of the City of Yankton has the authority to establish and revoke parking restrictions within the City of Yankton;

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, SD, that parking is prohibited on the north side of east 6th Street, from Pine street to the driveway approach for 300 East 6th Street.

Dated: _____

Nathan V Johnson
Mayor

ATTEST:

Al Viereck
Finance Officer

ORDINANCE NO . 1038

AN ORDINANCE APPROPRIATING MONIES FOR
DEFRAYING THE NECESSARY EXPENSES AND
LIABILITIES OF THE CITY OF YANKTON, SOUTH
DAKOTA, FOR THE FISCAL YEAR BEGINNING JANUARY 1,
2021, AND ENDING DECEMBER 31, 2021, AND PROVIDING
FOR THE LEVY OF THE ANNUAL TAX FOR ALL FUNDS
CREATED BY THE ORDINANCE WITHIN SAID CITY.

BE IT ORDAINED by the City of Yankton, South Dakota

That thereby and hereby is appropriated by the Board of Commissioners of the City Yankton, South Dakota, for the year commencing the first moment of the first day of January 2021, the following sums of money for the purposes, which are deemed necessary to defray all necessary expenses and liabilities of the City of Yankton, South Dakota, to wit:

SECTION I - GENERAL FUND

A. Appropriations

General Government:

Board of City Commissioners	\$ 139,573
City Manager	269,863
City Attorney	120,256
Finance Office	714,922
Information Services	484,405
Community Development	534,566
Human Resources	135,987
Contingency	<u>300,000</u>

TOTAL GENERAL GOVERNMENT	<u>2,699,572</u>
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Public Safety:

Police Department	3,638,592
Fire Department	765,155
Civil Defense	<u>4,960</u>

TOTAL PUBLIC SAFETY	<u>4,408,707</u>
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Public Works:

Engineering & Inspection	722,920
Street & Highways	2,222,492
Snow & Ice Removal	206,898
City Hall	272,703
Traffic Control	504,238
Chan Gurney Airport	<u>693,143</u>

TOTAL PUBLIC WORKS	<u>4,622,394</u>
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Special Appropriations	<u>140,485</u>
TOTAL SPECIAL APPROPRIATIONS	<u>140,485</u>

Culture - Recreation:	
Senior Citizens Center	94,390
Community Library	<u>835,949</u>
TOTAL CULTURE - RECREATION	<u>930,339</u>

Other Financing Uses / Transfers Out	<u>4,466,681</u>
TOTAL OTHER FINANCING USES	<u>4,466,681</u>

TOTAL APPROPRIATIONS	<u>\$ 17,268,178</u>
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B. Means of finance

Unappropriated Fund Balances	<u>\$ 3,489,587</u>
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Current Property Taxes	2,878,910
Sales & Other Taxes	7,148,790
Licenses & Permits	329,675
Intergovernmental Revenue	800,458
Charges for Goods & Services	2,295,850
Fines & Forfeits	7,250
Miscellaneous Revenues	<u>59,000</u>
TOTAL REVENUE	<u>13,519,933</u>

Other Financing Sources / Transfers In	<u>258,658</u>
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TOTAL MEANS OF FINANCE	<u>\$ 17,268,178</u>
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SECTION II - SPECIAL REVENUE

A. Appropriations		
Parks & Recreation		\$ 1,785,881
Memorial Park Pool		1,410,750
Summit Activies Center		913,683
Marne Creek		9,140,385
Casualty Reserve Fund		5,000
Bridge & Street Fund		110,000
911/Dispatch		878,044
Business Improvement District		69,920
Lodging Sales Tax		639,423
Infrastructure Improvement Revolving - Transfer to Infr. Imp. Constr.		<u>44,720</u>
TOTAL APPROPRIATIONS		<u>\$ 14,997,806</u>
 B. Means Of Finance		
Unappropriated Fund Balance		<u>\$ 911,062</u>
Parks & Recreation Revenue		8,130
Memorial Pool Revenue		223,500
Summit Activies Center Revenue		514,270
Marne Creek Revenue		7,650,300
Casualty Reserve - Interest		250
Bridge & Street Revenue		41,497
911/Dispatch		152,776
Business Improvement District		116,000
Lodging Tax		467,348
Infrastructure Improvement Revolving		<u>44,720</u>
TOTAL REVENUE		<u>9,218,791</u>
Transfer From General Fund		<u>4,152,679</u>
Transfer From Special Capital Fund		<u>1,468,690</u>
TOTAL MEANS OF FINANCE		<u>\$ 15,751,222</u>

SECTION III - CAPITAL PROJECT FUNDS

A.	Appropriations		
	Public Improvement	\$	-
	Airport Capital Projects		135,000
	Park Capital Projects		122,000
	Infrastructure Improvement Construction		100,000
	Huether Aquatics Center Construction		50,088
	Special Capital Improvement		5,742,982
	Tax Incr. District #2 Morgan Square		-
	Tax Incr. District #5 Menards		194,610
	Tax Incr. District #6 Westbrook Estates		297,391
	Tax Incr. District #7 West 10th Street		23,724
	Tax Incr. District #8 Westbrook Phase 2		1,421,365
	TOTAL APPROPRIATIONS	\$	<u>8,087,160</u>
B.	Means of Finance		
	Unappropriated Fund Balance	\$	<u>3,959,677</u>
	Public Improvement Revenue		-
	Airport Capital Projects		128,250
	Park Capital Revenue		-
	Infrastructure Improvement Construction		-
	Huether Aquatics Center Construction		187,890
	Special Capital Improvement		4,890,810
	TID #2 Morgan Square		-
	TID #5 Menards		143,675
	TID #6 Westbrook Estates		297,391
	TID #7 West 10th Street		23,724
	TID #8 Westbrook Phase 2		21,365
	TOTAL REVENUE		<u>5,693,105</u>
	Transfer from General Fund		122,000
	Transfer from Summit Activity Center		55,000
	Transfer from Park Improvement Fund		-
	Transfer from BBB Fund		70,000
	Transfer from Infrastructure Impr. Fund		44,720
	Transfer from Special Capital Fund		-
	Loan from General Fund		-
	Loan from Special Capital Fund		-
	TOTAL OTHER FINANCING SOURCES		<u>291,720</u>
	TOTAL MEANS OF FINANCE	\$	<u>9,944,502</u>

SECTION IV - ENTERPRISE FUNDS
MEMO ONLY

	<u>Solid Waste</u>					
	Water	Waste- Water	Cemetary	Collection	Joint Powers (Yankton Only)	Golf Course
Unappropriated Fund Balance	\$ 13,769,802	\$ 2,120,181	\$ 6,979	\$ 1,151,975	\$ (552,370)	\$ 58,541
Estimated Revenues:						
Operations	7,022,243	4,406,833	25,500	1,310,046	1,407,100	-
Other	<u>172,000</u>	<u>27,900</u>	<u>2,100</u>	<u>13,000</u>	<u>1,100</u>	<u>90,000</u>
TOTAL REVENUE	<u>7,194,243</u>	<u>4,434,733</u>	<u>27,600</u>	<u>1,323,046</u>	<u>1,408,200</u>	<u>90,000</u>
Operating Transfer In	-	-	95,352	-	-	96,650
Depreciation	<u>\$1,096,628</u>	<u>1,040,011</u>	-	<u>99,114</u>	<u>194,196</u>	-
Amortization	-	-	-	-	-	-
Revolving Loan Funds	-	<u>747,000</u>	-	-	-	-
Grant Funds	<u>80,000</u>	<u>1,308,000</u>	-	-	-	-
TOTAL FUNDS AVAILABLE	<u>\$ 22,140,673</u>	<u>\$ 9,649,925</u>	<u>\$ 129,931</u>	<u>\$ 2,574,135</u>	<u>\$ 1,050,026</u>	<u>\$ 245,191</u>
Appropriations:						
Operating	\$ 3,765,516	\$ 3,332,458	\$ 109,452	\$ 1,253,239	\$ 1,757,164	\$ 53,105
Non-Operating	1,381,311	143,122	-	7,628	9,362	-
Operating Transfer Out	71,346	60,046	-	-	-	-
Improvement & Exts/Capital	2,656,354	3,118,646	13,500	65,744	354,614	100,000
Unobligated	<u>14,266,145</u>	<u>2,995,653</u>	<u>6,979</u>	<u>1,247,524</u>	<u>(1,071,114)</u>	<u>92,086</u>
TOTAL APPROPRIATIONS	<u>\$ 22,140,673</u>	<u>\$ 9,649,925</u>	<u>\$ 129,931</u>	<u>\$ 2,574,135</u>	<u>\$ 1,050,026</u>	<u>\$ 245,191</u>

SECTION V - INTERNAL SERVICE FUNDS
CENTRAL GARAGE

Unappropriated Fund Balance	\$ 263,392
Estimated Revenue - Billings	<u>917,328</u>
TOTAL ESTIMATED BALANCE & REVENUES	\$ 1,180,720
Less Appropriations	<u>895,284</u>
Estimated Surplus	<u>\$ 285,436</u>

SECTION VI - TAX LEVY

That there is hereby levied upon all taxable property within said City of Yankton, South Dakota, for the purposes of providing funds to meet the lawful expenses and liabilities of the City of Yankton, South Dakota, as herein set forth for the fiscal year of 2021, a tax sufficient to raise \$2,878,910 in regular property taxes, which as received by the Finance Officer shall be credited to the General Fund, and an additional \$175,000 in opt-out property taxes which will be used for the annual debt service requirement for the Second Fire Station, and an additional \$884,043 in opt-out property taxes which will be used for the annual debt service requirement for the new aquatics center to Fantle-Memorial Park

That the Finance Officer of the City of Yankton be and hereby is authorized and directed to certify the said regular tax levy, \$2,878,910 and the opt-out levies, \$175,000 and \$884,043 to the County Auditor of the County of Yankton, South Dakota, to the end that the same may be spread and assessed as provided by law.

SECTION VII - EFFECTIVE DATE

This Ordinance being necessary for the support of the government of the City of Yankton and its existing institutions shall take effect upon its passage and publication.

Adopted:

Nathan V. Johnson
Mayor

ATTEST :

Al Viereck
Finance Officer

Introduction and first reading: August 24, 2020

Second reading : September 14, 2020

Published in the Yankton Daily Press and Dakotan, Official Newspaper: Sept. ??, 2020

I so certify

Al Viereck
Finance Officer

Memorandum #20-165

To: Amy Leon, City Manager
From: Time & Attendance Committee
Subject: Solution Recommendation
Date: August 12, 2020

The committee evaluated four options in detail.

- Kronos Workforce Ready
- Paycom
- BanKoe
- NeoGov

BanKoe and Kronos were the two systems that our iSeries financial software vendor identified as solutions other customers had successfully used with their financial system. One of the failures of the previous system implementation was that software's inability to work with our existing financial and payroll system.

In addition to being able to meet the core requirements for the City's needs, Kronos has both a dedicated government division and has previously successfully integrated with the City of Yankton's financial system. Those factors were the tipping point in making the decision to proceed forward with the Workforce Ready solution. The attached Workforce Ready Proposal from Kronos is the committee's recommended solution.

The proposal includes time keeping, accruals, payroll, human resources, affordable care act manager, scheduler and integration hub. In addition, we propose that we acquire the proposed time clocks and the annual depot exchange support for those devices.

One-time Setup Fee \$6,750.00

Monthly Cost Per Employee:

Time Keeping	\$3.00
Accruals	\$.50
Scheduler	\$1.25
Human Resources	\$3.00
Payroll	\$3.00
Affordable Care Act Manager	\$0.25
Integration Hub	\$0.00

Equipment Cost

Barcode based clocks	\$1,847.50
Proximity clocks (HID or fob)	\$2,197.50
Biometric Option	\$ 600.00
Proximity Cards	\$ 6.45
Bar Coded Cards	\$ 2.85

_____ Roll call

Equipment Maintenance

Annual depot support	\$300.00
Biometrics	\$120.00
Minimum monthly cost (contracted 135 employees)	\$ 1,441.25
Minimum annual cost	\$17,295.00
Equipment and accessories fees	\$ 5,542.50

Estimated annual cost based on an average of 230 employees per payroll. (Based on a seven-month average from June thru December 2019)

Software	\$28,410
<u>Equipment Fees</u>	<u>\$ 900</u>
Estimated Annual Total	\$29,310

The initial purchase of time clocks and supporting accessories would be in addition to the annual software cost and equipment fees. We are evaluating the fit of both the proximity clock and the barcode versions and anticipate we would use three clocks.

This solution will transition the City from our existing payroll solution to a new wholly cloud based solution. As proposed, the Workforce Ready solution would allow for a complete suite of HR and payroll related services for both management and the employees. The City would continue to process the direct deposit and other disbursement based on exports from the new system. The labor cost information would be exported from the new Kronos solution and imported directly into the City's existing financial records system.

The proposed agreement is for a three-year term. It is estimated that the solution will take approximately four to six months to fully implement. Any existing 2021 payrolls issued prior to the full implementation, will be imported into the new system allowing for one seamless calendar year of information to be stored.

The upgrade will move the City from a largely manual and paper-based timecard system to a modern workforce solution. The solution will allow for remote work, punch in / out from mobile device, geofencing, elimination of the exchange of paperwork and will help protect employee health by reducing any unnecessary in person processes. A portion of the cost of this solution may be eligible for reimbursement under the City's allocation of CARES.

Respectfully submitted,

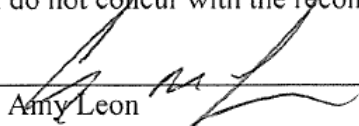
Duane Johnson - Information & Technology Services Director
 Taylor Peters, Communication & IT System Analyst
 Kristin Yonke, GIS Analyst
 Lisa Yardley, Deputy Finance Officer
 Laurie Lockwood, Computer Operator
 Adam Haberman, Public Works Director
 Corey Pospisil, Director of Human Resources & Employee Engagement

_____ Roll call

Recommendation: It is recommended that the City Commission approve the memorandum and authorize the City Manager to sign the agreement.

I concur with the recommendation.

I do not concur with the recommendation.



Amy Leon
City Manager

____ Roll call



Quote#: Q-53642
 Expires: 8/24/2020
 Sales Executive: Michael OConnor

ORDER FORM

Order Type: Quote
 Date: 8/14/2020

Bill To Contact:

Bill To: CITY OF YANKTON
 410 WALNUT ST, SUITE 102
 YANKTON, SD 57078-4389 USA

Ship To Contact: Corey Pospisil

Ship To: CITY OF YANKTON
 410 WALNUT ST, SUITE 102
 YANKTON, SD 57078-4389 USA

Ship to Phone: 605-668-5222
 Contact: COREY POSPISIL
 Email: cpospisil@cityofyankton.org

Currency: USD
 Customer PO Number:
 Solution ID: 6102285
 Initial Term: 36 months
 Billing Start Date: 150 Days from Execution of
 Order Form
 Data Center Location: USA

Shipping Terms: Shipping Point
 Ship Method:
 Freight Term: Prepay & Add
 Renewal Term: 12 months
 Payment Term: Net 30 Days

Order Notes:

The Professional Services Engagement Overview is attached to this Order Form as a summary for the implementation services to be provided by Kronos for the Workforce Ready Setup Fees set forth on this Order Form.

This order entered into between the Customer and Kronos SaaS, Inc. is subject to the terms and conditions of the Master Agreement Reference #18221 dated March 18th, 2019 between the Lead Agency (acting as "Owner") and Kronos SaaS, Inc. (as the "Contractor"), as amended (collectively referred to as the "US Communities Agreement #18221").

SaaS Services

Billing Frequency: Monthly in Arrears

Product Name	Quantity	PEPM	Monthly Price
WORKFORCE READY TIME KEEPING	135	USD 3.00	USD 405.00
WORKFORCE READY ACCRUALS	135	USD 0.50	USD 67.50
WORKFORCE READY SCHEDULER	100	USD 1.25	USD 125.00
WORKFORCE READY HR	135	USD 3.00	USD 405.00
WORKFORCE READY PAYROLL	135	USD 3.00	USD 405.00

Product Name	Quantity	PEPM	Monthly Price
WORKFORCE READY ACA MANAGER	135	USD 0.25	USD 33.75
WORKFORCE READY INTEGRATION HUB	1	USD 0.00	USD 0.00
Total Price			USD 1,441.25

Equipment Purchase

Billing Frequency: Invoiced Upon signature of the Order form

Item	Quantity	Unit Price	Total Price
KRONOS INTOUCH DX,B/C	3	USD 1,847.50	USD 5,542.50
Total Price			USD 5,542.50

Hardware Support

Billing Frequency: Invoiced Upon signature of the Order form

Item	Duration(Months)	Total Price
Depot Exchange Support Service	12	USD 900.00
Total Price		USD 900.00

Accessories

Billing Frequency: Invoiced Upon the Signature of the order form

Item	Quantity	Unit Price	Total Price
NORTH AMERICA POWER ADAPTER FOR EXTERNAL OUTLET, INTOUCH DX	3	USD 0.00	USD 0.00
Total Price			USD 0.00

One Time Setup Fees

Billing Frequency: Billed 100% upon signature of the order form

Item	Total Price
One Time Setup Fees	USD 6,750.00

Quote Summary

Item	Total Price
Minimum Monthly SaaS Service & Equipment Rental Fee	USD 1,441.25

Item	Total Price
Minimum Annual SaaS Service & Equipment Rental Fee	USD 17,295.00

	Total Price
Total Equipment Purchase and Accessories Fee	USD 5,542.50

	Total Price
Total Support Fee	USD 900.00

	Total Price
Total One Time Fees	USD 6,750.00

CITY OF YANKTON

Kronos SaaShr, Inc.

Signature: _____

Signature: _____

Name: _____

Name: _____

Title: _____

Title: _____

Effective Date: _____

Effective Date: _____

Invoice amount will reflect deposit received. All professional services are billed as delivered with payment due, in accordance with the Payment Term set out in this Order Form. Unless otherwise indicated above, this order is subject to the relevant Kronos Terms and Conditions executed between the parties. THIS ORDER IS SUBJECT TO APPLICABLE TAXES. THE ACTUAL TAX AMOUNT TO BE PAID BY CUSTOMER WILL BE SHOWN ON CUSTOMER'S INVOICE. Shipping and handling charges will be reflected on the final invoice. The Monthly Price on this Order Form has been rounded to two decimal places for display purposes. As many as eight decimal places may be present in the actual price. Due to the rounding calculations, the actual price may not display as expected when displayed on your Order Form. Nonetheless, the actual price on your invoice is the true and binding total for this order for purposes of amounts owed for the term. If you are tax exempt; please provide a copy of your "Tax Exempt Certificate" with your signed quote.



Professional Services Engagement Overview

Purpose and Overview of Engagement

This Professional Services Engagement Overview outlines the scope of services to be provided by Kronos for the Setup Fees indicated on the applicable Order Form, to CITY OF YANKTON("Customer") related to the Core Modules, Value-add Modules, and/or Optional Services contained in the document. Our Professional Services engagements are designed to help our Customers successfully implement your Core Modules, as well as enable you to easily layer Value-add Modules and functionality over time based on your priorities, schedule, and resources.

The Kronos® Workforce Ready® (WFR) Professional Services engagement described herein is fixed price based and is subject to the terms and conditions governing your Kronos Workforce Ready – Software as a Service (the "Agreement"). Unless otherwise defined herein, words and expressions defined in the Agreement shall have the same meaning in this Professional Services Engagement Overview

Your Workforce Ready SaaS Solution

CITY OF YANKTON and Kronos are deploying the following WFR modules with 1 location(s) and 0 collective bargaining agreements(s).

Core Modules	Employees	Deployments	Estimated Duration
WORKFORCE READY TIME KEEPING	135	1	145 Days
WORKFORCE READY ACCRUALS	135	1	
WORKFORCE READY SCHEDULER	100	1	
WORKFORCE READY HR	135	1	
WORKFORCE READY PAYROLL	135	1	
Value Add Modules	Employees	Deployments	Estimated Duration
Workforce Ready ACA Manager	135	1	15 Days

CITY OF YANKTON and Kronos Collaboration

A successful Professional Services Engagement will require close collaboration between CITY OF YANKTON and Kronos. The Kronos Professional Services team is equipped to help keep you on target for meeting project milestones and requirements, as well as to assist you in configuring and deploying the Kronos Workforce Ready solution that meets your organization’s specific requirements. Your organizations participation and commitment to the project goals and timeline are critical to help ensure success. Please see the Kronos Workforce Ready Professional Services Engagement Guidelines at

<https://www.kronos.com/kronos-workforce-ready-implementation-guidelines> to review both parties' responsibilities

The Estimated Duration stated above is an estimate based upon our experience with our customers and products. Depending upon the preparation and engagement of your organization, there may be opportunity to accelerate the completion of this engagement. However, the Estimated Duration may be exceeded based on the level of preparedness, bandwidth, and skill level of your available resources. Other examples that may extend the Estimated Duration include: separate deployments of the solution, having a unionized workforce, and policies that vary across employee groups.

Core Functionality Deliverables

Working in close collaboration, CITY OF YANKTON and Kronos will deploy the following core modules and functionality in 145 estimated days from project kick-off:

WFR Core	Kronos Delivered Value
Time Keeping Module	WFR Time Keeping deployment gets you started with the ability to accept punches and pay employees accurately through these core components: <ul style="list-style-type: none"> • Total Cost Centers • Profiles <ul style="list-style-type: none"> • Timesheet • Time Off Request • Pay Calculations • Pay Prep • Accruals • Security • Points • Tables <ul style="list-style-type: none"> • Rate • Holiday • Manager Levels • Employee Perspective Scorecards • Workflows

	<ul style="list-style-type: none"> • Time Off Requests • Timesheet Change Requests • Schedules <ul style="list-style-type: none"> • Daily Rules • Work Schedule Profiles • Pay Periods • Counters • Time Off Categories • Reports <ul style="list-style-type: none"> • Standard TLM Pre-Configured (61) • Custom up to 5 • Timekeeping Admin Training
Accruals Module	<p>WFR Accruals module adds comprehensive accrual administration to Workforce Ready Time Keeper by automatically enforcing your timeoff policies through:</p> <ul style="list-style-type: none"> • Consistent enforcement of policy • Configurable calculation methods & grants • Time-Off routing & approval workflow(requires TLM) • Time-Off requests at data collection devices • Automatic updates to schedule & timecard (requires TLM) • Visibility to projected balances • Automatic balance reduction (requires TLM or PR) • View time-off calendars for groups • Mobile access • One-Time data load using customer-supplied data for current year in a standard Kronos-supplied format • WFR accruals requires WFR Timekeeper
HR Module core functionality	<p>WFR HR <i>core functionality</i> deployment gets you started by establishing HR as the system of record for employees, one of the most important foundational components, through:</p> <ul style="list-style-type: none"> • Core employee demographics • Onboarding • Checklists <ul style="list-style-type: none"> • Up to 10 included • Personnel management • Benefits administration • Open enrollment / life event • Work Flows <ul style="list-style-type: none"> • Up to 10 included • HR documents & forms <ul style="list-style-type: none"> • Up to 10 custom forms • Incident tracking • Certification / Credential • Asset management • Compliance reporting • Standard reporting • One-Time data load using customer-supplied data for current year in a standard Kronos-supplied format • Interface bundle using customer supplied data in standard file formats • HR Admin Training
Payroll Module & Tax Filing	<p>WFR Payroll deployment gets you started with the end-to-end payroll process with the ability to calculate gross-to-net, pay employees, make adjustments and perform tax filing (if purchased) through:</p> <ul style="list-style-type: none"> • Pay Period Profiles • Parallel Payroll Tests • Company Tax Setup (Jurisdictions) • Custom Exports/Reports • Company Deduction Types • Company Earning Types • Configure Default Banks • Workers Comp Types • Payroll History up to 4 Quarter of Current Year • Tax Filing Options ONLY - BSI, ADP, Ceridian, KPS • All Payroll Configurations Include: <ul style="list-style-type: none"> • Standard Dashboard Widgets • Global Payroll Settings • Standard Notifications • GL Set Up • In-house manual check printing • Employee Imports • Vendor Payments (ACH/Check) • Payroll Admin training
Scheduler Module	<p>WFR Scheduler provides the automated tools and high-quality information to create accurate schedules aligning staffing requirements with budget and business demand through:</p> <ul style="list-style-type: none"> • Schedule build based on budget & demand

- Fill w/best-fit employee preferences & skills*
- Drag-n-Drop scheduling tools
- Configurable color-coded scheduling views
- Budgeting constraint visibility
- Configurable routing & approval workflow
- Tools for determining schedule effectiveness
- True rate cost of schedule**
- *Scheduler function requires WFR HR
- **Scheduler function requires WFR Time Keeping

Value-Add Functionality Deliverables

Once your core functionality is deployed, Kronos will work in close collaboration with CITY OF YANKTON to deploy the following Value-Add modules and/or functionality over time in short, agile deployments aligned with your priorities, schedule, and resources:

Value-Add	Kronos Delivered Value
ACA Manager Module	<p>WFR ACA Manager provides proactive administration of your ACA compliance</p> <ul style="list-style-type: none"> • Configurable time periods & rules • Set measurement periods & hours threshold • Calculation of employee ACA full-time (FT) status • Identify employees ACA standing by month • Flag part-time (PT) employees approaching ACA FT status • Flag ACA FT employees no longer qualifying • Calculation of plan's affordability* • Settings for minim value plan** • Year-End government compliant forms • Standard ACA compliance reporting • One-Time Data load using customer-supplied data – EE hours for look back in a standard Kronos-supplied format • *ACA Function requires WFR Payroll • **ACA Function requires WFR HR <p>Maximum value when used with WFR Time Keeping, HR & Payroll</p>
Integration Hub	<p>WFR Integration Hub enables data to flow between WFR and 3rd party applications and/or vendors. If the 3rd party application and/or vendor does not accept the standard Workforce Ready formatting and/or methods for automated delivery, a formatted file will be delivered instead. The customer is responsible for providing import files to Kronos in the standard Workforce Ready format and utilizing the standard Workforce Ready delivery method. Kronos will deliver a standard bundle of up to 5 interfaces. Each direction (To/From) any 3rd party system and Kronos is considered a separate interface. Interfaces will be accomplished via standard file Exchange. Customer will work with Kronos and 3rd party vendors to facilitate design and testing. The Method of the file exchange will be determined by Kronos WFR Professional Services Delivery Team. Kronos will provide standard Import/Export files using Integration Hub. Customer will work with the 3rd parties and Kronos to provide the data in the Kronos format for imports. Kronos will create a report from standard Workforce ready fields in the 3rd party format to send to the 3rd party system. Non-standard and custom or bi/multi-directional integrations/interfaces are not included in this project.</p> <ul style="list-style-type: none"> • Timekeeping Interface bundle using customer-supplied data in standard file formats <ul style="list-style-type: none"> • Accruals Interface bundle using customer-supplied data in standard file formats • Scheduler Integration bundle using customer-supplied data in standard file formats <ul style="list-style-type: none"> • Employee Availability Import from 3rd party system • Schedule detail export • HR Interface bundle using customer supplied data in standard file formats <ul style="list-style-type: none"> • benefit enrollment exports • employee deduction election imports • employee demographic exports • Payroll Interface bundle using customer supplied data in standard file formats <ul style="list-style-type: none"> • ACH payroll employee direct deposit file exports • ACH payroll payment for vendors (e.g. 401k, HSA, garnishments, etc.) • payroll employee withholding amount exports • Pension enrollment export (e.g. 401k) • Pension census export (e.g. 401k) • New hire reporting export • Positive pay export • Payroll journal export to G/L, 1 acct structure • Tax payment & filing Interface

Online Training and Support Tools

The **My Learning** area within Workforce Ready provides immediate access to online, role-based education content and support tools that provide step-by-step training on solution features and functions to drive proficiency and user adoption. Your managers and employees can gain proficiency and boost productivity by taking full advantage of:

- **Three-minute simulations:** Quick demonstrations of common tasks provide effective training or skills reinforcement
- **Job aids:** Handy, printable reference sheets with step-by-step instructions for performing common tasks supplement and support employee training to drive high user adoption and productivity
- **Sandboxes with exercises:** Available for Administrators, these tools let users practice performing tasks from an exercises document in a training database.

Please see Workforce Ready Customer Training Options for more information on training roles and available content.

Assumptions

Kronos has used the following assumptions and dependencies in preparing this Professional Services Engagement Overview:

- All services will be delivered remotely, unless otherwise stated. The project kick-off date will be determined based on complexity of the implementation and resource availability, and may start up to 30 days after a Workforce Ready Order Form is executed by the Customer.
- Prior to the start of the project, the Customer will confirm in writing the business and technical requirements of the project.
- Kronos will communicate with Customer's Project Manager, the appointed Point of Contact for Customer on this project. He/she will be responsible for all communications and project management among all Customer parties (staff, vendors, consultants) and for the escalation and resolution of any issues for Customer. Customer is responsible for all hardware, software, and services provided by other consultants or third party vendors that may also be involved with the project.
- Kronos will not be responsible for troubleshooting the Customer's environment such as their operating system, hardware resources, or database schema.
- Kronos will not be responsible for troubleshooting applications or hardware not provided by Kronos.
- Change Orders are subject to scope review and may impact the project timeline or cost. If additional work beyond the initial scope of this Professional Services Engagement Overview is required as a result of a Change Order, the Customer may be charged.

Change Orders

Requests for change to this Professional Services Engagement Overview or the project it covers must be submitted to your Kronos Sales Executive and Kronos Workforce Ready Consultant in writing.

Any of the following items will be considered Out of Scope and require a Change Order:

- Material changes in the Scope or effort
- Material changes in the number or type of Deliverables to meet the defined scope of effort
- Changes to the project resource requirements
- Changes to scheduled dates after acceptance of the Project Plan
- Kronos will not be responsible for troubleshooting applications or hardware not provided by Kronos.
- Change Orders are subject to scope review and may impact the project timeline or cost. If additional work beyond the initial scope of this Professional Services Engagement Overview is required as a result of a Change Order, the Customer may be charged.

Kronos will estimate the time and fixed cost needed to implement the change and the impact it may have on the delivery of project covered under this Professional Services Engagement Overview. Kronos will perform the requested work once the Change Order has been completed and signed by the Customer.

Completion Criteria

The project covered under this Professional Services Engagement Overview will be considered complete when any one of the following completion criteria is met. Once one of these is met, no further work will be completed. If additional work is required, a Change Order or new Professional Services Engagement Overview must be generated.

Completion Criteria:

- The Customer has approved in writing
- The System has been put into use within a production environment for 14 calendar days
- More than twelve (12) months has passed since the date of signature of the Workforce Ready Order Form

The Customer may provide approval in writing via email or an alternative agreed upon method.

Memorandum #20-164

To: Yankton City Commission

From: City Attorney Ross Den Herder

Date: August 17, 2020

Re: Penalties for Parking Violations.

As a joint effort between the City Attorney and the Yankton Police Department, we present the Commission with a resolution to amend the penalties for parking violations.

If this resolution is adopted, it will modify the civil penalties imposed by Ordinance 14-161.

The Commission's authority for setting parking fines by resolution is found within Ordinance 14-161. Ordinance 14-161 authorizes the City to set the fine for parking violations. The last time the Commission passed a resolution setting fines for parking violations was in 2006 (Resolution 06-70).

In order to simplify the fine schedule, the proposed resolution sets the fine for all parking violations (except for violations of Ordinance 14-156) at \$25.00. The proposed resolution sets the fine at \$50.00 for violations of Ordinance 14-156, which prohibits parking for more than 24 hours upon streets and parking for more than 12 hours upon public off-street parking.


The recommendation to set the fine for violations of 14-156 at a higher amount stems from the additional work required of law enforcement to confirm that a vehicle has been parked in one location for the requisite time frame so that the citation can be issued. Violations of this type often result in citizen complaints/calls for service. A higher fine sends a stronger message to would-be violators.

In order to incentive the payment of fines in a timely and efficient manner before a small claims action is filed, the proposed resolution also provides that all fines that are not paid within 14 days after a citation is issued will increase to \$100.00. The escalation is a carry-forward from the 2006 resolution, but the time frame to comply has been increased from three (3) days to fourteen (14), and the escalated fine was increased from \$50.00 to \$100.00.

____ Roll call

Finally, in order to clarify who has authority to file the small claims petition on behalf of the City, the proposed resolution states that the City Attorney or any Deputy City Attorney or an employee of the Yankton Police Department is authorized to sign as Plaintiff on behalf of the City for purposes of enforcing parking violations in small claims court. Although South Dakota law permits small claims actions to be filed by attorneys, it does not prohibit plaintiff's from filing small claims petitions on their own behalf, and nothing prohibits the Commission from delegating this to an employee of the Yankton Police Department. In order to streamline the process and avoid unnecessary litigation related attorney's fees, we anticipate that an employee of the Yankton Police Department will be trained to handle the Court filings.

Respectfully submitted

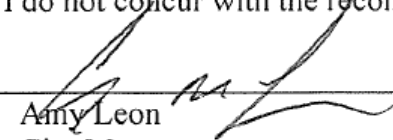


Ross Den Herder
City Attorney

Recommendation: It is recommended that the Board of Commissioners adopt Resolution #20-61 setting fines for parking violations.

I concur with the recommendation.

I do not concur with the recommendation.



Amy Leon
City Manager

____ Roll call

RESOLUTION #20-61

A RESOLUTION TO SET FINES FOR PARKING VIOLATIONS

WHEREAS Ordinance 14-161 allows the City Commission to establish a schedule of fines for parking violations set forth in Article 14 of the Municipal Code; and

WHEREAS the City Commission has not made adjustments to such schedule since 2006; and

WHEREAS the City Commission has determined that the fee schedule established in 2006 needs to be updated;

NOW, THEREFORE, BE IT RESOLVED by the Yankton Board of City Commissioners that except for violations of Ordinance Section 14-156, all fines for parking violations shall be \$25.00; and

IT IS ALSO HEREBY FURTHER RESOLVED that fines for violations of Ordinance Section 14-156 shall be \$50.00; and

IT IS ALSO HEREBY FURTHER RESOLVED that all fines that are not paid within fourteen (14) days after the citation is issued shall increase to \$100.00; and

IT IS ALSO HEREBY FURTHER RESOLVED that the City Attorney, or any Deputy City Attorney, or any employee of the Yankton Police Department shall be authorized to sign as “Plaintiff” on behalf of the City of Yankton on any and all documents submitted to the Yankton County Magistrate Court for purposes of enforcing the City of Yankton’s parking ordinances through the use of the small claims court procedures found in SDCL Chap. 15-39.

Dated this 24th day of August, 2020.

CITY OF YANKTON

BY: _____
Nathan V Johnson, Mayor

ATTEST:

Al Viereck
Finance Officer