



**CITY OF YANKTON**

**2020\_10\_26**

**CITY COMMISSION  
MEETING**



**Mission Statement**

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

**YANKTON BOARD OF CITY COMMISSIONERS**

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

**Monday, October 26, 2020**

**City of Yankton Community Meeting Room**

Located at the Career Manufacturing Technical Education Academy formerly known as Technical Education Center • **1200 W. 21<sup>st</sup> 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 October 12, 2020**

**Attachment I-2**

**3. City Manager’s Report**

**Attachment I-3**

**4. Public Appearances – Doug Ekeren, ASHH**

*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. Fireworks Request by Parks & Recreation Department**

Consideration of Memorandum #20-198 regarding request by the Parks and Recreation Department for a Fireworks Public Display on Saturday, October 31, 2020

**Attachment II-1**

### **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.*

#### **NONE**

*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. Chan Gurney Airport North Taxilane & Access Road Project**

Consideration of Memorandum #20-193 regarding Project Pre-Application and Signature Authorization for the Chan Gurney Airport North Taxilane and Access Road Project #3-46-0062-033-2021

**Attachment IV-1**

#### **2. Planning Commission Recommendation – Establish Hearing**

Consideration of Memorandum #20-192, introduction and first reading of Ordinance #1042 and establishing November 9, 2020 as the date for a public hearing to consider a rezoning from R-4 Multiple Family Residential to B-2 Highway Business on Lot 1 of Outlot C of Moderegger Outlots; and the East 370 feet of Lot 10 of Tucker's 3rd Addition and Parcel B in the NW 1/4 of Section 17, T93N, R55W as measured on the line dividing said two parcels all being in the City and County of Yankton, South Dakota. Joseph and Roberta Kleinschmit, owner, owner. Address, west side of the 1000 Block of Ferdig Avenue.

**Attachment IV-2**

#### **3. Surplus Property**

Consideration of Memorandum #20-194 regarding Resolution #20-73 for City Surplus Property

**Attachment IV-3**

#### **4. Land Sale**

Consideration Memorandum #20-195 regarding Resolution #20-74, the sale of City owned property described as Lot 35 Railroad Subdivision, City of Yankton, Yankton County, South Dakota, for economic development purposes. Address, 905 E. 7th Street

**Attachment IV-4**

#### **5. Stop Sign**

Consideration of Memorandum #20-196 and Resolution #20-75 regarding two-way stop, at Mulberry Street and 5<sup>th</sup> Street intersection

**Attachment IV-5**

### **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 OCTOBER 26, 2020**

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

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

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS  
YANKTON, SOUTH DAKOTA  
OCTOBER 12<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, Carda, Maibaum, Miner, Moser, Schramm and Webber. Deputy City Attorney Beau Barrett and City Manager Leon were also present.

Quorum present.

Action 20-365

Moved by Commissioner Benson, seconded by Commissioner Schramm, to approve Minutes of work session meeting of September 28, 2020 and regular meeting of September 28, 2020.

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

Motion adopted.

Action 20-366

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

1 Office Solution - HR Office Furniture - \$3,006.69; Adobe Creative Cloud - Computer Program - \$70.27; Adobe Stock - Computer Program - \$31.94; Adorama.Com - Evidence Packaging - \$157.10; Allied Electronics Inc. - Park Supplies - \$93.20; Amazon - DVD - \$29.57; Amazon - Hand Sanitizer - \$120.67; Amazon - Book - \$14.99; Amazon - Video Equipment - \$79.00; Amazon - Rubber Bands, Clamp Pad - \$54.50; Amazon - Boots - \$106.28; Amazon - Headsets - \$59.98; Amazon - Hand Sanitizer - \$120.67; Amazon - Keyboard Mouse - \$54.99; Amazon - DVD - \$27.96; Amazon - Headsets - \$59.98; Amazon - Headsets - \$63.88; Amazon - Sprinklers - \$99.70; Amazon - Case Of Kleenex - \$50.24; Amazon - Sprinklers - \$56.78; Amazon - Check Printer Ribbon - \$84.94; Amazon - Janitorial Supplies - \$233.92; Amazon - Books - \$261.97; Amazon - Planners - \$110.87; Amazon - DVD's - \$200.86; Amazon - Janitorial Supplies - \$37.11; Amazon - Standing Desk - \$94.99; Amazon - Video Equipment - \$495.49; Amazon - Garage Door Remotes - \$34.95; Amazon - PPE - \$44.97; Amazon - Lapel Lights - \$2,899.04; Amazon - Program Supplies - \$428.71; Amazon - Video Equipment - \$363.99; Animal Health Clinic - Heartguard - \$52.05; A-Ox Welding Supply - Argon Gas - \$65.98; ASCE Purchasing - Membership Dues - \$260.00; AT&T Bill Payment - Phone - \$148.01; AT&T Premier - Phone - \$1,549.88; Auto Value Yankton - Filters - \$423.36; AutoZone - Battery - \$305.52; Avenu Insights & Analytics LLC - Maint Program Support - \$1,969.83; Avera Sacred Heart - Dot Random Testing - \$30.00; Awwa.Org - Membership Dues AWWA - \$214.00; Axon - Instructor Course - \$1,153.50; B&H Photo - Tablets - \$299.98; Baker Taylor - Books - \$2,343.02; Baycom Inc. - Computers - \$39,980.00; Best Buy - Video Equipment - \$269.98; Boller Printing - Parking Tickets - \$180.00; Bomgaars - Small Tools - \$905.59; Book Systems Inc.. - Office Supplies - \$59.43; Bound Tree Medical LLC - -Disinfectant Wipes - \$1,701.88; Boyles/Elloven - Irrigation Reimbursement - \$519.68; Broadway Chrysler Dodge - Program Ignition Switch - \$1,026.93; Buhl's Cleaners - Towels - \$922.13; C & B Yankton - Mower Tire - \$52.50; Casey's Gen Store - Special Events - \$5.79; Cedar Knox Public Power Dist - Elect - \$1,533.58; Center Point Large - Books - \$134.22; Centurylink - Phone - \$1,222.83; City Of Sioux Falls - Lab Testing - \$14.50; City Of Yankton-City Clean-Up - Free Pass Landfill Fee - \$1,267.30; City Of Yankton-Solid Waste - Compacted Garbage - \$16,096.70; City Of Yankton-Water - Garbage - \$122.80; City Utilities - Water-WW Charges - \$84.95; Colonial Flag -

Flags - \$76.33; Concrete Material - Hot Mix - \$91,714.15; Core & Main - Repair Rug Cleaner - \$585.00; Cornhusker Intl Truck Inc.. - Filters - \$99.78; Cox Auto Supply - Hydraulic Filter - \$106.02; Credit Collection Service Inc. - Utility Coll Aug20 - \$297.23; Crescent Electric - Digester Lamps - \$1,436.32; D & G Concrete - Reconstruction - \$209,411.33; Demco Inc. - Office Supplies - \$691.82; Den Herder Law Office, P.C. - Contracted Services - \$7,920.10; Department Of Environment - Operator's Exam - \$20.00; Diesel Machinery Inc. - Valves - \$600.75; Double H Paving Inc. - Crosswinds Runway - \$310,158.02; Drug Education Press - Advertisement - \$155.00; EBay - Display Adapters - \$129.50; EBay - Toner - \$102.03; EBay - Ink - \$52.96; Echo Electric Supply - Plaza Lights - \$482.50; Electric Pump Inc.. - Park Supplies - \$83.51; Envision Ware - Software Maintenance - \$538.85; ESRI - Arcgis Online Credits - \$100.00; Ethanol Products LLC - Co2 - \$1,357.32; Fastenal Company 01sdy - Hard Hats - \$371.13; Fedex - SDFL Evidence Shipping - \$14.84; Feld Fire - Compressor Maintenance - \$1,200.00; Ferguson Enterprises - Flanges - \$432.16; Frontier Mills - Lawn Mix - \$329.44; Geotek Eng & Testing Serv Inc. - Testing - \$208.50; Gerstner Oil Co - Fuel - \$6,775.87; GPS Industries - Golf Cart Rental - \$3,840.00; Grainger - Irrigation Parts - \$141.18; Graybar Electric Compa - GBT Motor Starter - \$182.16; Hach Company - Lab Supplies - \$914.05; Hanson Briggs Advertising Inc. - Envelopes - \$335.21; Harn Ro Systems Inc. - Chemicals - \$4,900.00; Hawkins Inc. - Chemicals - \$14,642.92; HDR Engineering Inc. - Water Plant Construction - \$26,841.04; Hy-Vee - Emp Picnic Box Dinners - \$80.56; Hy-Vee - Program Supplies - \$49.44; In Embroidery & Scree - Uniform Ball Cap - \$25.00; In Hanson Briggs Spec - Door Knockers - \$1,365.00; In Powers Port A Pot - Porta Pots - \$250.00; J & H Care & Cleaning Company - Janitorial Services - \$4,000.00; J2 Metrofax - Fax - \$9.95; Jacks Uniforms & Equipment - Uniforms - \$510.42; JCL Solutions - Industrial Floor Scrubber - \$7,512.18; Jim Tramp Construction - Sidewalk Reimbursement - \$2,970.00; Jonathan Rauner - Background Check Webinar - \$10.00; Kadrmas Lee & Jackson Inc. - Crosswinds Runway - \$47,031.75; Kaiser Refrigeration - Roll Line - \$34.96; Kaiser Refrigeration - Service Call - \$558.45; Kerr/Louis - Irrigation Reimbursement - \$1,174.28; Kopetsky's Ace Hardware - Irrigation Supplies - \$421.72; Kronos Inc. - Timeclocks/Proxim Badges - \$17,062.50; K-Scale LLC - Laser Light Board - \$770.00; Language Line - Translation Service - \$46.85; Larry's Heating & Cooling - Radiator Replacement - \$3,453.83; Larson/Angela - Tree Reimbursement - \$99.85; Lewis And Clark Ford L - Axle Seal Leaking - \$1,217.27; Locators & Supplies Inc. - Safety Sweatshirt - \$147.05; Locators & Supplies Inc. - Safety Vests - \$833.11; Mark's Machinery Inc. - Tractor Repair - \$3,183.85; McMaster Carr - Distilled Water Line - \$37.08; Mead Lumber Yankton - Expansion Joint - \$22.13; Menards - HR Office Remodel - \$1,385.47; Merkel Electric - Quonset Electrical - \$7,247.48; MidAmerican Books - Books - \$400.45; MidAmerican Energy - Fuel - \$958.55; MidAmerican Energy - Fuel - \$831.75; Midwest Alarm Company Inc. - Fire Alarm Monitoring - \$162.00; Midwest Laboratories - Monthly Nutrients - \$962.68; Midwest Tape - Av - \$951.75; Midwest Tire And Muffler - Tires - \$1,616.35; Millenium Recycling - Single Stream Fee - \$1,578.85; Mozak's Floors & More - HR Office - \$157.29; National Society Of Pr - NSPE Membership Dues - \$299.00; Neobits Inc. - Irrigation Parts - \$67.22; Northern Truck Equipment Corp - Walking Floor Trailers - \$137,714.00; Northtown Automotive - Replace Injectors - \$1,325.00; Northwestern Energy - Elect - \$99,486.50; Olson's Pest Technician - Pest Control - \$90.00; O'Reilly Auto Parts - Brake Rotors And Pads - \$679.82; Overdrive Dist - E-Books - \$3,686.10; PayPal - Uniform Shirts - \$108.20; PayPal - Patrol Copier - \$67.63; Peterson Plumbing - Cap Waterline - \$130.62; Phoenix Loss Control - Phone Line Repair - \$1,357.70; Positive Promotions - Fluorescent Bands - \$183.95; Press Dakota Mstar Solutions - Legal Publication - \$717.11; Pro Auto Inc. - Police Tow - \$180.00; Provantage - Anti-Virus - \$270.20; Quill Corporation - Office Supplies - \$50.94; Quiqlite - Lapel Lights - \$2,098.60; Restroom Direct Hand D - Replace Water Fountain - \$2,298.00; Riverfront Broadcasting - Advertisement - \$936.00; Riverside Hydraulics - Rebuild Paver Cylinder - \$220.67; Riverside

Technologies Inc. - Laptops - \$741.00; Ron's Auto Glass - Replace Windshield - \$250.00; Ruter/Dylan - Boot Reimbursement - \$130.00; Schieffer/Amanda - Boot Reimbursement - \$130.00; SD Library Association - Library SDLA Membership - \$340.00; Sherwin Williams - Digester Cover Paint - \$600.23; Shi International Corp - Laptops And Keyboards - \$2,460.00; Sioux City Journal Cir - Newspaper Subscription - \$396.00; Slowey Construction Inc. - Reconstruction - \$216,609.33; Smartsign - Signs - \$661.86; South Dakota One Call - Locate Fees - \$201.60; Sprinkler Warehouse - Irrigation Parts - \$318.21; Squarespace Inc.. - Special Events - \$171.38; Stockwell Engineers Inc. - Aquatics Center Design - \$47,762.76; Subway - Training Expense - \$240.60; Suing/Lance - Deposit Refund - \$93.08; Tactical Med Solutions - Tourniquet - \$38.51; Tessman Company Sioux - Chemicals - \$2,379.98; The Ups Store - Mail Return Items - \$74.20; The Webstaurant Store - Trash Lids - \$275.19; Third Millennium Assoc. Inc. - Free Pass Insert - \$2,803.13; Tinting Pros - Side Window Tint - \$120.00; Transource - Excavator Repair - \$559.36; TRK Hosting - Web Hosting - \$7.95; Truck Trailer Sales & - Thermostat, Temp Sender - \$154.48; UL LLC Ecommerce - Aerial/Ladder Testing - \$2,999.05; United States Postal Service - Postage - \$1,440.15; Us Bank Equipment Finance - Copier Lease - \$283.34; USPS Po - Evidence Postage - \$79.55; Vanessen/Ken - Gift Card Reimbursement - \$250.00; Vastbroadband-Vexus - Phone - \$471.85; Verizon - Internet Access - \$1,004.69; Veterinary Medical Clinic - Supplies - \$51.12; Viddler Inc. - Video Hosting - \$41.49; Vistapr Vistaprint.Com - Oval Stickers - \$187.20; Vogel Paint Inc. - Paint - \$59.90; Vogt S Fine Cleaners - Sew Patches On Uniforms - \$36.00; VWR International Inc. - Lab Supplies - \$3,469.49; Wal-Mart - Office Supplies - \$190.73; Wal-Mart - Counterfeit Pens - \$19.94; Wal-Mart - Wireless Headset - \$265.05; Wal-Mart - Harddrive, Storage Totes - \$288.38; Walsh/David - CDL Reimbursement - \$95.00; Wef Main - Membership Dues - \$155.00; Welfl Construction Corp - Aquatics Center Project - \$1,156,710.14; Xerox Corporation - Copier Lease - \$1,791.73; Xerox Financial Services - Copier Lease - \$1,530.67; Yankton County Treasurer - Taxes - \$459.44; Yankton Medical Clinic - Pre Employment Physicals - \$524.00; Yankton Optimist Club - Membership Dues - \$170.00; Yankton Pizza Ranch - Summer Picnic Box Dinner - \$1,094.63; Yankton Title Co. - Abatement - \$159.75; Yankton Winnelson Co - Westside Restroom Parts - \$228.23; Ykt Janitorial & Dt Sc - Hand Soap/Paper Products - \$469.24

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

Motion adopted

**Salaries by Department: September 2020:** Administration \$50,841.31; Finance \$30,990.44; Community Development \$25,381.96; Police/Dispatch \$185,171.75; Fire \$12,973.46; Engineering / Sr. Citizens \$44,876.89; Streets \$46,467.14; Traffic Control \$3,847.42; Library \$23,090.88; Parks / SAC \$70,568.63; Marne Creek \$3,731.55; Water \$35,017.15; Wastewater \$42,115.56; Cemetery \$4,494.06; Solid Waste \$16,690.68; Landfill / Recycle \$19,601.69; Central Garage \$7,479.26

### **Personnel Changes & New Hires**

New Hires: Melisa Smith \$16.7100 hr. Landfill; Mikael Pietila \$11.0000 hr. Library; Karely Schieffer \$11.0000 hr. Library; Kelly O'Dea \$11.0000 hr. Library

Wage Changes: Patrick Nolz \$28.6231 hr. Police; Colleen Bailey \$23.2236 hr. City Manager's Office

Position Changes: Les Kirchner \$22.8159 hr. from Utilities Maintenance Worker in Waste Water to Sr. Grounds Maintenance Worker in Parks and Rec

Mayor Johnson read a proclamation observing October 2020 as Careers in Construction 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.

The date of October 26<sup>th</sup>, 2020 was set as the next work session of the Yankton City Commission with the topic of the Summit Activities Center operations and the agreement with the Yankton School District. This meeting will be held at 6:00 p.m. in Room #114 of the Regional Technical Education Center.

The date of December 21<sup>st</sup>, 2020 was set for the second Yankton City Commissioner meeting in December. This meeting will be held at 12:00 p.m. (noon) in Room #114 of the Regional Technical Education Center.

Action 20-367

This was the time and place for the public hearing of the application for a Special Malt Beverage (on-sale) Retailers License for 1 day, October 24, 2020 from Yankton Girls Softball Assn. (Doug Marquardt, Manager) 1805 Whiting Drive, Corn Hole Fundraiser, Yankton, S.D. (Memorandum 20-186) No one was present to speak for or against the application. Moved by Commissioner Schramm, seconded by Commissioner Brunick, to approve the license.

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

Action 20-368

This was the time and place for the public hearing of the application for a Special Events (on-sale) Liquor License for 2 days, November 14, 2020 through November 15, 2020 from Boomer’s Inc., (Gary W. Boom, President) d/b/a Boomer’s Lounge, Zombie’s Realm, 101 E 3<sup>rd</sup> St., Yankton, South Dakota. (Memorandum 20-187) No one was present to speak for or against the application. Moved by Commissioner Moser, seconded by Commissioner Benson, to approve the license.

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

Action 20-369

This was the time and place for the second reading and public hearing for Ordinance No.1040, 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 FROM I-1 INDUSTRIAL TO B-3 CENTRAL BUSINESS, BLOCK 69, LOWER YANKTON ADDITION TO THE CITY OF YANKTON, SOUTH DAKOTA. MONA’S, LLC, OWNER. ADDRESS, SOUTH SIDE OF THE 600 BLOCK OF E. 4TH STREET. (Memorandum 20-188) No one was present to speak for or against the adoption of the ordinance. Moved by Commissioner Miner, seconded by Commissioner Moser, to adopt Ordinance No. 1040.



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

Action 20-370

This was the time and place for the second reading and public hearing for Ordinance No.1041, 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 FROM B-2 HIGHWAY BUSINESS TO R-3 TWO FAMILY RESIDENTIAL, FUTURE BLOCKS 10 AND 11 AND, FROM B-2 HWY BUSINESS TO R-4 MULTIPLE FAMILY, THAT AREA LYING EAST OF FUTURE COLTON AVENUE, WESTBROOK ESTATES. ALL IN THAT PORTION OF THE FOLLOWING PROPERTY LYING SOUTH OF 25TH STREET. THE EAST HALF OF THE SOUTHEAST QUARTER EXCEPT THE EAST 700' IN SECTION 2, ALL IN TOWNSHIP 93 NORTH, RANGE 56 WEST OF THE 5TH PRINCIPAL MERIDIAN YANKTON COUNTY, SOUTH DAKOTA. YANKTON DEVELOPMENT ENTERPRISES, LLC, OWNER, OWNER. ADDRESS, SOUTH SIDE OF THE 1600 BLOCK OF W. 25TH STREET. (Memorandum 20-189) No one was present to speak for or against the adoption of the ordinance. Moved by Commissioner Benson, seconded by Commissioner Webber, to adopt Ordinance No. 1041.

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

Action 20-371

Moved by Commissioner Moser, seconded by Commissioner Schramm, to approve Resolution 20-71. (Memorandum 20-190)

**RESOLUTION 20-71**

WHEREAS, it appears from an examination of the plat of Lots 9 and 10 in Block 8 and Lots 12 and 13 in Block 9 of Ridgeway North Subdivision to the City of Yankton, in the NE 1/4 of Section 6, T93N, R55W of the 5th P.M., Yankton County, South Dakota prepared by Brett R. Kennedy, a registered land surveyor in the state of South Dakota, and

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

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

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

Action 20-372

Moved by Commissioner Brunick, seconded by Commissioner Benson, to approve Resolution 20-72. (Memorandum 20-191)

**RESOLUTION 20-72**  
Meeting Room and PEG Channel Equipment Replacement

WHEREAS, the City of Yankton has identified the need to update the Community Meeting Room and Public Education Government (PEG) Channel equipment in response to the global COVID-19 pandemic, and

NOW, THEREFORE BE IT RESOLVED, that the Yankton City Commission duly authorizes the execution of the purchase of the Community Meeting Room and PEG Channel equipment, and

BE IT FURTHER RESOLVED, that the City Manager be authorized to execute the contract or other documents for the proposed project with the funds to be supplemented to the respective department in 2020 as required.

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

Action 20-373

Moved by Commissioner Moser, seconded by Commissioner Benson, to adjourn at 7:38 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



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## OFFICE OF THE CITY MANAGER

[www.cityofyankton.org](http://www.cityofyankton.org)

VOL. 55, NUMBER 20

### Commission Information Memorandum

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

#### Non-Agenda Items of Interest

##### 1) Community & Economic Department Update

Staff is pleased to report progress on the redevelopment of the three blighted properties that the Commission took action on at its June 22nd meeting. The redevelopment is a cooperative effort between the City of Yankton, Yankton County, and Yankton Area Progressive Growth (YAPG). The property at 310 Pearl Street, has moved all the way through the process, was transferred to YAPG, and with their private developer-partner has demolished the structures and prepared the site for construction. Plans are being prepared for a new single family home on the site in the coming year. The property at 819 Birch Road, which was a bare lot due to an earlier nuisance abatement action that demolished the structures, has also moved through the process with YAPG and a private developer recently relocated a single family home to the lot. That home is expected to be ready for occupancy during winter 2020/2021. The remaining property 900 East 8th Street has cleared all the procedural hurdles and has been transferred to YAPG for redevelopment. Working with our partners we think we've outlined a solid template for future redevelopments, with one additional property currently being discussed.

##### 2) Police Department Update

The Police Department continues to participate in a weekly radio show The Morning Donut with Host Jeff Erickson on KYNT at 0740 (live) and 1200 replay on Fridays. Last Friday Chaplin Jerry Webber spoke about her duties and how she assists the police department.

Jericho Osborne just returned from Interview training in Sioux Falls. Jericho learned how to better conduct investigatory interviews and question suspects involved in criminal cases.

Commander Foote put out Flags with the Lions Club for Columbus / Native American Day.

Reports of campaign signs being stolen have been received. Officers are out watching for anything suspicious and a Facebook post was put out about these incidents.

##### 3) Parks and Recreation Department Update

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

##### 4) Finance Department Update

Enclosed in your packet are Memorandum #20-194 and Resolution #20-73 requesting the listed items be declared surplus and be disposed of, traded in, donated, sold by sealed bid or online auction, or destroyed. Due to the success we had last year, we will again use Purple Wave online auction to sell our

vehicles and other sellable items. This is a 3-4 week process. Once all items are surplus, an auction agreement will determine the auction date. Please view the list below of potential online auction items:

**Vehicles/Trailers/UTV/Mowers:**

Police:	2013	Chevrolet Caprice	6G1MK5U28DL825238	CTY7773
	2016	Ford Explorer	1FM5K8ARXGGA28963	CTY8203
Community Development:	2002	Dodge Durango	1B4HS38N62F182105	CTY5144
	2004	Dodge Intrepid	2B3HD46R54H582989	CTY8312
Parks:	2011	Dodge RAM 2500 Crew Cab	3D7TT2CT7BG598582	CTY7339
	1994	Chevy Suburban	1GKFK16K8RT745660	CTY2387
	2001	Ford F-250 3/4 ton, 4x4, crew cab	3FTNW21L01MA39291	CTY4829
	2004	Cushman utility vehicle	Model 898627	N/A
	2000	Cushman Turf Truckster	Model 898658	N/A
		John Deer Riding Lawnmower		
Joint Powers:	2006	Steco Walking Trailer	5EWS482161254200	N/A
	2002	CPS	4Z45156263P004221	N/A
	2012	Volvo Mini Excavator	15818	N/A
Street:	2008	IHC 7400 6x4 Truck	1HTWGAAT98J690036	N/A
	2008	IHC 7400 SBA 6x4 Truck	1HTWGAAT78J687264	CTY7147
	2008	Freightliner GVW 6x4	1FVHC3BS58HZ55565	CTY7149
	2003	IHC Flusher Truck Navistar	1HTWHAATO3J074764	N/A
		Street sweeper brooms (Qty 9)		
Solid Waste:	2004	Navistar IHC	1HTWGAAT45J131019	CTY5718

The Finance Office is currently working with local businesses on their annual liquor and video licenses which renew on January 1, 2021. Many other licenses such as plumber, electrician, and movie theatre licenses expire at the end of the year and will be assisted with their renewals for January 1<sup>st</sup> as well. The exception to these licensing renewals are for malt beverage and restaurants which renew on July 1<sup>st</sup> each year.

Enclosed in your packet is the Monthly Finance Report for September activity and the third quarter 2020 Revenues and Expenditures Report comparing quarterly and year-to-date totals with 2019 figures.

**5) Fire Department Update**

Chief Kurtenbach spoke to the Tri-State Old Iron Association on Monday, October 12 regarding the Fire Department and several fire safety and farm safety items. There were approximately 100 of their members in attendance at their meeting at JoDeans. Several good questions followed the presentation.

The Fire Department has been kept busy with very dry conditions and several quick moving fires. The public is advised to please refrain from burning if you can, notify dispatch of your controlled burns before lighting them, check weather conditions for the day of your burn and 4 days after to be sure wind conditions do not reignite the burn and keep your burns attended so they do not get out of control.

The Fire Department participated in the funerals of retired firefighters Jerry Locken and Martin Raab. This is a service provided to retired members and their families as a thank you for their service to the community.

#### **6) Public Works Department Update**

Street Department crews have been adjusting manholes and water valve risers on the newly milled and paved streets. Street crews have also been preparing snow removal equipment for winter operations.

The schools have completed the artwork on the snowplows for the annual Paint the Plows program. The hard work of the students will be showcased throughout the winter season.

#### **The Huether Family Aquatics Center**

Work continues, on the site grading, in preparation of concrete flat work. Masons are approximately half done with the exterior block, on the mechanical building.

The roof sheeting on the bathhouse and concessions is ongoing.

#### **Riverside Drive from Green Street to Broadway Avenue**

This project is substantially complete and punch list items are being addressed.

#### **21st Street Sidewalk**

There were no proposals received for this work as the local concrete contractors have full schedules for the remainder of the year. This will be an early project for 2021.

#### **7) Information Services Department Update**

The radio contractor replaced the antenna at the water tower with one with a higher gain, increased the licensed power and discovered that the existing antenna was connected in reverse - with the receive portion at the bottom of the antenna. With these changes, performance has improved dramatically. The police department and dispatch have been running live on the new P25 site and have been doing additional testing since the changes were completed.

The new 911 stations have been ordered and we hope to complete the install in early December. This change will be a live switchover so it will involve several additional partners and involve more steps than normal. IT staff met with the final contractor on the meeting room equipment on October 20<sup>th</sup> and we hope to have a decision made soon on the final design for the meeting room and PEG upgrades.

#### **8) Human Resources & Employee Engagement Department Update**

Open Enrollment dates have been set. Dawn Knutson with Midwest Benefits will be presenting on Monday, October 26<sup>th</sup> at 1pm and 3pm, and Thursday, October 29<sup>th</sup> at 9am and 11am. These will be held at City Hall's gymnasium so that attendees can socially distance. There will also be a Zoom call available on Wednesday, October 28<sup>th</sup> at 11am. The zoom call will be recorded so it can be uploaded for employees to view anytime they wish.

Our kick-off meeting was held with Kronos. This meeting brought together for introduction both project implementation teams. Yankton's team is Corey Pospisil, Lisa Yardley, Duane Johnson, and Laurie

Lockwood. Over the next couple of weeks, we will be working to gather information for Kronos as we begin to set an estimated timeframe and project plan.

Two openings will close in the upcoming days; Water Distribution/Wastewater Collection Operation Specialist on October 23, and Youth Services Librarian October 26. Application screenings and interview progression will follow.

The Police Department will remain advertising until positions are filled. One Certified Police Officer offer has been extended and accepted. Post offer testing is complete with a tentative start date of November 9<sup>th</sup>. The Police Department along with Kristin Yonke has designed amazing brochures as additional recruitment materials.

#### **9) Library Update**

The library began to do Grab & Go hours in October from 9am-12pm Monday through Saturday. Prior to this, we had been offering appointment slots throughout the day. As our appointments consistently filled up each day, we decided that Grab & Go would be a reasonable next step. During these hours, patrons can browse and checkout items or use the computers, copier, microfilm or fax machines. We are encouraging quick visits of 30 minutes or less and limiting the number of people in the building at one time. With the mask policy in place (approved by the Library Board), several hand sanitizer stations, and frequent cleaning and disinfecting, we feel that Grab & Go continues to be a safe option for patrons and staff. We have also seen an increase in circulation as we have been able to get more individuals through our doors each day. We continue to monitor the current COVID-19 situation in the community and are ready to adjust our services as needed. I am thankful for the great flexibility and dedication of the library staff and the continued support from our community!

#### **10) Environmental Services Update**

Wastewater staff has completed the soil sampling for the land application for the biosolids. The samples were sent to a lab to be analyzed for nutrient levels, fecal bacteria, and heavy metals. Staff received the results from the lab and have calculated the application rates. The rates will be based off the nutrient values and the required agronomic rate for a fertilizer application. The contractor has started the application process. The application process has been approved by the South Dakota Department of Environment and Natural Resources.

Biosolids are captured in the primary and secondary clarification treatment process and fed to three anaerobic digestors. The digester utilize anaerobic bacteria to treat and reduce the solids. The methane byproduct produced is captured and used to fuel heat exchangers. The biosolids are maintained at 95 degrees F for over 60 days within the digester to insure proper treatment and solids reduction. After digestion, the sludge is pumped to a lagoon system. The biosolids are further and broken down to a safe pathogen free product. The water is removed and the final product is land applied in the fall. A copy of the Department of Environment and Natural Resources approved Biosolids Management Plan for the City of Yankton can be found on the website.

<http://www.cityofyankton.org/departments-services/wastewater/biosolids-recycling-process>

#### **11) Monthly reports**

Joint Powers Solid Waste and Yankton Police Department monthly reports are included for your review. Minutes from the Planning Commission are also 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

**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.

There will be no rentals through December 31, 2020. In October, as the first quarter of school is coming to a close, all plans will be re-evaluated based on case history and other significant health incidents.

- SAC member attendance for October 1 – 15 – 885 visits  
(2019- 2,321 visits, 2018- 2,903 visits, 2017- 2,397 visits, 2016- 2,518 visits)
- New Members Joined– 42  
(2019- 38 people, 2018- 52 new members, 2017- 44 people, 2016- 25 people)
  - Annual passes sold: 14
  - Monthly passes sold: 28
  - EFT passes sold: 0
- Great Life Check-Ins- 249
  - October 1: 22
  - October 2: 20
  - October 3: 4
  - October 4: 8
  - October 5: 18
  - October 6: 22
  - October 7: 20
  - October 8: 19
  - October 9: 17
  - October 10: 14
  - October 11: 15
  - October 12: 19
  - October 13: 19
  - October 14: 13
  - October 15: 19



## Capital Building Rentals

- Days Rented – 1 Date

## Park Shelter Rentals

- Riverside- 1 Rentals
- Memorial – 0 Rentals
- Westside – 0 Rentals
- Rotary – 0 Rentals
- Sertoma – 0 Rentals
- Tripp – 0 Rentals
- Meridian Bridge – 0 Rentals

## PARKS

The department has sent out a 2020 second notice to those who have made financial pledges to The Huether Family Aquatics Center.

Luken Memorial was able to get the 2 bronze plaques installed at the Lewis and Clark Statue at the water treatment plant. Bob Luken reported, “People walking at the park commented how the lower “Spirit of Discovery” plaque was very readable and really enhanced the statue and gave it meaning.” Bob thought it was nice to have feedback from random people like that!

Brittany LaCroix is working on the Halloween Spooktacular fireworks and light show.

Brittany LaCroix is working with the BE Yankton campaign. The description of the campaign which will be done on the City’s website and a Facebook page: “While we learn to coexist with the COVID-19 virus and adapt to a new normal, the City of Yankton challenges all community members and visitors alike to BE, whatever that may mean to you. BE Yankton is an initiative encouraging you to continue to BE engaged, BE kind, BE safe and BE healthy in our community. Continue to check back to our page for updates on local events, campaigns, and reminders.”

Brittany LaCroix is working on Holiday Festival of Lights.

The Parks Department is working with KYB to do a beautification project at the entry to the Marne Creek West Greenway. It will consist of a concrete pad with a bench and trash can holder. The pad will be connected to the trail that runs along West City Limits Road. The pad will be surrounded on three sides by landscaped areas with plantings. A new sign for the Greenway will be installed in the landscape area also. It will be green with white lettering to match the City’s park identification signs that are found in other parks.

Brian Frick has started the process of turning off water to certain parks facilities. The goal is to have all the water shut off in the parks system by October 30. That date can be earlier as the department monitors nighttime temperatures to avoid damage caused by freezing. In 2020, the new restrooms at the water treatment plant, which are along the trail, will stay open all winter.

The City will work with the Yankton Optimist Club to have a Santa House for children's activities located at the Capitol Building in Riverside Park this December on a few weekends. Details are being worked out and the local health situation will be monitored prior to hosting any events at the Capitol. Decorating the outside of the Capitol Building is also being discussed.

Yankton Area Arts had local artists in Westside Park to create some artwork displays on the new trail as part of The Born Learning Trail project. The Born Learning Trail will have signs in both English and Spanish (10 total signs in each language) that teach children and their adult parent, grandparent, or guardian to do activities for learning right at the spot along the trail. Some of those spots are the artwork that was created this past weekend. This was funded by a grant of \$15,000 from AARP. The City has submitted an Avera Community Partnership Grant in the amount of \$15,000 to help cover the additional costs for completing the project. This trail fits into the master plan for the park that was adopted in 2019. The department submitted a Land, Water, and Conservation Fund Grant to help with installation of new play equipment and more trails through the park that connect amenities. All of this is also a part of the master plan.

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:

**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.

A one-pitch slow-pitch softball tournament has been scheduled for Saturday, October 24, at Sertoma Park.

## FINANCE MONTHLY REPORT

Activity	SEPTEMBER 2020	SEPTEMBER 2019	SEPT 2020 YTD	SEPT 2019 YTD
<b>UTILITY BILLING:</b>				
<b>Water</b>				
Water Sold (in gallons per 1,000)	93,137 M	65,076 M	534,632	479,226 M
Water Billed	\$812,575.67	\$598,662.65	\$5,353,536.81	\$4,661,142.26
Basic Water Fee/Rate per 1000 gal.	\$27.51/\$6.12	24.61/\$5.83		
Number of Accounts Billed	5,612	5,587	49,126	48,660
Number of Bills Mailed	5,612	5,587	49,126	48,660
Total Meters Read	5,828	5,772	52,483	51,722
Meter Changes/pulled	2	3	42	30
Total Days Meter Reading	1	1	9	9
Misreads found prior to billing	0	0	0	0
Customers requesting Rereads	0	0	0	1
<b>Sewer</b>				
Sewer Billed	\$353,567.50	\$337,330.59	\$3,076,171.42	\$2,881,509.36
Basic Sewer Fee/Rate per 1000 gal.	\$10.69/\$6.48	\$10.18/\$6.17		
<b>Solid Waste</b>				
Solid Waste Billed	\$105,188.36	\$99,161.28	\$938,540.34	\$886,501.47
Basic Solid Waste Fee	\$22.92	\$21.83		
<b>Total Utility Billing:</b>	<b>\$1,279,905.28</b>	<b>\$1,042,666.91</b>	<b>\$9,444,562.60</b>	<b>\$8,501,387.52</b>
<b>Adjustment Total:</b>	<b>(\$3,260.41)</b>	<b>\$788.00</b>	<b>(\$7,504.05)</b>	<b>(\$6,517.05)</b>
Misread Adjustments	\$0.00	\$0.00	\$0.00	(\$5,760.04)
Other Adjustments	(\$3,200.41)	\$778.00	(\$4,214.05)	(\$7.01)
Penalty Adjustments OFF	(\$80.00)	(\$30.00)	(\$3,450.00)	(\$900.00)
Penalty Adjustments ON	\$20.00	\$40.00	\$160.00	\$150.00
New Accounts/Connects	72	57	805	787
Accounts Finaled/Disconnects	75	88	530	581
New Accounts Set up	4	1	40	39
Delinquent Notices	424	436	3,791	3,599
Doorknockers	152	131	1,391	1,345
Delinquent Call List	48	75	884	760
Notice of Termination Letters	22	6	143	129
Shut-off for Non-payment	10	6	67	62
Delinquent Notice Penalties	\$4,240.00	\$4,360.00	\$37,910.00	\$35,990.00
Doorknocker Penalties	\$1,520.00	\$1,310.00	\$13,910.00	\$13,450.00
<b>Other Office Functions:</b>				
Interest Income	\$16,808.40	\$73,079.68	\$398,575.11	\$694,734.84
Interest Rate-Checking Account	0.43%	2.36%		
Interest Rate-CDs	N/A	N/A		
# of Monthly Vendor Checks	106	148		
Payments Issued to Vendors	\$ 4,370,865.59	\$ 4,154,802.93	\$ 27,916,333.34	\$ 29,660,799.87
# of Employees on Payroll	165	200		
Monthly Payroll*	\$ 437,120.54	\$ 428,412.31	\$ 4,196,289.55	\$ 4,240,816.27

CITY OF YANKTON  
Revenues and Expenditures

	01Jul2020 30Sep2020	01Jul2019 30Sep2019	YTD 2020	YTD 2019
101 General Fund				
Revenues	3,845,776.88	2,203,858.62	8,884,151.61	8,409,850.37
Expenditures	2,849,211.19	1,978,517.06	7,289,946.13	6,328,689.21
201 Parks				
Revenues	18,895.00	8,984.37	21,611.94	20,856.73
Expenditures	445,947.96	388,024.94	1,110,887.93	993,703.95
202 Memorial Pool				
Revenues		18,040.12	428.62	38,081.72
Expenditures	540.44	509,432.35	467,936.40	756,202.61
203 Summit Activity Center				
Revenues	85,966.72	82,802.71	236,768.70	373,660.26
Expenditures	145,318.59	223,294.54	445,829.07	582,691.51
204 Marne Creek				
Revenues	99,186.86	458.60	166,265.02	1,303.69
Expenditures	126,554.19	171,987.64	238,079.30	238,067.36
205 Casualty Reserve				
Revenues	45.28	329.91	334.00	1,022.18
Expenditures			1,993.00	17,500.00
207 Bridge and Street				
Revenues	192.50	124,077.66	11,959.10	124,212.05
Expenditures		2,124.93		2,124.93
208 911/Dispatch				
Revenues	29,348.25	17,272.37	81,661.46	40,849.48
Expenditures	156,604.30	163,292.85	444,129.61	444,214.00
209 Business Improvement District				
Revenues	37,342.75	48,739.20	74,990.82	105,006.23
Expenditures		10,000.00	143,212.16	148,256.49
211 Lodging Sales Tax				
Revenues	213,197.73	212,161.81	416,038.56	456,298.02
Expenditures	122,258.34	143,177.89	384,412.16	470,695.38
241 Infrastructure Improvement				
Revenue	40.52	149.05	55,199.88	21,244.17
Expenditures				
501-504 Improvements/Capital				
Revenues	12,362.26		69,631.76	6,997.31
Expenditures	2,914,375.06	284,099.34	4,088,988.01	310,162.32
505 Huether Family Aquatic Center				
Revenues	14,195.38	14,382,500.00	245,742.03	14,382,500.00
Expenditures	2,448,489.27	294,881.25	3,615,897.78	294,881.25
506 Special Capital Improvements				
Revenues	1,407,149.37	1,403,648.60	3,359,653.80	3,397,437.21
Expenditures	1,120,535.28	1,156,753.21	1,549,452.18	1,463,013.30
509 TID #2 Morgan Square				
Revenues			20,682.84	55,423.06
Expenditures			4,984.07	55,423.06
510 TID #5 Menards				
Revenues			74,357.98	72,113.34
Expenditures				
511 TID #6 Westbrook Estates				
Revenues	649.75	12,128.88	160,533.06	105,819.01
Expenditures			154,590.44	86,226.80
512 TID #7 West 10th Street				
Revenues			12,022.21	6,611.89
Expenditures			12,022.21	6,942.47

CITY OF YANKTON  
Revenues and Expenditures

	01Jul2020 30Sep2020	01Jul2019 30Sep2019	YTD 2020	YTD 2019
513 TID #8 Westbrook Phase 2				
Revenues			36,677.89	
Expenditures				
601-608 Water				
Revenues	2,448,725.94	6,989,396.71	7,215,559.92	17,321,367.38
Expenditures	2,020,955.43	5,057,681.48	5,999,447.65	14,324,765.91
611 Wastewater				
Revenues	1,095,361.99	1,827,279.73	3,100,845.96	3,676,458.59
Expenditures	763,444.28	742,487.72	2,157,666.37	2,952,364.44
621 Cemetery				
Revenues	5,069.06	13,420.16	16,208.83	24,163.99
Expenditures	25,087.87	27,327.13	77,047.97	72,720.23
631 Solid Waste Collection				
Revenues	318,893.74	308,853.33	952,040.46	915,692.66
Expenditures	272,669.77	196,880.13	779,078.29	908,803.34
637 Joint Powers Landfill				
Revenues	429,704.36	437,097.14	1,113,875.60	1,150,264.97
Expenditures	474,064.71	555,041.93	1,148,586.26	1,334,509.15
641 Fox Run Golf Course				
Revenues	10,000.02	10,000.02	30,000.06	34,122.98
Expenditures	91,361.82	97,249.49	177,625.13	224,874.91

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

Description	Yankton Transfer	Vermillion Landfill	Total Joint	9 Month Budget	Legal 2020 Budget
<b>Joint Power Transfer/Landfill</b>					
<i>Total Revenue</i>	\$1,113,238.43	\$759,397.44	\$1,872,635.87	\$1,706,400.00	\$2,280,200.00
<i>Expenses:</i>					
Personal Services	184,497.81	268,731.93	453,229.74	556,348.50	741,798.00
Operating Expenses	164,207.02	348,528.92	512,735.94	622,053.00	829,404.00
Depreciation (est)	121,297.86	170,318.55	291,616.41	348,147.00	464,196.00
Trench Depletion	0.00	139,956.55	139,956.55	138,000.00	184,000.00
Closure/Postclosure Resrv	0.00	7,074.52	7,074.52	18,750.00	25,000.00
Amortization of Permit	0.00	926.75	926.75	986.25	1,315.00
<i>Total Operating Expenses</i>	470,002.69	935,537.22	1,405,539.91	1,684,284.75	2,245,713.00
<i>Non Operating Expense-Interest</i>	5,653.13	31,020.12	36,673.25	47,199.00	62,932.00
<i>Landfill Operating Income</i>	637,582.61	(207,159.90)	430,422.71	(25,083.75)	(28,445.00)
<b>Joint Recycling Center</b>					
<i>Total Revenue</i>	0.00	66,809.23	66,809.23	78,825.00	105,100.00
<i>Expenses:</i>					
Personal Services	0.00	139,874.80	139,874.80	170,558.25	227,411.00
Operating Expenses	0.00	61,273.28	61,273.28	89,625.00	119,500.00
Depreciation (est)	0.00	20,775.00	20,775.00	25,500.00	34,000.00
<i>Total Operating Expenses</i>	0.00	221,923.08	221,923.08	285,683.25	380,911.00
<i>Non Operating Expense-Interest</i>	0.00	0.00	0.00	0.00	0.00
<i>Recycling Operating Income</i>	0.00	(155,113.85)	(155,113.85)	(206,858.25)	(275,811.00)
<i>Total Operating Income</i>	\$637,582.61	(\$362,273.75)	\$275,308.86	(\$231,942.00)	(\$304,256.00)
<b>Tonage in Trench:</b>	9/30/2019	9/30/2020			
Asbestos	91.37	77.07	77.07	37.50	50.00
Centerville	186.06	162.44	162.44	825.00	1,100.00
Beresford	1,084.90	1,055.90	1,055.90	1,050.00	1,400.00
Clay County Garbage	11,250.34	11,238.21	11,238.21	10,875.00	14,500.00
Elk Point	825.27	831.44	831.44	195.00	260.00
Yankton County Garbage	20,489.10	18,791.92	18,791.92	17,925.00	23,900.00
<i>Total Tonage in Trench</i>	33,927.04	32,156.98	32,156.98	30,907.50	41,210.00
Operating Cost per ton			\$43.71	\$56.02	\$56.02

This report is based on the following:

Revenue accrual thru September 30, 2020

Expenses cash thru September 30, 2020 with October's bills

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

Description	Yankton Transfer	Vermillion Landfill	Total Joint	9 Month Budget	Legal 2020 Budget
<b>Source of Funds</b>					
<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	637,582.61	(362,273.75)	275,308.86	(228,192.00)	(304,256.00)
Depreciation	121,297.86	191,093.55	312,391.41	373,647.00	498,196.00
Trench Depletion	0.00	139,956.55	139,956.55	138,000.00	184,000.00
Amortization of Permit	0.00	926.75	926.75	986.25	1,315.00
<i>Non Operating Revenue:</i>					
Grant	0.00	1,765.19	1,765.19	187,500.00	250,000.00
Loan Proceeds	0.00	0.00	0.00	0.00	0.00
Contributed Capital	0.00	0.00	0.00	7,500.00	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	637.17	21,755.03	22,392.20	22,500.00	30,000.00
<i>Cash Flow Transfer:</i>					
Joint Power Transfer/Landfill	(621,285.74)	621,285.74	0.00	1,326,000.00	1,768,000.00
Joint Recycling Center	0.00	0.00	0.00	0.00	0.00
<b>Total Funds Available</b>	<b>282,508.90</b>	<b>2,366,717.06</b>	<b>2,649,225.96</b>	<b>3,724,426.25</b>	<b>4,333,740.00</b>
<b>Application of Funds Available</b>					
<i>Joint Power Transfer/Landfill</i>					
Equipment	232,058.37	0.00	232,058.37	570,000.00	760,000.00
Trench	0.00	0.00	0.00	0.00	0.00
Closure/Postclosure Cash Res.	0.00	7,074.52	7,074.52	18,750.00	25,000.00
<i>Joint Recycling Center</i>					
Equipment	0.00	53,330.72	53,330.72	375,750.00	501,000.00
<i>Payment Principal</i>	30,834.68	76,811.23	107,645.91	133,107.00	177,476.00
<i>Appropriation to Reserve</i>	0.00	0.00	0.00	0.00	0.00
<b>Total Applied</b>	<b>262,893.05</b>	<b>137,216.47</b>	<b>400,109.52</b>	<b>1,097,607.00</b>	<b>1,463,476.00</b>
<b>Ending Balance</b>	<b>\$19,615.85</b>	<b>\$2,229,500.59</b>	<b>\$2,249,116.44</b>	<b>\$2,626,819.25</b>	<b>\$2,870,264.00</b>

<b>Joint Power Transfer/Landfill Description</b>	<b>Yankton Transfer</b>	<b>Vermillion Landfill</b>	<b>Total Joint</b>	<b>9 Month Budget</b>	<b>Legal 2020 Budget</b>
<i>Revenue: (accrual)</i>					
Asbestos	\$0.00	\$4,957.60	\$4,957.60	\$4,875.00	\$6,500.00
Elk Point	0.00	41,355.49	41,355.49	45,000.00	\$60,000.00
Centerville	0.00	8,068.86	8,068.86	10,125.00	13,500.00
Beresford	0.00	52,497.60	52,497.60	56,250.00	75,000.00
Clay County Garbage	0.00	591,429.98	591,429.98	592,950.00	790,600.00
Compost-Yd Waste-Wood	0.00	7,996.13	7,996.13	7,125.00	9,500.00
Contaminated Soil	0.00	3,679.06	3,679.06	3,000.00	4,000.00
White Goods	0.00	3,093.29	3,093.29	3,750.00	5,000.00
Tires	0.00	5,391.60	5,391.60	3,000.00	4,000.00
Electronics	0.00	1,590.01	1,590.01	3,750.00	5,000.00
Other Revenue	6.64	39,337.82	39,344.46	7,575.00	10,100.00
Less Recycling Tipping Fee	0.00	0.00	0.00	0.00	0.00
Cash long	(76.62)	0.00	(76.62)	0.00	0.00
Yard Waste	0.00	0.00	0.00	0.00	0.00
Rubble	40,440.96	0.00	40,440.96	39,000.00	52,000.00
Transfer Fees	1,061,213.01	0.00	1,061,213.01	930,000.00	1,240,000.00
Metal	11,590.58	0.00	11,590.58	0.00	5,000.00
Other Operational - Solid Waste	63.86	0.00	63.86	0.00	0.00
<b>Total Revenue</b>	<b>1,113,238.43</b>	<b>759,397.44</b>	<b>1,872,635.87</b>	<b>1,706,400.00</b>	<b>2,280,200.00</b>
<i>Expenses: (cash)</i>					
Personal Services	184,497.81	268,731.93	453,229.74	556,348.50	741,798.00
Insurance	19,513.46	6,319.03	25,832.49	19,761.75	26,349.00
Professional Service/Fees	18,425.88	62,877.53	81,303.41	99,000.00	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	32,156.98	32,156.98	34,147.50	45,530.00
Professional - Legal/Audit	0.00	0.00	0.00	2,062.50	2,750.00
Publishing & Advertising	761.14	1,919.65	2,680.79	1,725.00	2,300.00
Rental	0.00	0.00	0.00	375.00	500.00
Hauling fee	0.00	0.00	0.00	0.00	0.00
Equipment repair	1,366.44	43,259.85	44,626.29	42,000.00	56,000.00
Motor vehicle repair	902.49	1,701.85	2,604.34	17,625.00	23,500.00
Vehicle fuel & maintenance	66,345.51	28,954.79	95,300.30	152,250.00	203,000.00
Equip, Mat'l & Labor	30,532.53	0.00	30,532.53	33,750.00	45,000.00
Building repair	5,930.75	3,365.91	9,296.66	18,000.00	24,000.00
Facility repair & maintenance	0.00	5,086.95	5,086.95	26,250.00	35,000.00
Postage	388.42	4.08	392.50	637.50	850.00
Office supplies	752.72	1,181.92	1,934.64	2,625.00	3,500.00
Copy supplies	110.33	90.97	201.30	281.25	375.00
Uniforms	158.83	5,463.09	5,621.92	3,900.00	5,200.00
Small Tools & Hardware	0.00	0.00	0.00	187.50	250.00
Travel & Training	0.00	1,182.60	1,182.60	3,375.00	4,500.00
Operating supply	982.97	136,069.78	137,052.75	110,700.00	147,600.00
Electricity	5,966.52	11,529.83	17,496.35	23,250.00	31,000.00
Heating Fuel - Gas	8,996.23	5,002.50	13,998.73	24,000.00	32,000.00
Water	1,519.52	1,180.50	2,700.02	2,625.00	3,500.00
WW service	611.68	0.00	611.68	975.00	1,300.00
Landfill	183.36	0.00	183.36	225.00	300.00
Telephone	758.24	1,181.11	1,939.35	2,325.00	3,100.00
Depreciation (est)	121,297.86	170,318.55	291,616.41	348,147.00	464,196.00
Trench Depletion		139,956.55	139,956.55	138,000.00	184,000.00
Closure/Postclosure Resrv		7,074.52	7,074.52	18,750.00	25,000.00
Amortization of Permit		926.75	926.75	986.25	1,315.00
<b>Total Op Expenses</b>	<b>470,002.69</b>	<b>935,537.22</b>	<b>1,405,539.91</b>	<b>1,684,284.75</b>	<b>2,245,713.00</b>



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

Joint Power Transfer/Landfill Description	Yankton Transfer	Vermillion Landfill	Total Joint	9 Month Budget	Legal 2020 Budget
<i>Non Operating Expense-Interest</i>	5,653.13	31,020.12	36,673.25	47,199.00	62,932.00
<i>Operating Income (Loss)</i>	\$637,582.61	(\$207,159.90)	\$430,422.71	(\$25,083.75)	(\$28,445.00)
<i>Capital:</i>					
Capital Outlay	\$232,058.37	\$0.00	\$232,058.37	\$570,000.00	\$760,000.00
Landfill Development	0.00	0.00	0.00	18,750.00	\$25,000.00
Capital Lease	0.00	0.00	0.00	0.00	\$0.00
<i>Total Capital Expenditures</i>	\$232,058.37	\$0.00	\$232,058.37	\$588,750.00	\$785,000.00
<i>Grant Reimbursement</i>	\$0.00	\$0.00	\$0.00	\$187,500.00	\$250,000.00
<i>Federal Grant thru State</i>	\$0.00	\$1,765.19	\$1,765.19	\$0.00	\$0.00
<i>Equipment Sale Proceeds</i>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<i>Cash Flow Transfer</i>	(\$621,285.74)	\$621,285.74	\$0.00	\$0.00	\$0.00
<i>Tonage in Trench:</i>					
Asbestos		77.07	77.07	37.50	50.00
Beresford		1,055.90	1,055.90	1,050.00	1,400.00
Centerville Garbage		162.44	162.44	825.00	1,100.00
Clay County Garbage		11,238.21	11,238.21	10,875.00	14,500.00
Elk Point		831.44	831.44	195.00	260.00
Yankton County Garbage		18,791.92	18,791.92	17,925.00	23,900.00
<i>Total Tonage in Trench</i>		32,156.98	32,156.98	30,907.50	41,210.00
Operating Cost per ton			\$43.71	\$56.02	\$56.02

Joint Recycling Center Description	Yankton Transfer	Vermillion Center	Total Joint	9 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	3,075.00	4,100.00
Plastic	0.00	10,376.67	10,376.67	14,250.00	19,000.00
Aluminum	0.00	10,779.63	10,779.63	12,000.00	16,000.00
Newsprint	0.00	5,406.33	5,406.33	6,750.00	9,000.00
Cardboard	0.00	37,407.15	37,407.15	30,000.00	40,000.00
High Grade Paper	0.00	0.00	0.00	6,000.00	8,000.00
Other Material	0.00	2,839.45	2,839.45	6,750.00	9,000.00
Contributions/Operating Grants	0.00	0.00	0.00	0.00	0.00
<b>Total Revenue</b>	<b>0.00</b>	<b>66,809.23</b>	<b>66,809.23</b>	<b>78,825.00</b>	<b>105,100.00</b>
<i>Expenses:</i>					
Personal Services	0.00	139,874.80	139,874.80	170,558.25	227,411.00
Insurance	0.00	772.94	772.94	975.00	1,300.00
Professional Service/Fees	0.00	17,518.94	17,518.94	2,250.00	3,000.00
Hazardous Waste Collection	0.00	0.00	0.00	28,500.00	38,000.00
Professional-Legal	0.00	0.00	0.00	0.00	0.00
Publishing & Advertising	0.00	228.58	228.58	750.00	1,000.00
Rental	0.00	0.00	0.00	0.00	0.00
Equipment repair	0.00	5,361.16	5,361.16	7,125.00	9,500.00
Vehicle repair & maintenance	0.00	0.00	0.00	750.00	1,000.00
Vehicle fuel	0.00	2,397.80	2,397.80	3,750.00	5,000.00
Building repair & maintenance	0.00	2,570.28	2,570.28	1,875.00	2,500.00
Postage	0.00	1.03	1.03	112.50	150.00
Freight	0.00	9,890.00	9,890.00	13,125.00	17,500.00
Office supplies	0.00	349.41	349.41	750.00	1,000.00
Uniforms	0.00	159.92	159.92	562.50	750.00
Materials Purchases	0.00	2,253.80	2,253.80	3,375.00	4,500.00
Travel & Training	0.00	1,576.80	1,576.80	1,125.00	1,500.00
Operating Supplies	0.00	2,534.28	2,534.28	7,500.00	10,000.00
Copy Supply	0.00	157.10	157.10	112.50	150.00
Electricity	0.00	4,297.14	4,297.14	4,875.00	6,500.00
Heating Fuel-Gas	0.00	1,915.32	1,915.32	3,562.50	4,750.00
Water	0.00	395.15	395.15	487.50	650.00
WW service	0.00	792.23	792.23	900.00	1,200.00
Telephone	0.00	601.06	601.06	637.50	850.00
Revenue Sharing	0.00	7,500.34	7,500.34	6,525.00	8,700.00
Depreciation (est)	0.00	20,775.00	20,775.00	25,500.00	34,000.00
<b>Total Op Expenses</b>	<b>0.00</b>	<b>221,923.08</b>	<b>221,923.08</b>	<b>285,683.25</b>	<b>380,911.00</b>
<i>Non Operating Expense-Interest</i>	0.00	0.00	0.00	0.00	0.00
<b>Operating Income (Loss)</b>	<b>\$0.00</b>	<b>(\$155,113.85)</b>	<b>(\$155,113.85)</b>	<b>(\$206,858.25)</b>	<b>(\$275,811.00)</b>
<b>Capital Outlay</b>	<b>\$0.00</b>	<b>\$53,330.72</b>	<b>\$53,330.72</b>	<b>\$375,750.00</b>	<b>\$501,000.00</b>
<b>Grant Reimbursement/Donations</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>Cash Flow Transfer</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

This report is based on the following:

Revenue accrual thru September 30, 2020

Expenses cash thru September 30, 2020 with October'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
August	82,490.86	(8,751.07)	73,739.79	3,713.37	41.92	0.00	(34,593.97)	(34,593.97)	82,490.86	(43,345.04)	39,145.82
Subtotal	549,822.23	(179,961.22)	369,861.01	28,369.52	45.25	0.00	(149,244.41)	(149,244.41)	549,822.23	(329,205.63)	220,616.60
September	93,413.51	3,821.44	97,234.95	3,787.46	32.14	0.00	(5,869.44)	(5,869.44)	93,413.51	(2,048.00)	91,365.51
Subtotal	643,235.74	(176,139.78)	467,095.96	32,156.98	43.71	0.00	(155,113.85)	(155,113.85)	643,235.74	(331,253.63)	311,982.11

10/1/2020

City of Yankton Transfer Station  
Landfill Tons

Date	City	Licensed Haulers				Sub-Total	All Other	Total Transfer
	Compactors (577)	Janssen (547)	Arts (586)	Loren Fischer (648)	Kortan (673)			
January 2019	236.75	525.77	427.94	79.27	12.10	1,045.08	336.65	1,618.48
February 2019	190.00	471.97	359.65	70.64	16.95	919.21	294.94	1,404.15
March 2019	227.93	571.65	491.34	96.90	24.64	1,184.53	761.73	2,174.19
April 2019	256.85	600.51	598.67	84.66	18.68	1,302.52	828.34	2,387.71
May 2019	283.49	719.23	639.98	93.26	27.15	1,479.62	959.69	2,722.80
June 2019	238.73	674.24	596.15	97.21	23.01	1,390.61	640.63	2,269.97
July 2019	272.66	737.54	678.68	102.49	19.45	1,538.16	661.78	2,472.60
August 2019	271.79	716.67	646.85	96.51	25.81	1,485.84	646.49	2,404.12
September 2019	250.77	706.64	647.37	90.18	19.83	1,464.02	677.10	2,391.89
October 2019	264.44	698.55	602.46	76.29	21.79	1,399.09	746.34	2,409.87
November 2019	222.81	576.31	395.65	90.04	28.40	1,090.40	508.55	1,821.76
December 2019	255.63	594.80	413.36	95.38	21.83	1,125.37	443.85	1,824.85
2019 Total	2,971.85	7,593.88	6,498.10	1,072.83	259.64	15,424.45	7,506.09	25,902.39
January 2020	253.65	560.86	456.43	103.53	25.07	1,145.89	383.30	1,782.84
February 2020	204.40	478.16	362.72	75.64	20.00	936.52	417.36	1,558.28
March 2020	242.27	557.03	457.14	70.29	22.42	1,106.88	483.69	1,832.84
April 2020	281.79	531.81	488.59	70.67	24.67	1,115.74	599.76	1,997.29
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
August 2020	284.33	592.83	438.87	81.42	27.50	1,140.62	818.92	2,243.87
September 2020	279.82	633.87	521.98	73.01	24.87	1,253.73	570.60	2,104.15
2020 Total	2,410.58	5,247.83	4,117.69	698.12	233.50	10,297.14	5,565.39	18,273.11



September 2020	
YPD	
Calls For Service	
911 HANG UP	3
911 OPEN	8
ALARM	14
ALCOHOL	5
AMBULANCE	37
ANIMAL	43
ASSAULT	7
ASSIST	4
ATTEMPT TO LOCATE	3
BOND VIOLATION	1
BURGLARY BUSINESS	6
BURGLARY RESIDENTIAL	6
CHILD ABUSE	6
CIVIL DISPUTE	26
CRIMINAL ENTRY OF MV	3
DEATH	2
DISORDERLY CONDUCT	23
DOMESTIC VIOLENCE	17
DRIVING COMPLAINT	30
DRIVING COMPLAINT 911	10
DRUG	26
ESCAPE	2
ESCORT	10
EX PATRL	14
FAMILY OFFENSE	4
FIGHT	6
FIRE	12
FOREIGN AID	18
FRAUD	20
HARASS	31
HAZMAT	1
HIT&RUN	7
INFORMATION	12
INSPECT	4
JUV	27
K9 SNIFF	1
LITTER	2
LOST & FOUND	10
MENTAL ILLNESS	14
MISC	8
MISSING PERSON	4
MOTOR ASSIST	13
NOISE COMPLAINT	20
OPN DOOR	2
PARKING	34
PROPERTY	16
PROTECTION ORDER	3
REQUEST	2
RUNAWAY	7
SAFETY TALK	6
SEX CRIME	9
SIG 2	21
SIGNAL 1 INJURY	10
SUICIDE	17
SUSPICIOUS PERSON/VEHICLE	70
THEFT	49
TRAFFIC CONTROL	3
TRAFFIC STOP	213
TRESPASS	8
TRUANCY	3
VANDALISM	11
VEHICLE/ROAD COMPLAINT	15
WARRANT	9
WEAPONS	8
WELFARE CHECK	60
	1096

<b>Adult Arrests:</b>
<b># Individual Arrested: 62</b>
<b># Charges: 126</b>

<b>Juvenile Arrests:</b>
<b># Individual Arrested: 3</b>
<b># Charges: 6</b>

<b>Total Citations: 101</b>
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September 2020

YPD

Activity Report

	<b>GENERAL SUMMARY</b>			
	<b>THIS MONTH</b>		<b>Year To Date</b>	
	<b>This Year</b>	<b>Last Year</b>	<b>This Year</b>	<b>Last Year</b>
<b>POLICE INCIDENTS</b>	<b>1096</b>	<b>899</b>	<b>9423</b>	<b>7646</b>
<b>SHERIFF INCIDENTS</b>	<b>206</b>	<b>190</b>	<b>1546</b>	<b>1554</b>
<b>AMBULANCE CALLS (YPD)</b>	<b>37</b>	<b>28</b>	<b>218</b>	<b>234</b>
<b>FIRE / HAZMAT CALLS</b>	<b>13</b>	<b>2</b>	<b>56</b>	<b>25</b>
<b>FOREIGN AID CALLS</b>	<b>18</b>	<b>18</b>	<b>159</b>	<b>189</b>
<b>ALARMS</b>	<b>14</b>	<b>19</b>	<b>145</b>	<b>175</b>
<b>ANIMAL CALLS/COMPLAINTS</b>	<b>43</b>	<b>52</b>	<b>365</b>	<b>477</b>
<b>ANIMALS CLAIMED OR IMPOUNDED (HHS)</b>	<b>8</b>	<b>18</b>	<b>77</b>	<b>98</b>
<b>ANIMALS DISPOSED</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>

	<b>ACCIDENT SUMMARY</b>			
	<b>THIS MONTH</b>		<b>Year To Date</b>	
	<b>This Year</b>	<b>Last Year</b>	<b>This Year</b>	<b>Last Year</b>
<b>STATE REPORTABLE</b>	<b>17</b>	<b>18</b>	<b>103</b>	<b>131</b>
<b>NON REPORTABLE AND HIT &amp; RUN</b>	<b>18</b>	<b>30</b>	<b>196</b>	<b>250</b>
<b>SIGNAL 1 INJURY</b>	<b>8</b>	<b>5</b>	<b>31</b>	<b>26</b>
<b># PERSONS INJURED</b>	<b>5</b>	<b>5</b>	<b>30</b>	<b>27</b>
<b>FATALITIES</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>PEDESTRIAN ACCIDENT</b>	<b>3</b>	<b>1</b>	<b>5</b>	<b>1</b>

September 2020

YPD

Citations

	This Month		THIS MONTH		YEAR TO DATE	
	Juv	Adult	Total This Year	Total Last Year	Total This Year	Total Last Year
<b>SUSPENDED, EXPIRED OR UNLICENSED DRIVER</b>	2	16	18	21	121	110
<b>CARELESS DRIVING</b>	2	2	4	0	15	12
<b>EXHIBITION DRIVING</b>	0	3	3	2	27	9
<b>SPEEDING</b>		13	13	21	120	116
<b>STOP SIGN, RED LIGHT VIOLATION</b>		1	1	4	31	33
<b>ANIMALS AT LARGE</b>		1	1	0	1	2
<b>MAINTENANCE OF FINANCIAL RESPONSIBILITY</b>	1	9	10	3	62	8
<b>OPEN CONTAINER</b>		1	1	0	17	10
<b>CONSUMPTION UNDERAGE (18-20 yoa)</b>			0	0	24	0
<b>LIQUOR VIOLATIONS / FURNISHING ALCOHOL TO A MINOR</b>			0	0	0	0
<b>MISDEAMEANOR DRUG VIOLATIONS (POSS. OF DRUG PARAPH)</b>	2	23	25	12	122	157
<b>TOBACCO VIOLATIONS</b>	5	1	6	10	28	36
<b>PETTY THEFT UNDER \$400</b>	4	3	7	3	59	46
<b>INTENTIONAL DAMAGE TO PROPERTY</b>		1	1	2	4	8
<b>OTHER VIOLATIONS</b>	4	13	17	27	135	182
<b>TOTAL TRAFFIC CITATIONS</b>	20	87	107	105	766	729



September 2020

YPD

Adult Arrest

	THIS MONTH		YEAR TO DATE	
	This Year	Last Year	This Year	Last Year
MURDER	0	0	0	1
RAPE	0	1	2	1
ROBBERY	0	0	0	0
DUI	1	7	57	78
DRIVING UNDER REVOCATION	10	4	35	46
BURGLARY	4	1	11	5
ASSAULT AGGRAVATED	1	2	15	11
ASSAULT SIMPLE	2	2	19	27
CRIMES AGAINST FAMILY / DOMESTIC VIOLENCE	10	6	66	54
DISORDERLY CONDUCT	0	0	2	10
SEXUAL CONTACT/SEX OFFENSES	0	1	1	4
THEFT PETTY	1	0	18	9
THEFT GRAND	3	0	5	6
THEFT AUTO	0	0	1	4
FORGERY & COUNTERFEITING	0	0	2	2
FRAUD	0	0	0	0
EMBEZZLEMENT	0	0	0	0
INTENTIONAL DAMAGE	0	0	5	2
NARCOTIC DRUG CHARGES	32	17	181	242
LIQUOR ARRESTS	0	1	2	4
WEAPONS VIOLATION	4	1	4	3
WARRANTS	16	15	150	157
PROTECTIVE CUSTODY	0	0	0	0
ALL OTHER OFFENSES	30	48	234	382
TOTAL ARRESTS	114	106	810	1048

September 2020

YPD

Juvenile Arrests

	THIS MONTH		YEAR TO DATE	
	This Year	Last Year	This Year	Last Year
<b>CURFEW</b>	0	2	27	42
<b>RUNAWAY</b>	3	2	17	20
<b>MIC</b>	3	11	11	45
<b>DUI</b>	0	0	2	0
<b>MURDER</b>	0	0	0	0
<b>RAPE</b>	0	0	0	0
<b>ROBBERY</b>	0	0	0	0
<b>BURGLARY</b>	1	0	1	1
<b>ASSAULT AGGRAVATED</b>	0	0	0	6
<b>ASSAULT SIMPLE</b>	0	2	6	2
<b>CRIMES AGAINST FAMILY/ DOMESTIC VIOLENCE</b>	0	1	0	13
<b>DISORDERLY CONDUCT DISTURBANCE OF SCHOOL</b>	0	4	6	0
<b>SEXUAL CONTACT / SEX OFFENSES</b>	0	0	0	2
<b>THEFT PETTY</b>	0	2	1	0
<b>THEFT GRAND</b>	1	0	1	0
<b>THEFT AUTO</b>	0	0	0	0
<b>FORGERY &amp; COUNTERFEITING</b>	0	0	0	0
<b>FRAUD</b>	0	0	0	0
<b>EMBEZZLEMENT</b>	0	0	0	0
<b>INTENTIONAL DAMAGE</b>	1	0	2	0
<b>NARCOTIC DRUG CHARGES</b>	2	0	12	15
<b>LIQUOR ARRESTS</b>	0	0	1	0
<b>WEAPONS VIOLATIONS</b>	0	0	2	2
<b>ALL OTHER OFFENSES</b>	1	4	8	14
<b>TOTAL ARRESTS</b>	12	28	97	162

**CITY of YANKTON**  
**PLANNING COMMISSION MEETING MINUTES**  
for  
**Monday, September 14th, 2020**

The meeting was called to order at 5:31 PM by Planning Commission Chairman Steve Pier.

This meeting was conducted via technology; with public comment available prior to the meeting via phone and email and during the meeting via YouTube live stream chat. There were also staff and technology in the meeting room to allow live public comments if people attended.

**ROLL CALL:**

Present: Brad Wenande, Deb Specht, Mark Mooney, Lynn Peterson and Steve Pier,

Unable to attend: Bruce Viau, Mike Healy, Warren Erickson, ETJ Member Michael Welch and City Commission Liaison, Dave Carda.

Chairman Pier called for the consideration of the August 10th, 2020 meeting minutes.

**MINUTES – August 10th, 2020**

20-50 **MOTION** – It was moved by Commissioner Specht and seconded by Commissioner Mooney to approve the minutes from August 10th, 2020.

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

**MOTION – PASSED**

**CONSENT ITEMS:**

Chairman Pier moved on to Consent Items to establish the next regular meeting as the date for a public hearing to consider a rezoning from R-4 Multiple Family Residential, to B-2 Highway Business on Lot 1 of Outlot C of Moderegger Outlots; and the East 370 feet of Lot 10 of Tucker’s 3rd Addition and Parcel B in the NW 1/4 of Section 17, T93N, R55 as measured on the line dividing said two parcels all being in the City and County of Yankton, South Dakota. Joseph and Roberta Kleinschmit, owners. Address, West side of the 1000 Block of Ferdig Avenue.

20-51 **MOTION** – It was moved by Commissioner Wenande and seconded by Commissioner Peterson to establish the next regular meeting as the date for a public hearing to consider a rezoning from R-4 Multiple Family Residential, to B-2 Highway Business on Lot 1 of Outlot C of Moderegger Outlots; and the East 370 feet of Lot 10 of Tucker’s 3rd Addition and Parcel B in the NW 1/4 of Section 17, T93N, R55 as measured on the line dividing said two parcels all being in the City and County of Yankton, South Dakota. Joseph and Roberta Kleinschmit, owners. Address, West side of the 1000 Block of Ferdig Avenue.

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

**MOTION – PASSED**

**OLD BUSINESS:**

Chairman Pier moved on to Old Business to hold a public hearing consider a Rezoning from I-1 Industrial to B-3 Central Business on Block 69, Lower Yankton Addition to the City of Yankton, South Dakota. Drotzmann Construction, LLC owner. Address, South side of the 600 Block of E. 4th Street.

Dave Mingo stated the proposed rezoning constitutes another step in the incremental land use changes in downtown Yankton. In accordance with the provisions set for forth in the City’s adopted Comprehensive Plan it is prudent to move forward with another rezoning of downtown area land from I-1 Industrial to B-3 Central Business.

Mingo confirmed the proposed new zoning classification, B-3 Central Business, is the same as what covers a majority of Yankton’s downtown area. The B-3 designation allows for the development of downtown commercial and residential mixed use occupancies. It does not permit any continuation of the industrial type of uses that were historically on the property.

Mingo continued on to state that the land uses adjacent to the area would be permitted to continue operations as they currently do. The Comprehensive Plan clearly indicates that it would be in the community’s best interest to work toward the conversion of zoning to promote compatible land uses in the area. Staff has received several contacts subsequent to sending out the notification. Those contacts were all basic questions about what the rezoning means. There were no contacts in opposition to the proposed change. Staff recommends approval of the proposed rezoning.

20-52 **MOTION** – It was moved by Commissioner Wenande and seconded by Commissioner Mooney to recommend approval of the proposed rezoning from I-1 Industrial to B-3 Central Business on Block 69, Lower Yankton Addition to the City of Yankton, South Dakota. Drotzmann Construction, LLC owner. Address, South side of the 600 Block of E. 4th Street.

**VOTE** – Voting “Aye” – Wenande, Mooney, Peterson and Pier. Voting “Nay” – none. “Abstained” – Deb Specht

**MOTION – PASSED**

**Hearing Schedule:**

September 28th, 2020: The City Commission establishes October 12, 2020 as the date for a public hearing.

October 12th, 2020: The City Commission holds a public hearing.

Chairman Pier continued on with Old Business to hold a public hearing to consider a Conditional Use Permit for a self-storage facility in a B-2 Highway Business on Outlots 19A, 20 and 20A, Moderegger Outlots in the City of Yankton, South Dakota. Michael Hacecky Rentals, LLC, owner. Address, 803 Ferdig Ave.

Dave Mingo stated the applicant is requesting a Conditional Use Permit for a self-storage facility. 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.

Mingo confirmed 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 building(s) do not face, or are screened, from adjacent residentially zoned property. There is residential property to the west of the site. Based on these conditions, unscreened access doors cannot face to the west. Additionally, any lighting on the site is not permitted to spill onto adjacent residential occupancies. The site design must also ensure that storm water drainage does not exceed historic runoff levels unless it is properly detained.

Staff has not been contacted prior to the meeting by any adjoining property owners subsequent to publishing and mailing the notice of hearing. John Ballert, the neighbor to the west of the site appeared and made comments for the Planning Commission's consideration. He was not opposed to the project, he just wanted clarification on some issues and wanted to make sure that the site was well maintained in the future.

20-53 **MOTION** – It was moved by Commissioner Mooney and seconded by Commissioner Peterson to recommend approval of a Conditional Use Permit for a self-storage facility in a B-2 Highway Business District on Outlots 19A, 20 and 20A, Moderegger Outlots in the City of Yankton, South Dakota. Michael Hacecky Rentals, LLC, owner

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

**MOTION – PASSED**

**Hearing Schedule:**

September 28th, 2020: The City Commission considers a resolution and makes the final decision.

Chairman Pier continued on with Old Business to hold a public hearing to consider a Rezoning from B-2 Highway Business to R-3 Two Family Residential, future Blocks 10 and 11, Westbrook Estates and from B-2 Hwy Business to R-4 Multiple Family, that area lying east of future Colton Avenue. All in that portion of the following property lying south of 25th Street. The East Half of the Southeast Quarter except the East 700' in Section 2, all in Township 93 North, Range 56 West of the 5th Principal Meridian Yankton County, South Dakota. Yankton Development Enterprises, LLC., Kelly Nielson, President, owner. Location, South side of the 1600 Block of W. 25th Street.

Dave Mingo said the Yankton Development Enterprises, LLC, the owner is requesting a rezoning to establish appropriate zoning districts for the southern portion of Phase 2 of Westbrook Estates. The zoning as depicted in the proposal was preliminarily agreed upon by the City and developer as a part of the original Westbrook Estates plan submittal and approvals associated with Phase 1. Zoning change requests for the area south of what is identified by the red outlined area are not included in this request. Approval of the proposed rezoning is recommended for the following reason: The proposed zoning districts are in general conformance with the residential vision for the area set forth in the City of Yankton's Comprehensive Plan. The existing B-2 Highway Business zoning is a remnant of the former extraterritorial zoning jurisdiction in the area.

Staff has received several contacts about the proposal subsequent to sending out the required mailing and publishing the notice for the Planning Commission hearing. Those comments were not specific to the proposed rezoning. Inquiries were about no-zoning topics.

Staff recommends approval of the proposed rezoning.

20-54 **MOTION:** It was moved by Commissioner Wenande and seconded by Commissioner Specht to recommend approval of a rezoning from B-2 Highway Business to R-3 Two Family Residential, future Blocks 10 and 11, Westbrook Estates and from B-2 Hwy Business to R-4 Multiple Family, that area lying east of future Colton Avenue. All in that portion of the following property lying south of 25th Street. The East Half of the Southeast Quarter except the East 700' in Section 2, all in Township 93 North, Range 56 West of the 5th Principal Meridian Yankton County, South Dakota. Yankton Development Enterprises, LLC., Kelly Nielson, President, owner. Location, South side of the 1600 Block of W. 25th Street.

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

**MOTION – PASSED**

**ADJOURN SINE DIE:**

20-55 **MOTION:** It was moved by Commissioner Peterson and seconded by Commissioner Wenande to Adjourn Sine Die at 5:58PM.

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

**MOTION – PASSED**

**ROLL CALL:**

Present: Brad Wenande, Deb Specht, Mark Mooney, Lynn Peterson, Steve Pier, Evie Sime and Sean Wamble.

Unable to attend: Warren Erickson, Mike Healy, ETJ Member Michael Welch

Community Development Director, Dave Mingo welcomed incoming and returning Planning Commission members and asked for nominations for Chair of the 2020 – 2021 Planning Commission.

**NOMINATIONS FOR CHAIR:**

20-56 **MOTION:** It was moved by Commissioner Peterson and seconded by Commissioner Wenande to nominate Steve Pier for Chair.

**VOTE:** Voting “Aye” – all members present. Voting “Nay” – None.

**MOTION – PASSED**

**NOMINATIONS FOR VICE CHAIR:**

20-57 **MOTION:** It was moved by Commissioner Specht and seconded by Commissioner Wamble to nominate Brad Wenande for Vice Chairman.

**VOTE:** Voting “Aye” – all members present. Voting “Nay” – None.

**MOTION – PASSED**

**OTHER BUSINESS:**

Chairman Pier moved on to Other Business to discuss the August, 2020 Building Permit Report. The total, year to date valuation at the end of August 2020 was \$27,992,429.98. For comparison, the total, year to date valuation at the end of August, 2019 was \$34,026,942.60.

**ADJOURNMENT**

20-58 **MOTION** – It was moved by Commissioner Peterson and seconded by Commissioner Wenande to adjourn at 6:20PM.

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

**MOTION – PASSED**

Respectfully submitted,

A handwritten signature in blue ink that reads "Dave Mingo". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Dave Mingo, Secretary

Publishing Dates: October 27<sup>th</sup>, 2020 and October 30<sup>th</sup>, 2020

NOTICE TO BIDDERS

Sealed bids will be received by the City Commission of the City of Yankton, South Dakota, at 416 Walnut Street, Yankton, South Dakota, at the Office of the City Finance Officer of said City until 3:00 P.M. or may be hand delivered to the place of opening at 3:00 P.M. on the 12th of November, 2020, at which time they will be publicly opened and read in the Gymnasium of City Hall, Yankton, South Dakota. Disposition of said bid will be held on the 23<sup>rd</sup> day of November 2020 at 7:00 P.M. in the City of Yankton Community Meeting Room located in the Technical Education Center at 1200 W. 21<sup>st</sup> Street, Yankton, South Dakota.

Bids will be received on the following:

**ANNUAL SUPPLY OF TRANSPORT-TANKWAGON PETROLEUM PRODUCTS  
FOR CHAN GURNEY MUNICIPAL AIRPORT**

Copies of the specifications may be obtained at the Office of the Airport Supervisor, 700 E 31st Street, Yankton, South Dakota 57078 or by telephoning (605) 661-9223.

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

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

Dave Mingo  
Community and Economic Development  
Director  
City of Yankton, South Dakota

Dated: October 9th, 2020



## **Memorandum #20-198**

**To:** Amy Leon, City Manager  
**From:** Brittany LaCroix, Events and Promotions Coordinator  
**Subject:** Request by the Parks and Recreation Department for a Fireworks Public Display on Saturday, October 31, 2020  
**Date:** October 20, 2020

---

The City of Yankton Parks and Recreation Department is requesting the approval of a public fireworks display within the city limits on October 31, 2020 located on the top level of the Meridian Bridge. Staff will follow City procedure of closing the bridge to pedestrian traffic. The bridge will close no earlier than 10:00am for set-up by Premier Pyrotechnics staff on October 31, 2020 and will remain closed during the day. The bridge will open back up for pedestrian use by 6:00am on November 1, 2020. Per municipal code, this request needs to be approved by the City Commission.

Yankton Fire Department has reviewed the application and has signed off on the request. The public should be advised, however, that adverse weather conditions may result in cancelling the event.

This fireworks show, Halloween Spooktacular Fireworks Show, is our postponed 4<sup>th</sup> of July show. Given that the current global pandemic has caused many public gatherings to cancel, Yankton Parks and Recreation has also contracted with Pinnacle Productions out of Sioux Falls for an added sound/light show during fireworks to spread a little extra "light" to our community. This part of the show will be set up on the lower level of the Meridian Bridge and will be closed to pedestrian traffic no earlier than 12:00pm on October 31, 2020 and will open back up for pedestrian use by 6:00am on November 1, 2020.

Social distancing and masks are recommended during this event.

**Recommendation: It is recommended that the City Commission approve the request for a public firework display hosted by Parks and Recreation on October 31, 2020.**

Respectfully submitted,



Brittany LaCroix  
 Events & Promotions Coordinator

I concur with the recommendation.

I do not concur with the recommendation.

  
 \_\_\_\_\_  
 Amy Leon, City Manager

\_\_\_\_\_ Roll call

FIREWORKS PUBLIC DISPLAY PERMIT FOR YANKTON COUNTY

PERMIT # 102020  
(USE APPLICATION PICKUP DATE FOR PERMIT #)

NAME OF APPLICANT Parks + Rec / Premier Pyrotechnics

ADDRESS 1900 Ferdig St CITY Yankton STATE SD ZIP 57078

PHONE 605.668.5232 CELL 605.661.0656 OTHER \_\_\_\_\_

PERSONS(S) ACTUALLY IN CHARGE OF/SHOOTING DISPLAY:  
(Premier Pyrotechnics)

NAME Jeff Koster ADDRESS \_\_\_\_\_ CITY Yankton STATE SD ZIP 57078

NAME \_\_\_\_\_ ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

DATE/TIME DISPLAY TO BE DISCHARGED Oct. 31, 2020 @ 9:00 pm

LOCATION DISPLAY WILL BE DISCHARGED Meridian Bridge

TYPE OF FIREWORKS TO BE DISCHARGED: CLASS B EXPLOSIVES (SPECIAL FIREWORKS)   
CLASS C COMMON FIREWORKS \_\_\_\_\_

IF APPLYING FOR CLASS B FIREWORKS, HAVE YOU ATTENDED A SHOOTERS SCHOOL  YES \_\_\_\_\_ NO

I, Brittany LaCroix, DECLARE AND AFFIRM UNDER THE PENALTY OF PERJURY THAT THIS FIREWORKS DISPLAY PERMIT HAS BEEN EXAMINED BY ME AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IS TRUE AND CORRECT.

DATED THIS 20 DAY OF Oct., 20 20. Brittany LaCroix  
Signature of applicant

Notary public only  
Subscribed and sworn to (or affirmed) this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_  
Notary Public \_\_\_\_\_ expires \_\_\_\_\_

FIRE DEPARTMENT SIGNATURE /TITLE Larry Kubler DATE 10-20-20

LAW ENFORCEMENT SIGNATURE/TITLE James C. Vlahakis Sheriff DATE 10-20-20

Permit issued subject to applicable laws and regulations. SDCL 34-36, SDCL 34-37. NFPA 1123 - CURRENT EDITION, AND LOCAL ADOPTED FIRE CODES. This permit may not be transferred or reassigned without issuing authority permission (2010)

## *Memorandum #20-193*

To: Amy Leon, City Manager  
 From: Dave Mingo, AICP Community and Economic Development Director  
 Subject: Project Pre-Application and Signature Authorization for the Chan Gurney Airport  
 North Taxilane and Access Road Project #3-46-0062-033-2021  
 Date: October 15, 2020

Attached are the applicable pre-application documents for the environmental, design and bidding services for the future New Hangar Taxilane and Access Road Project at the airport. The project is included in both the City's Capital Improvement Plan and the Federal Aviation Administration's (FAA) Capital Plan. The project represents the beginning of improvements in the location we refer to as the "North Airport Development Area" or "Future Aviation Business Park." The location can be best described as east of Wilson Trailer (see the map in the attached document). In the future, these improvements will greatly assist us in expanding business and individual user development opportunities at the airport. The project has been included in our Airport Layout Plan for many years.

As you know, 2020 saw two major projects completed at the airport. Those projects had a combined investment of over \$4 million. One of the projects included our typical local share of five percent. We were fortunate that the other project was 100 percent funded by the FAA. We will not have a major construction project in 2021, but we do want to get the preliminary administrative and engineering work done to prepare us for a project in 2021 or 2022. The North Taxilane and Access Road Project referenced above is next on the list for completion at Chan Gurney Municipal Airport.

The estimated 2021 expenditure is \$130,000 for environmental analysis, engineering and administrative activities. It is eligible for the standard funding formula with the FAA paying 90 percent of the costs. The state has reduced their participation level to 3.5 percent so the City's share will be 6.5 percent (\$8,450) if approved.

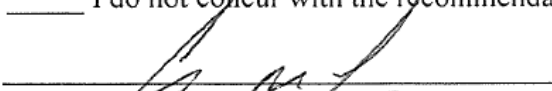
Respectfully submitted,



Dave Mingo, AICP  
 Community and Economic Development Director

**Recommendation: It is recommended that the City Commission approve Memorandum #20-193 authorizing the City Manager to sign the described pre-application and subsequent application and administrative documents associated with Chan Gurney Municipal Airport Project #3-46-0062-033-2021.**

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

  
 \_\_\_\_\_  
 Amy Leon  
 City Manager

\_\_\_\_\_ Roll Call

## AIP Grant Application Checklist

**AIRPORT NAME:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**SYSTEM FOR AWARD MANAGEMENT (SAM) CAGE CODE #:** \_\_\_\_\_

**SYSTEM FOR AWARD MANAGEMENT (SAM) EXPIRATION DATE:** \_\_\_\_\_

This checklist (and attached instructions) is a tool to assist a grantee (airport sponsor) in identifying the requirements and considerations associated with preparing an Airport Improvement Program (AIP) grant application package for submittal to the FAA. Airport sponsors should read and consider each of the items carefully. **Some of the items can be answered by simply checking the “Yes” and “No” boxes while others require providing additional information as part of the airport’s request for AIP funds.**

Ref.		Yes	No	N/A	Comments Attached
<b>ITEMS REQUIRED TO COMPLETE APPLICATION REVIEW:</b>					
1.	Standard Form 424 <i>(signed)</i>				
2.	Project Cost Breakdown <i>(attached)</i>				
3.	Project Sketch <i>(at the request of the ADO)</i>				
4.	Project Narrative <i>(attached or within Form 5100-100/101 Part IV)</i>				
5.	Form 5100-100 (parts II – IV) <i>(airport development grants)</i> Form 5100-101 (parts II- IV) <i>(planning grants)</i>				
6.	Bid Tabulations/Negotiated Amounts <i>(attached or previously submitted to the ADO)</i>				
7.	Exhibit A <i>(attached or previously submitted to the ADO)</i>				
8.	Title Certificate or Long Term Lease Agreement <i>(at the request of the ADO)</i>				

<b>Application for Federal Assistance SF-424</b>	
*1. Type of Submission: <input checked="" type="checkbox"/> Preapplication <input type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	*2. Type of Application      *If Revision, select appropriate letter(s): <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation      *Other (Specify) _____ <input type="checkbox"/> Revision
*3. Date Received: _____      4. Applicant Identifier: _____	
5a. Federal Entity Identifier: _____	*5b. Federal Award Identifier: AIP #3-46-0062-033-2021
<b>State Use Only:</b>	
6. Date Received by State: _____	7. State Application Identifier: _____
<b>8. APPLICANT INFORMATION</b>	
*a. Legal Name: City of Yankton	
*b. Employer/Taxpayer Identification Number (EIN/TIN): 46-6000567	*c. Organizational DUNS: 042999185
<b>d. Address:</b>	
*Street 1: <u>PO Box 176</u> Street 2: <u>416 Walnut Street</u> *City: <u>Yankton</u> County: <u>Yankton</u> *State: <u>South Dakota</u> *Country:                          United States of America *Zip / Postal Code: <u>57078</u>	
<small>Mr.</small> Department Name: _____      Division Name: _____	
<b>f. Name and contact information of person to be contacted on matters involving this application:</b>	
Prefix: _____      *First Name: <u>Dave</u> Middle Name: _____ *Last Name: <u>Mingo</u> Suffix: _____	
Title:                                  Community Development Director	
Organizational Affiliation: City of Yankton	
*Telephone Number: 605-668-5252      Fax Number: _____	
*Email: <u>DMingo@cityofyankton.org</u>	

**Application for Federal Assistance SF-424****\*9. Type of Applicant 1: Select Applicant Type:**

C. City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\*Other (Specify)

**\*10. Name of Federal Agency:**

Federal Aviation Administration

**11. Catalog of Federal Domestic Assistance Number:**20.106

CFDA Title:

Airport Improvement Program**12. Funding Opportunity Number:**

Title:

**13. Competition Identification Number:**

Title:

**14. Areas Affected by Project (Cities, Counties, States, etc.):**

City of Yankton, Yankton County, South Dakota

**\*15. Descriptive Title of Applicant's Project:**

Environmental, Design and Bidding Services for New Hangar Taxilanes and Access Road

- Independent Fee Estimate
- Environmental Services including Archeological and Wetland Field Studies
- Design Services including Preliminary Soils Testing
- Bidding Services
- FAA Project Closeout Report Services

**Attach supporting documents as specified in agency instructions.****16. Congressional Districts Of:**

\*a. Applicant: SD - At Large

\*b. Program/Project: SD - At Large

Attach an additional list of Program/Project Congressional Districts if needed.

**17. Proposed Project:**

\*a. Start Date: January 2021

\*b. End Date: May 2022

**Application for Federal Assistance SF-424****18. Estimated Funding (\$):**

*a. Federal	_____	\$117,000.00
*b. Applicant	_____	
*c. State	_____	\$4,550.00
*d. Local	_____	\$8,450.00
*e. Other	_____	
*f. Program Income	_____	
*g. TOTAL	_____	\$130,000.00

**\*19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- a. This application was made available to the State under the Executive Order 12372 Process for review on \_\_\_\_.
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372

**\*20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)**

Yes                       No

21. \*By signing this application, I certify (1) to the statements contained in the list of certifications\*\* and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances\*\* and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

\*\*I AGREE

\*\* The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

**Authorized Representative:**

Prefix: \_\_\_\_\_ \*First Name: Amy \_\_\_\_\_  
 Middle Name: \_\_\_\_\_  
 \*Last Name: Leon \_\_\_\_\_  
 Suffix: \_\_\_\_\_

\*Title: City Manager

\*Telephone Number: 605-668-5221                      Fax Number: \_\_\_\_\_

\*Email: ALeon@cityofyankton.org

\*Signature of Authorized Representative: \_\_\_\_\_ \*Date Signed: \_\_\_\_\_

**Authorized State Representative:**

\*First Name: Jack  
 \*Last Name: Dokken

\*Title: Program Manager, Office of Air, Rail and Transit

\*Telephone Number: 605-773-3574                      Fax Number: \_\_\_\_\_

\*Email: jack.dokken@state.sd.us

\*Signature of Authorized Representative: \_\_\_\_\_ \*Date Signed: \_\_\_\_\_

**Application for Federal Assistance SF-424**

**\*Applicant Federal Debt Delinquency Explanation**

The following should contain an explanation if the Applicant organization is delinquent of any Federal Debt.





**Preliminary Summary of Project Costs**  
**Chan Gurney Municipal Airport**  
**Yankton, South Dakota**  
**AIP #3-46-0062-033-2021**  
**Design Hangar Taxilanes and Access Road**



**Design Hangar Taxilanes**

Item No.	Work Type	Description	Total Price
1	Administration	Miscellaneous Administration Costs	\$ 1,200.00
2	Administration	Independent Fee Estimate	\$ 3,000.00
3	Engineering	Environmental Services including Archeological and Wetland Field Studies	\$ 12,000.00
4	Engineering	Design and Bidding Services including Preliminary Soils Testing	\$ 60,000.00
5	Engineering	FAA Project Closeout Report	\$ 1,800.00
<b>Total Estimated Project Cost =</b>			<b>\$ 78,000.00</b>

**Design Access Road**

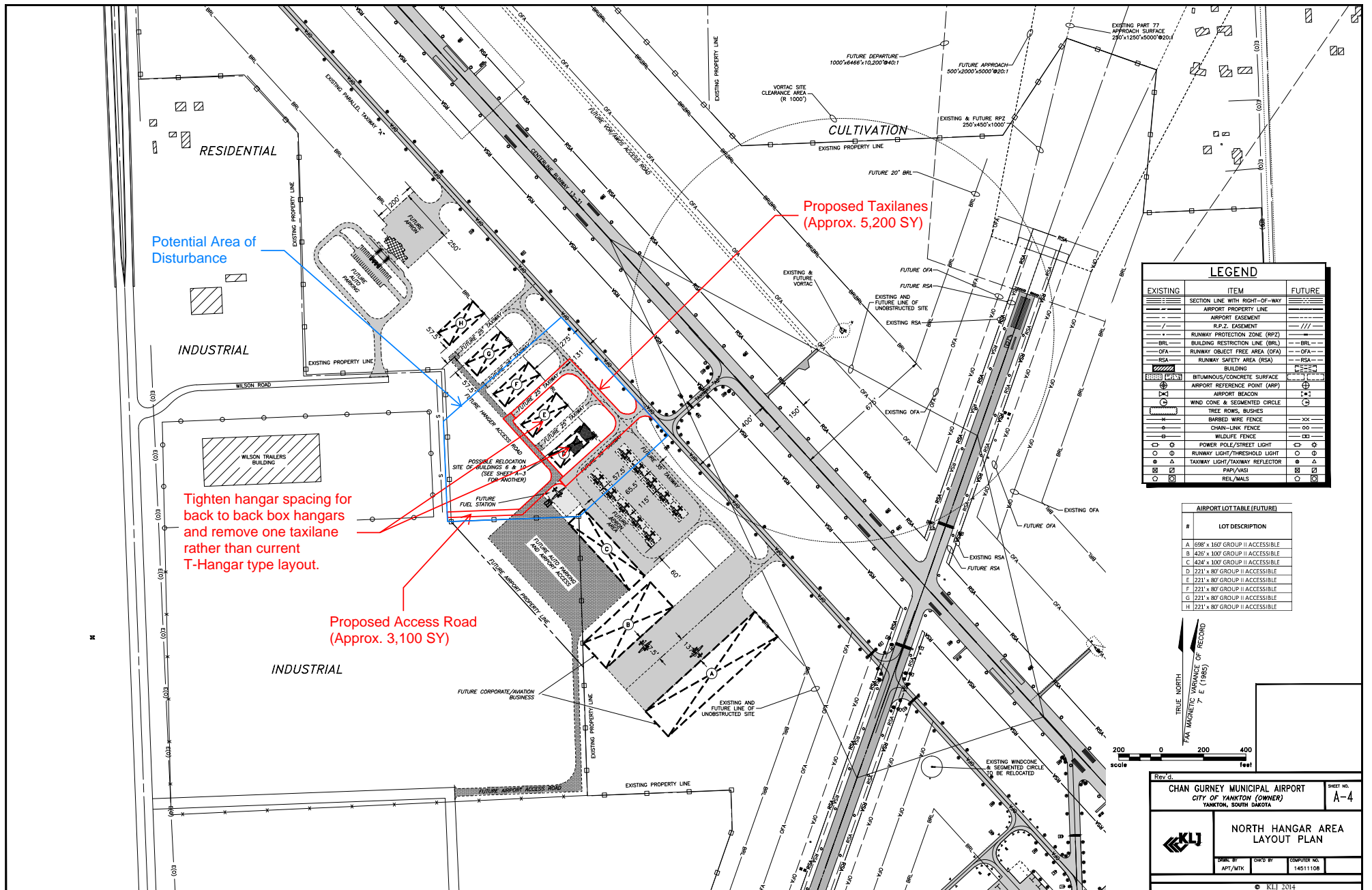
Item No.	Work Type	Description	Total Price
1	Administration	Miscellaneous Administration Costs	\$ 800.00
2	Administration	Independent Fee Estimate	\$ 2,000.00
3	Engineering	Environmental Services including Archeological and Wetland Field Studies	\$ 8,000.00
4	Engineering	Design and Bidding Services including Preliminary Soils Testing	\$ 40,000.00
5	Engineering	FAA Project Closeout Report	\$ 1,200.00
<b>Total Estimated Project Cost =</b>			<b>\$ 52,000.00</b>

**Total Estimated Project Cost = \$ 130,000.00**

**Total Federal Funding (90%) = \$ 117,000.00**

**Total State Funding - AIP Match (3.5%) = \$ 4,550.00**

**Total City of Yankton Funding - AIP Match (6.5%) = \$ 8,450.00**



Potential Area of Disturbance

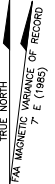
Tighten hangar spacing for back to back box hangars and remove one taxilane rather than current T-Hangar type layout.

Proposed Access Road (Approx. 3,100 SY)

Proposed Taxilanes (Approx. 5,200 SY)

LEGEND		
EXISTING	ITEM	FUTURE
---	SECTION LINE WITH RIGHT-OF-WAY	---
---	AIRPORT PROPERTY LINE	---
---	R.P.Z. EASEMENT	---
---	RUNWAY PRODUCTION ZONE (RPZ)	---
---	BUILDING RESTRICTION LINE (BRL)	---
---	RUNWAY OBJECT FREE AREA (OFA)	---
---	RUNWAY SAFETY AREA (RSA)	---
---	BUILDING	---
---	BITUMINOUS/CONCRETE SURFACE	---
---	AIRPORT BEACON	---
---	AIRPORT REFERENCE POINT (ARP)	---
---	WIND CONE & SEGMENTED CIRCLE	---
---	TREE ROWS, BUSHES	---
---	BARRIED WIRE FENCE	---
---	CHAIN-LINK FENCE	---
---	WILDLIFE FENCE	---
---	POWER POLE/STREET LIGHT	---
---	RUNWAY LIGHT/THRESHOLD LIGHT	---
---	TAXIWAY LIGHT/TAXIWAY REFLECTOR	---
---	PAP/VASI	---
---	REL./MALS	---

AIRPORT LOT TABLE (FUTURE)	
#	LOT DESCRIPTION
A	698' x 167' GROUP II ACCESSIBLE
B	426' x 107' GROUP II ACCESSIBLE
C	426' x 107' GROUP II ACCESSIBLE
D	221' x 80' GROUP II ACCESSIBLE
E	221' x 80' GROUP II ACCESSIBLE
F	221' x 80' GROUP II ACCESSIBLE
G	221' x 80' GROUP II ACCESSIBLE
H	221' x 80' GROUP II ACCESSIBLE



Rev'd.

CHAN GURNEY MUNICIPAL AIRPORT  
CITY OF YANKTON (OWNER)  
YANKTON, SOUTH DAKOTA

SHEET NO. A-4

**KLI**

NORTH HANGAR AREA  
LAYOUT PLAN

DATE BY APT/MTK	CHK'D BY	COMPUTER NO. 14511108
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© KLI 2014

**Project Narrative (Justification)**  
**2021 FAA Grant Preapplication**  
**Chan Gurney Municipal Airport**

**Project Item**

Design Hangar Taxilane System and Access Road

**What is the Project?**

The project is for environmental, design and bidding services for a hangar taxilane system and access road at Chan Gurney Municipal Airport. It is anticipated that environmental services shall include a Level III Cultural Pedestrian Inventory and Report with Tribal Summary, Tribal Cultural Specialist Pedestrian Survey, Wetland Delineation and Report, and FAA Documented CATEX Form ARP SOP No. 5.1.

**Why is the Project Needed Now?**

The project is needed now due to demand for hangar development at the airport. In recent years, three private hangars have been constructed on the existing hangar taxilane system. There is currently only one remaining location available on the existing hangar taxilane system. It is anticipated by the time funding becomes available for the construction of the new hangar taxilane development there will be no remaining spaces available on the existing hangar taxilane system. If the taxilanes project is delayed, there will likely be no available hangar development area remaining soon and thus will lead to lost revenue and airport growth. In addition, it is expected that the longer hangar development area is not available, more pilots will begin finding space at other airports in the region, hence reducing potential airport users in the future.

The proposed project may require an ALP sheet update to address the proposed access road alignment which deviates from what is shown on the most current ALP (currently in OE/AAA portal for airspace approval) due to current conditions. Additionally, depending on anticipated hangar configuration/type identified in the detailed design phase, the ALP sheet update may need to address the exact dimensioning and layout of the taxilanes. This was discussed with the local Airport District Office at the annual CIP meeting and will be determined during the scoping and design phases.

**Is the Project Phased?**

Yes. This first phase of the project is to complete the project plans and specifications. The second phase is to construct the project, currently scheduled for 2022 and 2023.

**Total AIP Funds Expended this Fiscal Year?**

\$130,000

**Additional AIP Funds Needed to Complete Project?**

\$1,100,000

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

***Memorandum #20-192***

**To:** Amy Leon, City Manager  
**From:** Dave Mingo, AICP Community and Economic Development Director  
**Subject:** Proposed Rezoning, Ordinance #1042  
**Date:** October 15, 2020

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**PROPOSED REZONING**

**ACTION NUMBER: 20-61**

**E.T.J. MEMBER ACTION REQUIRED: No**

**APPLICANT / OWNER:** Joseph and Roberta Kleinschmit.

**ADDRESS / LOCATION:** West side of the 1000 Block of Ferdig Avenue.

**REZONING REQUEST & PROPERTY DESCRIPTION:**

From R-4 Multiple Family Residential to B-2 Highway Business: Lot 1 of Outlot C of Moderegger Outlots; and the East 370 feet of Lot 10 of Tucker's 3rd Addition and Parcel B in the NW 1/4 of Section 17, T93N, R55W as measured on the line dividing said two parcels all being in the City and County of Yankton, South Dakota.

**PREVIOUS ACTION:** None.

**COMMENTS:** The proposed rezoning is owner petition initiated. The owner submitted a rezoning petition representing 12 of the 29 eligible properties (over 40 percent) within 250 feet of the site. This meets the 12 needed properties represented in order to bring the issue before the City for consideration. The immediate purpose for the request is to provide for the possibility of a self-storage facility on the site. If approved, improvements would need to conform to the requirements of a new zoning district. The allowance of a self-storage facility would also require the associated Conditional Use Permit to be approved (to be requested later if this is approved).

The proposed B-2 Business District is the City's standard commercial zoning designation. The outside storage of items is not allowed in the B-2 district and the display of items for sale is restricted. In addition to business activities that would fit under the above definition, the B-2 district also allows multiple family types of residential development. The area is bordered by a high density residential district to the north, west and a portion of the south property line. A B-2 District borders the remainder of the south property line and an I-1 Industrial District is located across the street to the east.

It is staff's opinion that the proposal represents an extension of the transition zone between the industrial area to the east and the high density residentially zoned property to the west. The proposal provides an opportunity to develop the site with controlled impact on area residential occupancies.

The appropriate public notice was published and individual notifications have been sent out prior to this public hearing. Staff has received one call from an area property owner subsequent to providing notice. The caller does not oppose the rezoning. They wanted the City to be aware of the overgrowth of vegetation on land to the southwest of the identified area.

Staff recommends approval of the proposed owner petition initiated rezoning of the described land from R-4 Multiple Family Residential to B-2 Highway Business.

#### **HEARING SCHEDULE:**

September 14, 2020	The Planning Commission established October 12, 2020, as the date for a public hearing.
October 12, 2020	The Planning Commission holds a public hearing to consider the issue. All appropriate notices will have been published and mailed.
October 26, 2020	The City Commission establishes November 9, 2020 as the date for a public hearing.
November 9, 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 protested.
November 19, 2020	Record of City Commission action published in the newspaper (estimated date).
December 9, 2020	The City Commission action is effective (estimated date).

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

**ORDINANCE NO. 1042**

**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-4 Multiple Family Residential to B-2 Highway Business: Lot 1 of Outlot C of Moderegger Outlots; and the East 370 feet of Lot 10 of Tucker's 3rd Addition and Parcel B in the NW 1/4 of Section 17, T93N, R55W as measured on the line dividing said two parcels all being in the City and County of Yankton, South Dakota.

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:

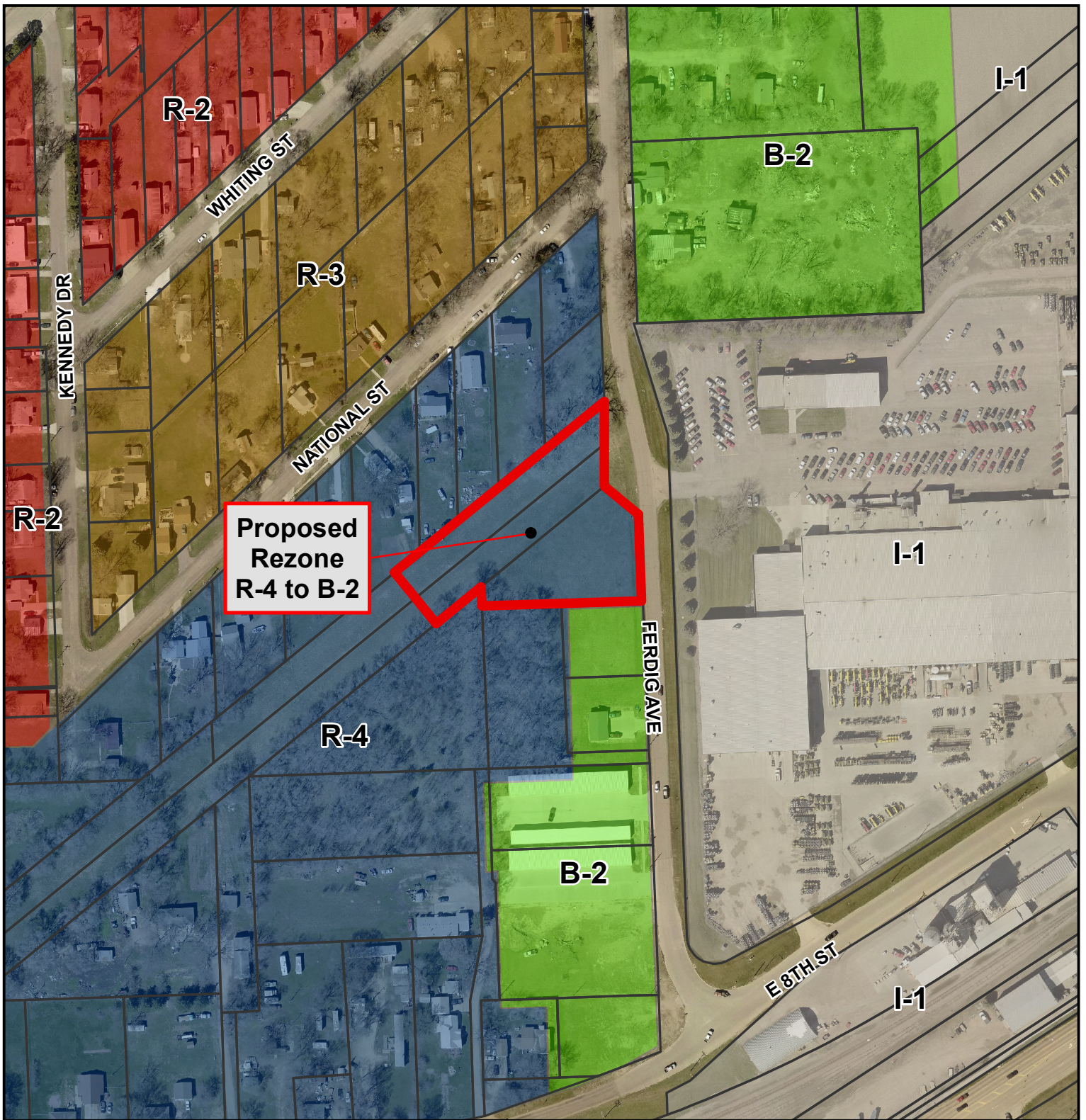
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Nathan V. Johnson, Mayor

ATTEST:

---

Al Viereck, Finance Officer



Proposed  
Rezone  
R-4 to B-2

# City of Yankton

Rezone from R-4 Multiple Family Residential  
to B-2 Highway Business

**Memorandum #20-194**

**To: City Commission**  
**From: Deputy Finance Officer**  
**Date: October 19, 2020**  
**Subject: Surplus Equipment & Vehicles**

The City of Yankton has a desire to sell, trade, or dispose of various equipment including vehicles which have been determined to be no longer necessary, useful or suitable for the purpose for which they were acquired. In order for the City to sell, trade, destroy, or dispose of such property the City Commission must declare these items surplus by adopting a surplus property resolution as required by SDCL 6-13-1. Equipment or supplies, which are to be destroyed or to be sold at public auction, need not be appraised (SDCL 6-13-3).

Resolution #20-73 declares the listed equipment and vehicles surplus. Declared property will be disposed of, traded in, donated, sold by sealed bid or auction, or destroyed pursuant to South Dakota Codified Law.



Lisa Yardley  
Deputy Finance Officer

**Recommendation: It is recommended that the City Commission adopt Resolution #20-73 and authorize the destruction, trade, donation or sale of surplus property by sealed bid.**

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



Amy Leon, City Manager

\_\_\_\_ Roll call



**RESOLUTION #20-73**

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

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

SURPLUS PROPERTY TO BE SOLD, TRADED, DONATED OR DESTROYED

Parks Department:

- a) 1999 HH Trailer - VIN# 4J6US1011XB901161
- b) 2011 Dodge RAM 2500 Crew Cab - VIN# 3D7TT2CT7BG598582
- c) 1994 Chevrolet Suburban - VIN# 1GKFK16K8RT745660
- d) 2001 Ford F-250 ¾ ton 4x4 Crew Cab – VIN# 3FTNW21L01MA39291
- e) 2004 Cushman Utility Vehicle Model 898627
- f) 2000 Cushman Turf Truckster Model 898658
- g) Hobart Welder
- h) Chop Saw
- i) Drill Press
- j) Large portable water tank

Police Department:

- a) Gray Upholstered Roller Chairs (Qty 2) – Police Department

Adopted:

\_\_\_\_\_  
Nathan V Johnson  
Mayor

Attest:

\_\_\_\_\_  
Al Viereck  
Finance Officer

\_\_\_\_\_ Roll call

## ***Memorandum #20-195***

**To:** Amy Leon, City Manager  
**From:** Dave Mingo, AICP, Community and Economic Development Director  
**Date:** October 19, 2020  
**Subject:** Consideration of Sale of City Owned Land

---

There is interest from area property owners to purchase the City owned “Lot 35” identified on the attached location map. The land was replatted by the City last year for two purposes. First, to provide a defined space for the Yankton Transit Facility to expand. And second, to clearly identify the boundaries of “Lot 35” that could be sold in the future for development purposes.

As with many land sales like this for prospective development purposes, a transfer through Yankton Area Progressive Growth (YAPG) is the most practical way to sell the land. You will see that the agreement refers to YAPG being the Buyer with a required transfer to a “Third Party.”

The “Third Party” in this case is planning a substantial investment in structures on area property and is also working to support multiple employers including one that is included in Yankton’s primary employers. Area landowners have long been struggling with space issues on their sites and the proposal represents an opportunity for them to work together to make the situation better for everyone.

Recently, the City has sold non-highway frontage parcels like this for \$10,000 per acre with a claw back provision. That provision stipulates that if no development occurs, the City gets the land back for the original sale price. In this case the developer’s planned phasing of improvements on the property precludes the City’s standard claw back provision because the first phase would include moving a building onto the land the City is selling.

In lieu of such motivation to perform, we developed an alternative performance based rebate strategy. The proposed agreement has the developer paying an estimated \$35,000 market price for the land. An initial payment of \$16,300 would be paid as a development incented price. If certain performance criteria are not met within three years, an additional \$18,700, held in escrow, would be deposited in the City’s general fund. If an approved development or primary employer support project is completed within three years from the date of closing, the escrowed funds will be released back to the purchaser. This provision, shall be included in the purchase agreement between the Buyer and its third party purchaser and included as a reservation of rights within the Warranty Deed transferring the Property to the third-party purchaser. YAPG, and subsequently the Third Party Purchaser agree that the City Manager shall have the right to approve the aesthetics of the new building to be constructed on the adjacent privately held property fronting Highway 50.

If completed, the proposal provides many benefits to existing local businesses allowing them the opportunity to expand at their current locations. Additionally, the project could be a substantial private new construction investment in the community.

\_\_\_\_\_ Roll Call (requires super majority for approval)

I believe there are two reasons why the City should strongly consider selling the property using the proposed performance strategy:

1. The sale would support the potential for expansion of three local businesses that have an established history of employment and good wages in the City.
2. Attempting to sell the property at market rate could reduce the scope of the private development project described above and potentially leave the City with a stand-alone lot for sale that could be on the market for some time.

As with other land sales, South Dakota Codified Law requires us to partner with Yankton Area Progressive Growth for the transfer of the land if approved.

City ordinance requires a vote of two-thirds of the City Commission to approve a land sale of this nature.

Respectfully submitted,



Dave Mingo, AICP  
Community and Economic Development Director

**Recommendation:** It is recommended that the City Commission approve Resolution #20-74 agreeing to the transfer of the described property and authorizing the City Manager to execute the associated documents.

I concur with this recommendation.

I do not concur with this recommendation.

  
\_\_\_\_\_  
Amy Leon, City Manager

\_\_\_\_\_ Roll Call (requires super majority for approval)

## **RESOLUTION #20-74**

WHEREAS, the City of Yankton owns property known as Lot 35 Railroad Subdivision, City of Yankton, Yankton County, South Dakota, and

WHEREAS, Yankton Area Progressive Growth has offered to purchase the approximate 1.63 acre parcel of land. In consideration of the conveyance of the Property by Seller, Buyer agrees to pay to the Seller the sum of Thirty-Five Thousand dollars (\$35,000.00) payable in full at closing. At closing, Sixteen Thousand Three Hundred Dollars (\$16,300.00) shall be tendered outright to Seller, and the remaining Eighteen Thousand Seven Hundred Dollars (\$18,700.00) shall be held and retained by Seller in escrow (hereafter the "Escrowed Funds"). If Buyer's third-party purchaser meets all construction deadlines in accordance with Section 11 in the associated agreement, Buyer's third-party purchaser (or its successor or assigns) shall receive the Escrowed Funds as a development rebate. If Buyer's third-party purchaser fails to meet all construction deadlines in accordance with Section 11 of the associated agreement, the Buyer's third-party purchaser (or its successor or assigns) shall not be entitled to the development rebate and the Escrowed Funds shall be released to General Fund of the City of Yankton), and

WHEREAS, said transfer to Yankton Area Progressive Growth is contingent upon the subsequent transfer to a third party as described in the associated agreement, and

WHEREAS, the Yankton Board of City Commissioners desires to sell the below described land for the long term goal of community and economic development.

NOW, THEREFORE BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota, hereby declares Lot 35 Railroad Subdivision, City of Yankton, Yankton County, South Dakota surplus and agrees to transfer it to Yankton Area Progressive Growth for the purpose of sale to a third party, and

BE IT FURTHER RESOLVED that the City Manager is authorized to execute all documents associated with the described transfer.

Adopted:

\_\_\_\_\_  
Nathan V. Johnson, Mayor

ATTEST:

\_\_\_\_\_  
Al Viereck, Finance Officer



# City of Yankton

## Land Sale Location Map

## REAL ESTATE PURCHASE AGREEMENT

THIS AGREEMENT, made and entered into as of the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by and between Yankton Area Progressive Growth, Inc., a South Dakota nonprofit corporation ("Buyer"), and the City of Yankton, a South Dakota municipal corporation ("Seller")

### WITNESSETH:

**WHEREAS**, Seller is currently the owner of certain real property located within the City of Yankton, South Dakota and legally described as:

Lot 35 of Railroad Subdivision,  
City of Yankton, Yankton County, South Dakota.

as depicted on the drawing attached hereto as "Land Sale Location Map and the associated plat of Lot 35, which real property is hereinafter collectively referred to as the "Property"; and

**WHEREAS**, Seller desires to sell and to transfer the Property to Buyer, and Buyer desires to purchase the Property from Seller so that the Property may be used for development purposes.

**NOW, THEREFORE**, in consideration of the premises set forth and the mutual covenants and agreements set forth herein, the parties agree as follows:

1. **Conveyance.** Seller agrees to sell and convey to Buyer, and Buyer agrees to purchase from Seller, the Property, in fee simple, free and clear of all encumbrances except easements, covenants and restrictions of record as of the date hereof, by good and sufficient warranty deed.

2. **Personal Property.** No personal property is included in the sale contemplated by this Agreement.

3. **Purchase Price.** In consideration of the conveyance of the Property by Seller, Buyer agrees to pay to the Seller the sum of Thirty-Five Thousand dollars (\$35,000.00) payable in full at closing. At closing, Sixteen Thousand Three Hundred Dollars (\$16,300.00) shall be tendered outright to Seller, and the remaining Eighteen Thousand Seven Hundred Dollars (\$18,700.00) shall be held and retained by Seller in escrow (hereafter the "Escrowed Funds"). If Buyer's third-party purchaser meets all construction deadlines in accordance with Section 11 below, Buyer's third-party purchaser (or its successor or assigns) shall receive the Escrowed Funds as a development rebate. If Buyer's third-party purchaser fails to meet all construction deadlines in accordance with Section 11 below, the Buyer's

third-party purchaser (or its successor or assigns) shall not be entitled to the development rebate and the Escrowed Funds shall be released to General Fund of the City of Yankton.

4. ***Real Estate Taxes.*** Due to the City's exempt status, no real property taxes must be paid or prorated through the date of closing. All real property taxes assessed for 2020 (payable in 2021) on and after the date of closing shall be paid by Buyer as the same become due.

5. ***Assessments.*** Any assessments which are legally levied upon the Property, or which will be levied upon the Property, for improvements or betterments which are completed but not entered on the books of the local assessing authority as of the date of closing, if any, shall be paid by Seller.

6. ***Conditions Precedent.*** Closing is contingent upon the following events:

- (a) ***Closing.*** Closing shall occur as soon as possible, but no later than January 1, 2021. If the closing does not occur on or prior to such date, then the parties may extend the closing only if they both agree to do so in writing.
- (b) ***Sale to Third Party.*** This Agreement shall be contingent upon the Buyer entering into a Purchase Agreement with a third-party purchaser for the Property and the successful closing of such Agreement on before the date of closing of this Agreement. Failure of this condition shall result in the termination of this Agreement.

7. ***Warranties of Seller.*** Seller covenants, warrants and represents as follows:

- (a) At the time of closing, Seller shall be the owner of all right, title and interest in and to the Property and shall have the legal right and ability to transfer and convey all such right, title and interest in and to the Property; and
- (b) Seller shall, at closing, convey the Property to Buyer in fee simple as by good and sufficient Warranty Deed, free and clear of all encumbrances except easements, covenants, and restrictions of record; provided that such title shall be conveyed through the intermediary economic development corporation.

8. ***Condition.*** Buyer shall have the opportunity to fully inspect the Property as it desires and agrees to purchase the same in its "as is" condition, with no warranties, express or implied, other than warranties of title, and Seller, other than the warranty noted below, expressly disclaims all warranties including, without limitation, any implied warranty of merchantability or fitness for a particular purpose. However, Seller further warrants that Seller has not hidden or otherwise rendered undiscoverable any known damage, defects or other conditions upon the property otherwise reasonably discoverable by reasonable non-intrusive inspections of the Property.

9. **Possession.** Buyer shall be entitled to possession of the Property immediately upon closing and tender in full of the purchase price.

10. **Allocation of Transaction Expenses.** All transaction expenses, including recording fees associated with recording any deed or mortgage, all transfer fees associated with transferring title to the property, broker commissions, and all fees of the closing agent, shall be paid by the Buyer. All transaction expenses incurred by Buyer herein and all transaction expenses incurred by the Seller in any Purchase Agreement entered into with a third party purchaser for the Property shall be paid by the third party purchaser pursuant to the terms of the Purchase Agreement with the third party purchaser.

11. **Construction.** Seller has agreed to sell the Property to Buyer based upon Buyer's represented intent to sell the Property to a third-party purchaser for use as support to the development of the adjacent real property to the south, by constructing a building suitable for a business enterprise upon the Property. In order to become eligible for the development rebate represented by the Escrowed Funds, Buyer's third-party purchaser (or its successors or assigns) shall be required to substantially complete construction of a building suitable to the Seller upon the Property and/or upon adjacent property to the south or a parking lot is constructed for a primary employer (Cimpl's) within three (3) years from the date of Closing. If Buyer's third-party purchaser fails to substantially complete construction of a building suitable to the Seller upon the Property or upon the adjacent property to the south within three (3) years from the date of Closing, the Buyer's third-party purchaser (or its successor and assigns) shall not be eligible for the development rebate and the Escrowed Funds shall instead be released to the Seller.

The phasing of development on the property precluded the City's standard claw back provision for a property sale. In lieu of such motivation to perform, the City hereby agrees to the foregoing rebate representing the difference between the current estimated market price (\$35,000.00) and the incented price of (\$16,300) if development of a City approved signature building or primary employer (Cimpl's) parking facility is completed within thirty-six (36) months of the date of Closing. The terms of this Section 11 shall be included in the purchase agreement between Buyer and its third-party purchaser and included as a reservation of rights within the Warranty Deed transferring the Property to the third-party purchaser. Any improvements described herein must be approved by the Yankton City Manager in writing as a precondition for eligibility to receive the development rebate. Further, the Yankton City Manager shall have the right to approve the aesthetics of the new signature building to be constructed on the property fronting 4th Street in writing as a precondition for eligibility to receive the development rebate. If construction/performance criteria are met, the development rebate represented by the Escrowed Funds shall be transferred directly to the Third-party purchaser (or its successor or assigns).

12. **Time of the Essence.** It is expressly understood and agreed by the parties that time is of the essence in this Agreement.



13. **Benefit.** This Agreement shall inure to the benefit of and be binding upon the parties and also upon their respective heirs, representatives, successors and assigns.

14. **Governing Law.** This Agreement and all obligations created hereunder or required to be created hereby shall be governed by and construed and enforced in accordance with the laws of the State of South Dakota.

15. **Execution of Additional Documents.** The parties hereto agree to execute any and all additional documents necessary to effectuate the terms and conditions of this Agreement.

16. **Integration.** Both parties agree that this agreement contains the entire understanding between and among the parties, both written and oral, and supersedes any prior understanding and agreements among them, both written and oral, respecting the subject matter of this agreement.

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

18. **Severability.** If any portion of this agreement is found to be unenforceable for any reason, then the remainder shall remain in full force and effect.

19. **Counterparts.** This agreement may be executed in several counterparts, which taken together shall be deemed an original, and said counterparts constitute but one and the same instrument, Photocopies and facsimile reproductions of the executed original and/or counterparts thereof shall be treated the same as an original.

20. **Seller Authority.** City Manager Amy Leon warrants she is authorized to execute all documents necessary to effectuate this Agreement on behalf of the City of Yankton. Chief Executive Officer Nancy Wenande warrants she is authorized to execute all documents necessary to effectuate this Agreement on behalf of Yankton Area Progressive Growth, Inc.

IN WITNESS WHEREOF, the parties have hereunto executed this Agreement on the date and year first above written.

**BUYER**

**Yankton Area Progressive Growth, Inc.**

**SELLER**

**City of Yankton**

---

By: Nancy Wenande  
Its: Chief Executive Officer

---

By: Amy Leon  
Its: City Manager

**Memorandum #20-196**

*To: Amy Leon, City Manager*  
*From: Bradley Moser, Civil Engineer*  
*Date: October 19, 2020*  
*Subject: Stop Signs Installation at 5<sup>th</sup> Street and Mulberry Street*

---

Attached is Resolution #20-75 which, if approved, would establish a stop condition for the Mulberry Street traffic, at the intersection with 5<sup>th</sup> Street.

With a recent accident at the 5<sup>th</sup> & Mulberry intersection, there has been a renewed interest by area residents for traffic control at the aforementioned intersection. Both streets are classified as local, which means that neither one of them carry large amounts of traffic.

In order to determine whether traffic control devices should be utilized at the various intersections within Yankton, engineering staff utilizes the Manual on Uniform Traffic Control Devices (MUTCD). This publication sets out criteria for the implementation of traffic control for different situations including stop sign installation.

As per the MUTCD, a traffic count for both vehicles and pedestrians was conducted and an accident history collected. We were able to determine that there are approximately 1260 vehicles and pedestrians through the intersection daily. There is almost twice as many cars entering from the east and west as there was from the north and south.

The information gathered was compared to the criteria in the MUTCD for establishing a stop condition. Most of the data did not satisfy the requirements for implementing a stop condition, however, the manual does allow for engineers to utilize their judgement and consider site specific safety conditions, such as line of sight and vision obstructions.

This intersection does have a large sloped area in the northwest corner that depending on the individual drivers can create a sight deficiency that doesn't allow for enough time to brake. In order to alleviate the possibility of two vehicles entering the intersection simultaneously and avoid this situation, it makes sense to have a two-way stop condition be implemented.

Based on the information provided and the warrants outlined in the MUTCD, City staff recommends that stop signs be installed on Mulberry Street at the intersection with 5<sup>th</sup> Street.

Respectfully submitted,



Bradley Moser  
Civil Engineer

\_\_\_\_ Roll call

**Recommendation: It is recommended that the City Commission approve Resolution #20-75, which provides for the installation of stop signs on Mulberry Street and 5<sup>th</sup> Street, as detailed in Memorandum #20-196.**

I concur with this recommendation.

I do not concur with this recommendation.

  
\_\_\_\_\_  
Amy Leon, City Manager

cc: Adam Haberman

\_\_\_\_ Roll call

**RESOLUTION #20-75**

**A RESOLUTION AUTHORIZING THE PLACEMENT OF STOP SIGNS AT THE INTERSECTION OF MULBERRY STREET AND 5<sup>TH</sup> STREET.**

WHEREAS, both Mulberry Street and 5<sup>th</sup> Street function as local streets, and;

WHEREAS, the volume of traffic is greater on 5<sup>th</sup> Street than Mulberry Street, and;

WHEREAS, there is a sight distance restriction on the northwest corner of the intersection, and;

WHEREAS, installing stop signs on Mulberry Street at the intersection with 5<sup>th</sup> Street would provide a solution to the sight restriction by stopping north and south bound traffic entering the intersection, and;

WHEREAS, it is provided by the Code of Ordinances of the City of Yankton that the City has the authority to place and maintain all regulatory signs that meet the requirements of the Manual on Uniform Traffic Control Devices.

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, SD, that a stop condition, from the north and south, be established on Mulberry Street, at the intersection with 5<sup>th</sup> Street.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Nathan V Johnson  
Mayor

ATTEST:

\_\_\_\_\_  
Al Viereck  
Finance Officer