

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS  
YANKTON, SOUTH DAKOTA  
SEPTEMBER 14<sup>TH</sup>, 2020**

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

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

Action 20-337

Moved by Commissioner Moser, seconded by Commissioner Brunick, to approve Minutes of regular meeting of August 24, 2020.

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

Motion adopted.

Action 20-338

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

1 Office Solution - Office Supplies - \$290.67; Ace Tool - Arbor Tools - \$216.30; Adobe Creative Cloud - Adobe - \$70.27; Adobe Stock - Adobe - \$31.94; Adorama.Com - Evidence Tubes - \$355.37; Amazon - Lightning Cables - \$55.40; Amazon - Books - \$18.98; Amazon - Books - \$202.12; Amazon - Program Supplies - \$161.46; Amazon - Hand Sanitizer - \$116.52; Amazon - Headsets - \$44.98; Amazon - Hand Sanitizer - \$116.52; Amazon - Phone Horn - \$71.94; Amazon - Office Supplies - \$146.34; Amazon - DVD's - \$67.73; Amazon - Hand Sanitizer - \$212.20; Amazon - Book - \$13.12; Amazon - Webcams - \$931.00; Amazon - Disposable Masks - \$13.99; Amazon - Books - \$22.98; Amazon - Disposable Masks - \$6.19; Amazon - Irrigation Supplies - \$119.70; Amazon - Program Supplies - \$123.67; Amazon - Disposable Masks - \$4.71; Amazon - Book - \$12.59; Amazon - Body Mic Ear Pieces - \$21.29; Amazon - Books - \$48.63; Amazon - USB Charger - \$29.97; American Library Association - Programming - \$39.00; American Red Cross – Red Cross Training - \$342.00; A-Ox Welding Supply - Welding Tips - \$13.20; A-Ox Welding Supply Co Inc. - Propane - \$78.33; Associated Supply - Pool Repairs - \$83.50; AT&T - Cell Phone - \$424.51; AT&T - Mobile Data - \$762.31; Auto Value - Paint For Plows - \$990.30; Auto Zone - Spark Plug Coil - \$470.26; Avenu Insights & Analytics LLC - Maint Program Support - \$1,969.83; Avera Sacred Heart - Dot Random Testing - \$298.00; Avera Sacred Heart - Hep B Vaccination - \$43.15; Awwa.Org - AWWA Membership - \$214.00; Axon - 5 Tasers-8 Cart-4ppm - \$5,759.00; B & L Communications - Pagers & Warranty - \$24,035.00; Baker-Taylor - Books - \$1,367.48; Banner Associates Inc. - Meridian Bridge Repairs - \$2,106.50; Battery Exchange - Batteries - \$27.00; Best Buy - Headsets - \$79.84; Bierschbach Equip & Supply - Asphalt Hose - \$604.00; Boller Printing - Bike License Sticker - \$123.50; Bomgaars - Under Bed Tool Box - \$1,129.46; Bound Tree Medical LLC - N95 Masks - \$60.81; Bound Tree Medical LLC - Gloves - \$101.94; Braxton/Jeremiah - Reimburse CDL Testing - \$95.00; Brunick/Justin - Irrigation Repairs - \$297.45; Buhl Cleaners - Towel Service - \$808.49; Butler Machinery Co - Parts - \$629.70; C & B Yankton - Tractor Repair - \$664.18; Cedar Knox Public Power Dist - Elect - \$1,771.72; Centurylink - Phone - \$1,278.21; Chewy.Com - K9 Max Joint Vitamins - \$107.49; Christensen Radiator A - Radiator Repair - \$88.25; CHS - Fuel - \$166.80; City Of Vermillion - Jt Power Cash Trans - \$76,291.58; City Of Yankton-Landfill - Garbage - \$96.50; City Of Yankton-Parks - Landfill Charges - \$636.41; City Of Yankton-Solid Waste - Compacted Garbage - \$16,349.20; City Of Yankton-Street - Rubbish - \$12.00; City Utilities - Water-WW Charges - \$84.95; Clean Sweep

Industries - Part - \$234.00; Concrete Material - Hot Mix - \$94,889.70; Core & Main - Parts - \$6,692.83; Cornhusker Intl Truck Inc. - Filters - \$453.60; Corpsummits - Events Conference - \$199.00; Cowman/Lori - Membership Refund - \$280.58; Cox Auto Supply - Grease - \$117.18; Credit Collection Service Inc. - Ut Collection - \$75.79; Crescent Electric - Bridge Bulbs - \$592.32; Culligan Water - Water Di Filters - \$50.00; Danko Emergency Equipment - Gear Bags - \$116.41; Department Of Environment - State Examination - \$30.00; Design Solutions & Integration - Well House Update - \$16,227.00; Diedrichsen/Jed - Plant Reimbursement - \$166.01; Digital Outlet - Webcams - \$107.85; Double H Paving Inc. - Runway Reconstruction - \$750,360.24; Dunham's - Hand Bilge Pump - \$24.99; Dustrol Inc - Cold Milling - \$15,576.17; Ebay - Toner - \$129.99; Ebay - Headsets - \$91.44; Electrical Engineering & Equip - Generator Repairs - \$1,416.51; Embroidery & Screen Works - Uniform - \$45.00; Environmental Express - Glucose Glutamic Acid - \$77.76; E-Pumps - Pump - \$326.00; Evident Inc. - Evidence Swab Boxes - \$51.11; Fastenal Company - Nuts And Bolts - \$647.60; Fedex - Evidence Postage; SDFL - \$13.39; Ferguson Waterworks - 2-2" Meters - \$1,738.00; Ferguson Waterworks - 1" Meter Spuds - \$311.63; Findaway - Books - \$47.49; Flexible Pipe Tool Company - Freight - \$25.00; Flynn's Flowing Flags - Flag Pole - \$238.00; Frontier Mills - Lawn Mix - \$121.20; Frontier Mills - Lawn Mix - \$121.20; G & R Controls - Boiler Pump Repair - \$1,356.27; Gammon Technical - Decals - \$120.62; Genuine Replacement - Compromised Card Charges - \$112.90; Geotek Eng & Testing Serv Inc. - Testing - \$376.50; Gerstner Oil Co - Fuel - \$13,236.06; GOSMA - Membership Dues - \$150.00; GPS Industries - Cart Rental - \$1,920.00; Grainger - Hip Waders - \$337.65; Great Plains Zoo - Summer Reading Program - \$60.00; Greatland Corporation - Greatland Subscription - \$99.00; Green For Life Environmental - Reclaimed Oil - \$204.66; H & K Oil Inc. - Balance Tires - \$40.00; Hach Company - Reagents - \$388.56; Harn Ro Systems Inc. - Filters - \$15,790.34; Hawkins Inc. - Chemicals - \$23,924.66; HDR Engineering Inc. - Water Plant Construction - \$49,780.02; Hello Lemon - Webcams - \$38.99; Hillcrest Golf & Country Club - Ad - \$100.00; Hochstein/Darin - Irrigation Repairs - \$557.57; Hy-Vee Yankton - Summer Reading - \$202.32; IACP - IACP Membership-Foote - \$190.00; Intl Association Of Fire Chief - Membership - \$240.00; IPY Midwest Alarm - Alarm Maintenance - \$66.00; J & H Care & Cleaning Company - Janitorial Services - \$4,000.00; J2 Metrofax - Fax - \$9.95; Jacks Uniforms & Equipment - Patrol Car-Streamlights - \$499.53; Jayden's Ebay - Webcams - \$37.50; JCL Solutions - Janitorial Supplies - \$1,058.10; Jebro Inc - Asphalt - \$40,375.38; Johnson Controls - Service Agreement - \$4,785.33; Jussel/John - Membership Refund - \$278.64; Kadmas Lee & Jackson Inc. - Runway Reconstruction - \$57,779.08; Kaiser Heating & Cooling - Fan Repairs - \$459.17; Kaiser Heating & Cooling - Camera Cables/Rsbaseball - \$3,721.05; Kaiser Refrigeration - Sertoma Cooler Repair - \$2,259.97; Kellen And Streit - Rock For Boat dock - \$223.34; Kendell Doors & Hardware - New Doors And Locks - \$1,323.05; Kiesler's Police Supply Inc - Ammunition - \$7,655.20; Kleins Tree Service - Tree Removal Program - \$4,850.00; Kopetsky's Ace Hardware - Outdoor Programs - \$643.23; Lacroix/Brittany - Reimbursement - \$30.81; Language Line - Interp Service - \$19.27; Larry's Heating & Cooling - Check Heating System - \$158.05; Larry's Heating And Co - Building Repair - \$444.19; Larson Electronics LLC - Equipment - \$3,736.36; Lawns Unlimited LLC - Irrigation Repairs - \$4,081.64; Lewis & Clark Theatre Co - 1/2 Special Approp - \$1,250.00; Lift Pro Equipment - Toyota Pallet Jack - \$4,299.00; Logmein Gotomeeting - Gotomeeting - \$192.00; Lulus.Com - Compromised Card Charge - \$50.15; Marcor929 Ebay - Webcams - \$40.00; Mark's Machinery Inc. - Bobcat Repairs - \$1,207.04; Mayer Signs - Sign - \$75.00; McMaster Carr - Air Compressor Set Up - \$1,082.08; Mead Cultural Education - Pine Street Bridge - \$30.00; Mead Lumber Yankton - Riverside Shelter Repair - \$1,967.06; Med Vet International - Sharps Containers - \$412.00; Menards - Park Supplies - \$1,727.77; Michael's Fence Co - Gate Repairs - \$487.24; MidAmerican Energy - Fuel - \$941.77; MidAmerican Energy - Fuel - \$751.35; Midwest Alarm Company Inc. - Alarm Monitoring - \$132.00; Midwest Laboratories -

Nutrient Testing - \$181.84; Midwest Tape - Av - \$44.98; Midwest Tire And Muffler - Gator Repair - \$350.35; Midwest Turf & Irrigation - Mower Supplies - \$91.71; Midwest Turf & Irrigation - Mower - \$66,777.00; Millennium Recycling - Single Stream Fee - \$3,036.60; Muth Electric Inc. - Replace Signals - \$2,553.33; Mw Towing & Automotive - Police Tow-Investigation - \$138.70; National Field Archery Assn - Repair Damaged Gate - \$1,600.00; National League Of Cities - Membership Dues - \$1,563.00; New Deal Tire LLC - Scrap Tires - \$9,609.60; Nike.Com - Compromised Card Charge - \$141.24; Northern Tool Equip - Safety Cones - \$407.75; Northern Truck Equipment Corp - 2 Ten Yard Dump Boxes - \$63,376.00; Northtown Automotive - Repairs - \$230.00; Northwestern Energy - Elect - \$111,460.58; NW Chapter FBINAA - Online Conference - \$190.00; Observer - Ads - \$108.00; Olson's Pest Technician - Pest Control - \$90.00; Olson's Pest Technician - Pest Control - \$214.05; One Source - Pre Employment - \$49.00; O'reilly Auto Parts - Rotor And Pads - \$264.02; Outreach Marketing - Hand Sanitizer Dispenser - \$382.52; PayPal - Isopropyl Alcohol - \$117.95; Pc Electronic Eb - Webcams - \$159.96; PFS Health Works - Dot Random Testing - \$252.00; Pieper/Rod - Repairs - \$571.76; Pitney Bowes PBP - Postage - \$200.00; Polydyne Inc - Chemicals - \$4,334.00; Postage ink - Postage Meter Ink - \$155.00; Power Source Electric - Panel Wiring - \$636.11; Powers Port A Pot - Porta Pots - \$750.00; PP HKP - Weapons Parts - \$424.19; Prochem Dynamics LLC - Disinfectant - \$792.58; Provantage - Plotter Supplies - \$609.00; Quill - Cares Technology Grant - \$284.29; Quill Corporation - PPE - \$24.02; Rapid City Journal - Newspaper Subscription - \$374.99; Redi Towing - Police Tow-Investigation - \$177.00; Regional Technical - Plc1 Training - \$3,150.00; Riverside Hydraulics, - Pivot Cylinder For Plow - \$1,186.88; Riverside Technologies - Housing Laptops - \$2,118.00; Royal Sport Shop - Engraving - \$18.32; Sanitation Products Inc. - Sweeper Parts, Belt - \$3,139.20; Sanitation Products Inc. - Parts - \$477.98; SD Redbook - Patches - \$18.00; Sepi Marketing - Pool Advertising - \$359.00; Sherwin Williams - Secondary Digester Paint - \$861.97; Sherwin Williams - Traffic Paint - \$2,333.69; Shopblt.Com - Evidence Labels - \$52.63; Sign Research Foundation - Continuing Education - \$20.00; Slowey Construction Inc. - Green To Bway C-9-20 - \$347,613.50; Smartsign - Signs - \$270.92; South Dakota Magazine - Book - \$14.95; Stern Oil Co Inc - Diesel - \$6,377.19; Stockwell Engineers Inc. - Aquatic Facility Design - \$42,911.40; Streamlight - Flashlight Parts - \$33.17; Sturdevants - Tailgate Handle - \$131.14; Taco Johns - Travel Expense - \$17.81; Task Force Tips - Shims - \$4.60; Tessman Company - Petunia Feed - \$371.78; The Collision Cent - 2015 Chevy Pickup Repair - \$2,403.74; The Corner - Fuel For 3 YPD Vehicles - \$76.78; The Ups Store - Wet Test Shipping - \$425.42; Third Millennium Association Inc. - Utility Bills - \$632.06; Thomson West TCD - Books - \$219.26; Titan Machinery - Gas Locking Springs - \$335.98; Todd, Inc./Michael - Traffic Signs - \$548.84; Tractor Supply Co - Supplies - \$12.99; Transource - Mini Excavator - \$92,784.08; Tre Environmental Strategies - Wet Test - \$950.00; Trittech Software Systems - Software Maintenance - \$21,651.08; TRK Hosting - Web Hosting - \$7.95; Truck Trailer Sales - Thermostat - \$135.17; Trugreen - Lawn Treatment - \$97.33; U.S. Plastic Corp - Biosolids Sludge Bottles - \$154.32; Ubambooks - Books - \$293.06; United Laboratories Inc. - Maintenance Supplies - \$1,744.02; United Way - 1/4 Special Approp - \$9,831.25; Universal Business - Postage Machine Ink - \$0.00; Us Bank Equipment Finance - Copier Lease - \$252.14; Us Bank Spa Lockbox - D Water #6 C462038-06 - \$888,512.69; USPS PO - Evidence To SDHL Postage - \$91.30; Utility Equipment Comp - Pipe Locator - \$8,130.00; Vastbroadband -Vexus - Internet - \$3,518.70; Verizon - Internet Access - \$1,005.12; Vermeer High Plains - Repairs - \$4,671.27; Viddler Inc - Video Hosting - \$41.49; Vistapr Vistaprint.Com - Office Supplies - \$127.44; Vogel Paint Inc. - Traffic Paint - \$511.95; Vogt's - Uniform Alterations - \$16.00; Walmart - Cleaning Stone Supplies - \$189.60; Walmart - Headset - \$291.81; Walmart - Calculator Ribbon - \$25.98; Walmart - Office Supplies - \$273.75; Watchguard Video - Watchguard Supplies - \$211.00; Welfl Construction Corp - Aquatics Center C-17-20 - \$1,216,450.97; Whitmeyers Distilary - Hand Sanitizer - \$102.16; Xerox Financial Services - Copier

Lease - \$1,227.83; Xtreme Car Wash - Police Vehicle Washes - \$339.00; Yankton County Auditor - YC Capital Improve Cost - \$15,740.81; Yankton Medical Clinic - Pre Employment Physicals - \$355.00; Yankton Police Department - Petty Cash - \$142.21; Yankton Rod Center - Publishing - \$62.50; Yankton School District - Sac Shared Exp - \$72,544.38; Yankton Sharp Shooters - Range Use Rent - \$100.00; Yankton Title Co. - Abatement - \$159.75; Yankton Vol Fire Department - Fire Calls - \$6,010.00; Yankton Winnelson Co - Toilet Repair Kit - \$124.21; Yanktonmediainc - Classified Ad - \$370.75; Ykt Janitorial & Dt Sc - Janitorial Supplies - \$338.70; Zoom.Us - Online Meeting Platform - \$15.96

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

Motion adopted

**August Salaries by Department:**

Administration \$23,405.01; Finance \$15,442.18; Community Development \$12,768.48; Police/Dispatch \$87,512.07; Fire \$6,521.73; Engineering / Sr. Citizens \$22,468.17; Streets \$23,383.26; Traffic Control \$1,923.71; Library \$11,548.24; Parks / Sac \$34,484.27; Marne Creek \$1,883.27; Water \$17,348.51; Wastewater \$22,029.75; Cemetery \$2,390.33; Solid Waste \$8,399.86; Landfill / Recycle \$9,851.87; Central Garage \$3,739.63

**August New Hires:**

Marissa Caballero \$9.50 hr. Rec. Div.; Breanna McDermott \$9.50 hr. Rec. Div.; Cole Brummer \$9.50 hr. Rec. Div.; Julie Fleek \$1,404.69 bi-weekly Dispatch

**August Wage Changes:**

Royce Reisner \$1,370.88 bi-weekly Streets Department

Mayor Nathan Johnson proclaimed September 2020 as Suicide Prevention Month and the week of September 12<sup>th</sup>, 2020 as Welcome Week in Yankton.

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.

Discussion was held on the Consent Agenda Item to remind everyone of the next Work Session of the Yankton City Commissioners as September 28<sup>th</sup>, 2020. No official action was taken.

Action 20-339

Moved by Commissioner Benson, seconded by Commissioner Schramm, to approve the Current Volunteer Firefighter List. (Memorandum 20-166)

**Volunteer Firefighter List**

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

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

Discussion was held on the Consent Agenda Item to remind everyone of the upcoming September 25<sup>th</sup>, 2020 walk-through at The Huether Family Aquatics Center at 2:00 p.m. No official action was taken.

Action 20-340

Moved by Commissioner Moser, seconded by Commissioner Benson, to approve the Yankton Police Department Police Reserve Program candidate, Courtney Russenberger. (Memorandum 20-173)

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

Discussion was held on the Consent Agenda Item to remind everyone of the upcoming ribbon cutting for the Ruth Donohoe First Dakota Fieldhouse on the campus of Mount Marty University on September 18<sup>th</sup>, 2020 at 4:00 p.m. No official action was taken.

Action 20-341

This was the time and place for the public hearing and second reading of Ordinance No. 1039, AN ORDINANCE TO REZONE PROPERTY DESCRIBED 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. (Memorandum 20-170) No one was present to speak for or against the ordinance. Moved by Commissioner Benson, seconded by Commissioner Schramm, to approve Ordinance No. 1039.

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

Action 20-342

This was the time and place for the public hearing of 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. No one was present to speak for or against the ordinance.

Moved by Commissioner Schramm, seconded by Commissioner Webber, to approve Ordinance No. 1039 and Resolution 20-62.

**RESOLUTION 20-62**

WHEREAS, a proposed annual budget for the fiscal year commencing January 1, 2021, has been prepared by the City Manager; and,

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

annual budget; and,

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

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

1. The proposed annual budget attached hereto and made a part hereof is approved and effective January 1, 2021.
2. The City Manager is authorized to record all inter-fund transfers as contained in said approved annual budget.
3. The City Manager is authorized and directed to implement and to administer, within the budgetary funding limits and within adopted City policy and relevant State and City laws and regulations, said annual budget.

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

Action 20-243

Moved by Commissioner Benson, seconded by Commissioner Miner, to approve Resolution 20-66. (Memorandum 20-171)

**RESOLUTION 20-66**  
Conditional Use Permit

WHEREAS, JTG Properties, LLC., of property legally described as 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, 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 depicted in the associated documentation, on the above described property.

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

Action 20-344

Moved by Commissioner Brunick, seconded by Commissioner Schramm, to approve Change Order No. 1, accept the completed reconstruction on 12th Street and Pine Street, and authorize payment to D&G Concrete Construction, Inc., in the amount of \$209,411.33. (Memorandum 20-172)

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

Motion adopted.

Action 20-345

Moved by Commissioner Webber, seconded by Commissioner Miner, to approve Resolution 20-63. (Memorandum 20-167)

**RESOLUTION 20-63**

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

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

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

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

- I. The following municipal wastewater rates are hereby adopted, effective for bills rendered after November 1, 2020
  1. Class I - Residential
    - a. Shall pay a monthly fixed user charge of \$11.22 per month.
    - b. Shall pay an incremental cost of \$6.80 per 1,000 gallons based on a monthly average derived from water consumption during the winter period of December, January, and February as billed in January, February, and March; or to a maximum of 5000 gallons where there is no winter base period.
  2. Class II - Commercial and Industrial
    - a. Shall pay a monthly fixed user charge of \$11.22 per month.
    - b. Shall pay an incremental cost of \$6.80 per 1,000 gallons as billed for water consumption.
  3. Class III - Industrial
    - a. Shall pay a monthly fixed user charge of \$11.22 per month.
    - b. Shall pay an incremental cost of \$6.80 per 1,000 gallons as billed for water consumption.
    - c. Shall pay an incremental cost of \$1.02/lb. BOD<sub>5</sub> surcharge (over 220 mg/l strength) and \$0.360/lb. TSS surcharge (over 250 mg/l strength). Said surcharge rates shall be determined based on test monitoring results for the month billed.

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

Motion adopted.



Action 20-346

Moved by Commissioner Webber, seconded by Commissioner Moser, to approve Resolution 20-64. (Memorandum 20-168)

**RESOLUTION 20-64**

WHEREAS, the City of Yankton has determined that it is necessary to adjust the existing solid waste collection rates to reflect a three percent (3.0%) operating rate increase over current levels;

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

That the following solid waste collection rates shall be adopted effective with billings after November 1, 2020;

Class I Residential - \$23.61 per month plus tax.

Class II Commercial / Industrial - \$23.61 per month per unit plus tax.

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

Action 20-347

Moved by Commissioner Webber, seconded by Commissioner Brunick, to approve Resolution 20-65. (Memorandum 20-169)

**RESOLUTION 20-65**

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

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

WHEREAS, the City of Yankton determined during the recent budget workshop that a three percent (3%) increase should be applied to the water consumption rate;

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

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

1. Residential, Commercial, Municipal, and Industrial Consumption Rates  
Effective with the billing issued after November 1, 2020, water used or consumption will be charged at a rate of \$6.30 per each thousand gallons consumed.
2. Non-City Residential, Commercial, and Industrial Rates  
All water sold by the City for residential, commercial, or industrial use to any meter location outside the city limits of Yankton shall be at a rate twice that charged for City water users as established by this resolution unless otherwise established by the City Commission.

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

Action 20-348

Moved by Commissioner Brunick, seconded by Commissioner Benson, to approve Resolution 20-53. (Memorandum 20-149)

**RESOLUTION 20-53**  
RESOLUTION OF GOVERNING BODY

WHEREAS, the United States of America and the State of South Dakota have authorized the making of grants from the Land and Water Conservation Fund (LWCF) to public bodies to aid in financing the acquisition and/or construction of specific public outdoor recreation projects;

NOW, THEREFORE BE IT RESOLVED;

1. That **Amy Leon** is hereby authorized to execute and file an application on behalf of the **City of Yankton** with the National Park Service, U.S. Department of the Interior, through the State of South Dakota, Department of Game, Fish, and Parks, Division of Parks and Recreation, for an LWCF grant to aid in financing the **Westside Park Playground Project** for the **City of Yankton**, South Dakota and its Environs.
2. That **Al Viereck, Finance Officer of the City of Yankton** is hereby authorized and directed to furnish such information as the above mentioned federal and/or state agencies may reasonably request in connection with the application which is hereby authorized to be filed.
3. That the **City of Yankton** shall provide a minimum of 50% of the total cost of the project; and will assume all responsibility in the operation and maintenance of the project upon completion of construction, for the reasonable life expectancy of the facility.
4. That the **City of Yankton** shall dedicate for park and recreation purposes in perpetuity, the real property identified in the authorized application.

**CERTIFICATE OF RECORDING OFFICER**

The undersigned duly qualified and acting as the **Finance Officer** of the **City of Yankton** does hereby certify:

That the attached Resolution is a true and correct copy of the Resolution, authorizing the filing of application with the National Park Service as regularly adopted at a legally convened meeting of the City of Yankton duly held on the 14<sup>th</sup> day of September, 2020 and further that such Resolution has been fully recorded in the journal of proceedings and records in my office.

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

Motion adopted.

September 14<sup>th</sup>, 2020

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Action 20-349

Moved by Commissioner Schramm, seconded by Commissioner Benson, to adjourn at 7:59 p.m.

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

Motion adopted.

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Nathan V Johnson  
Mayor

ATTEST:

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Al Viereck  
Finance Officer

Published September 24<sup>th</sup>, 2020