



CITY OF YANKTON

2021_02_22

**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, February 22, 2021

City of Yankton Community Meeting Room

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

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

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

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

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

I. ROUTINE BUSINESS

1. Roll Call

2. Approve Minutes of regular meeting of February 8, 2021

Attachment I-2

3. City Manager’s Report

Attachment I-3

4. Public Appearances

Public appearances is a time for persons to address the City Commission on items not listed on the agenda. No action may be taken on a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken. Each person has up to three minutes to speak. Comments made during the Public Appearance Comment period of the agenda may be on any subject. There shall be no personal attacks against the Mayor, members of the City Commission, City Staff, or any other individual.

II. CONSENT ITEMS

Matters appearing on the Consent Agenda are expected to be non-controversial and will be acted upon by the City Commission at one time, without discussion. Approval constitutes following the recommendation of the City Manager on each item.

1. Special Events Dance License

Consideration of Memorandum #21-27 recommending approval of the application from Yankton County 4H for:

A) Special Events Dance License for August 6, 2021

Attachment II-1

2. Establishing public hearing for sale of alcoholic beverages

Establish March 8, 2021, as the date for the public hearing on the request for a Special Events RETAIL (on-sale) Liquor License for 1 day, April 24, 2021, from BPO Elks Lodge 994 d/b/a Elks Lodge 994 (Cindy Goeden, Secretary), NFAA, 800 Archery Lane, Yankton, South Dakota.

Attachment II-2

III. OLD BUSINESS

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

1. Public hearing for sale of alcoholic beverages

Consideration of Memorandum #21-25 regarding the request for a Special Malt Beverage (on-sale) Retailers License for 2 day, August 20-21, 2021, from Yankton Rodeo Association (Douglas O Hevle, President), Rodeo Grounds, 404 Paddle Wheel Drive, Yankton, S.D.

Attachment III-1

2. Public hearing for sale of alcoholic beverages

Consideration of Memorandum #21-26 regarding the request for a Special Events (on-sale) Liquor License for February 27, 2021 from Flusswerks, LLC, (Paul Lowrie, Man. Member) d/b/a The Landing, Big River Burrito Co., 100 Douglas, Suite 101, Yankton, S.D.

Attachment III-2

3. Health Board Update

4. Ordinance #1046 – Public Hearing

Memorandum#21-38 regarding Ordinance #1046, Temporary Mask Ordinance, as second reading and public hearing of said Ordinance.

Attachment III-4

5. Public hearing – Removing Restrictions on the sale of Alcohol Ordinance for Christmas Day

Consideration of Memorandum #21-39 regarding Ordinance #1047, and public hearing regarding the removing restrictions on the sale of alcohol on Christmas Day in the City of Yankton

Attachment III-5

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. SRF – Wastewater

Consideration of Memorandum 21-32 and Resolution #21-13 regarding the Wastewater Plant Project

Attachment IV-1

2. Introduction and First Reading

Establishing March 8, 2021 as the date for a public hearing of the SRF Application for the Wastewater Plant Project

3. Land Transfer – National Park Service

Consideration of Memorandum #21-28 regarding Resolution #21-09, the transfer of 34 acres of City of Yankton owned land in Nebraska to the National Park Service.

Attachment IV-3

4. Establishing Public Hearing for Alley Right-of-Way Vacation

Establish March 22, 2021 as the date for a public hearing to consider Resolution #21-10, an Alley Right of Way Vacation request in Block 2, Redmond's Subdivision in the City of Yankton, South Dakota. Location, north - south alley between 8th Street and 9th Street, between Dakota Street and Redmond Street. Yankton Medical Clinic, applicant and adjacent property owner.

Attachment IV-4

5. Planning Commission Recommendation – Plat Review

Consideration of Memorandum #21-30 regarding Resolution #21-11, a plat of Lots 26, 27, 49, 50, 51 & 52 of Crestview Homes Subdivision, in the NE 1/4 of Section 21, T93N, R56W of the 5th P.M., Yankton County, South Dakota. Address, both sides of the 300 block of Lilac Lane and the east side of the 300 Block of Tulip Lane. Matthew Christensen, Managing Member, White Crane Estates, L.L.C., owner.

Attachment IV-5

6. Planning Commission Recommendation – Plat Review

Consideration of Memorandum #21-31 regarding Resolution #21-12, a plat of Lots 21, 22, 23, 24 and 25, Crestview Homes Subdivision, in the NE 1/4 of Section 21, T93N, R56W of the 5th P.M., Yankton County, South Dakota. Address, West side of the 300 block of Hollyhock Lane. Matthew Christensen, Managing Member, White Crane Estates, L.L.C., owner.

Attachment IV-6

7. CDBG / Pathways Shelter for the Homeless

Consideration of Memorandum #21-33 regarding the Community Development Block Grant Proposal for the Pathways Shelter for the Homeless Capacity Building Improvements Project.

- (1) Resolution #21-14 authorizing submittal of the application;
- (2) Resolution #21-15 establishing a Project and Environmental Certifying Officer;
and
- (3) Resolution #21-16 Assuring Fair Housing

Attachment IV-7

8. Bid Award – Yard Tractor

Consideration of Memorandum #21-35 regarding Resolution #21-18, for the purchase of a 2021 4x2 Yard Tractor for the Public Works Department

Attachment IV-8

9. Bid Award – Transfer Station Walking Floor Trailer

Consideration of Memorandum #21-34 regarding Resolution #21-17, for the purchase of New Steel Transfer Station Walking Floor Trailer for the Public Works Department, Joint Powers Division

Attachment IV-9

10. Final Project Acceptance - Westbrook Estates Phase 2A-2

Consideration of Memorandum #21-36 regarding Acceptance of the Sanitary Sewer, Storm Sewer and Street Improvements for Phase 2A-2, of the Westbrook Estates Residential Development Project

Attachment IV-10

11. Agreement – TMA Billing Production Agreement

Consideration of Memorandum #21-37 regarding Agreement between Third Millennium Associates and the City of Yankton

Attachment IV-11

V. OTHER BUSINESS

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

VI. ADJOURN THE MEETING OF FEBRUARY 22, 2021

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
FEBRUARY 8TH, 2021**

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

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

Quorum present.

Action 21-32

Moved by Commissioner Moser, seconded by Commissioner Benson, to approve Minutes of Work Session meeting of January 25, 2021 and City Commission meeting of January 25th, 2021.

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

Motion adopted.

Action 21-33

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

1 Office Solution - Office Supplies - \$76.68; Active Network LLC - Yearly Installment - \$10,081.20; Adobe Creative Cloud - Computer Program - \$85.18; Adobe Stock - Computer Program - \$31.94; Advanced Graphix - Patrol Car Graphics - \$110.00; Amazon - Membership Dues - \$2.12; Amazon - Display Adapter - \$128.64; Amazon - Power Supply - \$53.50; Amazon - DVD's - \$45.95; Amazon - DVD - \$17.96; Amazon - Gun Case - \$25.37; Amazon - Stick On Lettering - \$19.34; Amazon - Printer Ink - \$42.89; Amazon - DVD's - \$273.88; Amazon - Lab Gloves - \$12.25; Amazon - Replacement Batteries - \$79.99; Amazon - Access Control System - \$249.99; Amazon - Office Supplies - \$143.20; Amazon - DVD - \$12.96; Amazon - Printer Ink - \$93.90; Amazon - Janitorial Supplies - \$36.12; Amazon - Program Supplies - \$4.86; Amazon - HP Elite book Laptop - \$1,048.99; Amazon - Valentines Event - \$38.86; Amazon - Headsets - \$399.96; Amazon - Lab Aprons - \$79.56; Amazon - Office Supplies - \$105.49; Amazon - Books - \$154.23; Amazon - Office Supplies - \$35.69; Amazon - Rec Supplies - \$31.76; Amazon - DVD's - \$140.23; Amazon - Lab Gloves - \$27.58; Amazon - Book - \$14.99; Amazon - Program Supplies - \$4.39; Amazon - Program Supplies - \$36.99; American Red Cross - Lifeguard Renewals - \$950.00; Animal Health Clinic - K9 Reno Vet Visit - \$194.75; AOX Welding Supply - Welding Gases - \$128.90; A-Ox Welding Supply Co Inc. - Propane - \$93.16; Applied Concepts Inc. - Radar Antenna - \$8,702.50; Applied Ind. Tech - Annual Belt Order - \$261.10; Approved Gas Masks - 30 Gas Mask Filters - \$1,326.00; Associated Supply - Pool Supplies - \$85.10; AT&T - Cell Phone - \$129.82; AT&T - Mobile Data - \$810.53; ATS Targets - Target Backers - \$4,378.00; Auto Value - Latex Gloves - \$974.49; Autozone - Battery - \$748.03; Avenu Insights & Analytics – Maint. Program Support - \$22,843.16; Avera Health CRP - CPR Instructor Training - \$90.00; Avera Sacred Heart - Professional Services - \$375.15; Baker-Taylor - Books - \$5,276.31; Banner Associates Inc. - Professional Services - \$5,519.19; Battery Exchange - Battery - \$154.90; Binder/Tim - Officer Stipend - \$300.00; Blackstrap Inc. - Road Salt - \$15,444.21; Boller Printing - Warning Tickets - \$130.83; Bomgaars #2 Yankton - Shop Supplies - \$638.39; Brownell’s Inc. - Bullet Holders-Mags - \$137.03; Building Sprinkler Inc. - Inspect Sprinkler - \$277.92; Butler Machinery Co - Fuel Cap - \$42.85; Buy Register Rolls - Office Supplies - \$54.00; C & B Yankton – Snow blower Repair - \$56.40; Casey’s - Supplies - \$5.06; Casey’s - Travel Expense - \$49.00; Center Point - Large

Print Books - \$708.87; Centurylink - Phone - \$1,286.53; Christensen Radiator - Trail Supplies - \$219.23; Christmas Central - Valentines Event - \$93.94; City Of Yankton - Program Testing - \$2.00; City Of Yankton-Solid Waste - Compacted Garbage - \$13,581.65; City Utilities - Water-WW Charges - \$112.68; Continental Research - Cleaning Supplies - \$357.63; Creative Forms & Concepts - 1099 NEC Forms - \$55.94; Crescent Electric - Lamps - \$386.86; Culligan Water Conditioning - Filter Rental - \$50.00; Dakotaland Holdings LLC - Polycarbonate Panels - \$210.00; Daniel Prather Snap-On - Hand Grinder Repair - \$110.00; Dept Of Ag Services - Membership Dues - \$401.00; Design Solutions & Integration - On AFD Repair - \$2,768.02; DK Hardware Supply LLC - Divider Speaker - \$57.74; Dollar Tree - Program Supplies - \$27.00; Dunhams - Training Equipment - \$224.99; Ebay - Display Adapter - \$59.95; EBSCO - Professional Services - \$945.00; Echo Electric Supply - Light Switches - \$360.00; Ehresmann Engineering - Welding Supplies - \$50.87; Ehresmann Engineering Inc. - Steel Plate - \$60.00; Electrical Engineering - IP Generator Maint - \$690.00; Embroidery & Screen Works - Name On Equipment Carrier - \$16.00; Farm & Home Publishers - Books - \$285.86; Fastenal Company - Filters - \$2,802.69; FBI National Academy Assoc. - TE John Harris-Todd Brandt - \$220.00; Fedex - Evidence Postage - \$14.87; Feimer Construction - Underground Work - \$21,253.10; Ferguson Waterworks - 4" Meter And Flanges - \$2,148.71; Findaway - Books - \$712.35; Frick/Adam - Officer Stipend - \$300.00; Frick/Brian - Officer Stipend - \$600.00; Glock Professional Inc. - Glock Armorer's Course - \$500.00; Grammarly - Membership Dues - \$139.95; Guardian Fleet Safety - Install Patrol Veh - \$8,676.30; Habitat For Humanity - Replace Sidewalk - \$514.27; Hartfiel Automation In - ODS Air Regulator Repair - \$278.06; Hartington Tree LLC - Blue Spruce Trees - \$10,000.00; Hawkins Inc. - Chemicals - \$8,945.46; Hobby Lobby - Office Supplies - \$43.62; Hy-Vee - Employee Recognition - \$58.06; IACP - IACP Online - \$875.00; International Institute - Yardley Iimc Dues - \$115.00; Intl Code Council Inc. - 2021 Code Books - \$644.45; Intl Inst Of Mun Clerks - IIMC Membership Dues - \$175.00; J & H Care & Cleaning - Janitorial Services - \$4,000.00; J2 Metrofax - Fax Service - \$9.95; Jacks Uniforms & Equipment - New Duty Belt - \$84.94; JCL Solutions - Cleaning Supplies - \$744.25; John E. Reid & Associates - Interrogation Course - \$600.00; Johns Service - Batteries - \$994.95; Johnson Controls - Contracted Services - \$4,785.33; Johnson/Jody - Officer Stipend - \$250.00; Kaiser Refrigeration - Chains For Saws - \$102.95; Kaiser Refrigeration Inc. - Saw Repairs - \$27.50; Karls Tv And Appliance - Lab Dishwasher Pump - \$191.37; Kendell Doors - New Locks And Keys - \$984.00; Kinsman Garden - Agricultural Supplies - \$1,359.31; Kirby Built Products - Trail Sign - \$1,157.25; KLJ Engineering LLC - Runway Reconstruction - \$4,004.30; Koletzky Implement Inc. - Maintainer Seat - \$618.69; Kopetsky's Ace - Solder Gun Kit - \$418.20; K-Scale LLC - Replace Keypad - \$378.00; Kuehler/Dave - Boot Reimbursement - \$94.79; Language Line - Interp Service - \$33.41; Lewis And Clark Ford - Seat Buckle - \$129.99; Mark's Machinery - New Concrete Breaker Tip - \$546.45; Mayer Signs - Truck Graphics - \$1,301.02; Mead Lumber - Table Replacement - \$170.37; Med Vet International - Sharps Containers - \$513.00; Menards - Office Remodel - \$2,819.03; MidAmerican Energy - Fuel - \$13,734.57; MidAmerican Energy - Fuel - \$6,373.88; Mid-States Organized C - Membership To Mocic - \$200.00; Midwest Laboratories - Monthly Nutrient Testing - \$142.84; Midwest Radiator - Argon Tank - \$126.00; Midwest Tape - Av - \$502.87; Midwest Tire And Muffler - Foam Filled Tires - \$7,978.21; Minerva's Grill And Bar - Staff Appreciation - \$164.43; Missouri Sedimentation Action - N Special Appropriation - \$2,500.00; Moser/Brad - Officer Stipend - \$300.00; MWISA - Conference - \$85.00; Myers Tire Supply - Wheel Weight Tool - \$53.92; Napa Auto Parts - Annual Belts & Grease - \$880.57; NBS Calibrations - Balance Calibration - \$127.50; NFPA Natl Fire Protect - Subscription - \$1,345.50; Niche Academy - Professional Services - \$1,400.00; Nickles/Mark - Officer Stipend - \$250.00; Norfolk Daily News - Subscription - \$266.00; Northtown Automotive - Fuel Tank Pump - \$978.35; Northwestern Energy - Elect - \$55,541.05; O'Connor Company - Air Filter Maintenance - \$252.56; Olson's Pest Technician -

Pest Control - \$90.00; Olson's Pest Technicians Inc. - Pest Control - \$140.00; O'Reilly Auto Parts 32 - Led Work Light - \$454.00; Overdrive Dist - Ebooks - \$4,265.25; Paypal Keep Yankton B - Keep Yankton Beautiful - \$50.00; PayPal Police Reco - NIBRS Training - \$149.00; PayPal SDSPS - Books - \$172.00; Power Source Electric - Electrical Work - \$3,565.83; Pro Auto Inc. - Tow Vehicle-Evidece - \$125.00; QNR Sales - Flagpole Rope - \$38.90; Quadient Leasing USA Inc. - Postage - \$678.00; Racom Corporation - Beon Access - \$35.80; RB Beers & Burgers - Christmas Gift Card - \$30.00; Riverside Hydraulics - Sander Hydraulic Motor - \$680.42; Riverside Hydraulics - Hose And Ends - \$1,083.33; Ron's Auto Glass - Memorial Park Repairs - \$104.00; Royal Sport Shop - Plaque Name Tag - \$12.15; Sam's club - Recreation Supplies - \$129.22; Sanitation Products Inc. - Snow Plow For Loader - \$13,222.00; Schmidt/Willard - Sludge Hauling - \$50,880.00; SD Redbook Fund - Books - \$75.00; SESAC - Membership Dues - \$483.00; Sherwin Williams - Floor/Door Frame Project - \$594.34; Shur-Co - Tarp Repair At Shurco - \$3,217.22; Sioux Falls Two Way Radio - State Radio Programming - \$1,050.00; Sirchie Finger Print - Evidence Collection - \$197.82; Skillpath / National - Staff Training - \$105.44; Small Business Development - NT Special Appropriation - \$4,500.00; Smith Insurance Inc./MT & RC - 2021 Firepak Insurance - \$21,073.00; South Dakota Historical - Books - \$74.00; South Dakota Parks - Membership Dues - \$360.00; Splashtop.Com - Splashtop - \$829.00; Stockwell Engineers Inc. - Aquatics Facility Design - \$31,113.95; Sturdevants - Spark Plug, Oil - \$44.35; Teledyne Instruments - ISCO Sampler Tubing - \$376.00; The Ups Store - Parts Shipping - \$92.91; Third Millennium Asso Inc. - Utility Billing - \$608.55; TRK Hosting LLC - Web Hosting - \$7.95; Truck Trailer Sales - Air Tanks, Valves - \$1,372.68; Two Way Solutions Inc. - Install Radios - \$1,225.98; United Way - 1/4 Special Approp - \$9,831.25; Us Bank Equipment Finance - Copier Lease - \$277.53; USA Blue Book - Orion Electrode - \$440.34; USPS Po - Mail Evidence To Lab - \$109.15; Utility Equipment Company - Locating Sonde - \$475.00; Vastbroadband Vexus - Internet Access - \$4,011.75; Viddler Inc. - Video Hosting - \$41.45; Vogt S Fine Cleaners - Uniform Alteration - \$12.25; VWR International Inc. - Laboratory Supplies - \$2,005.97; Walgreens - Program Supplies - \$90.34; Walmart - Office Supplies - \$333.57; Walmart - Program Supplies - \$164.72; Walmart - Paper Shredder - \$224.27; Welfl Construction Corp - Huether Aquatics C-17-19 - \$317,782.59; Wiper Shaker - Bobcat Supplies - \$95.53; Woehl/Toby - Officer Stipend - \$300.00; Xerox Financial Services - Copier Lease - \$1,233.54; Xtreme Car Wash - Car Washes - \$69.60; Yankton Area Chamber - Membership Dues - \$285.00; Yankton Area Convention & - 1/4 Special Approp - \$53,680.75; Yankton Area Prog. Growth - 1/4 Special Approp - \$57,500.00; Yankton Baseball Assn - Special Approp - \$3,600.00; Yankton County Treasurer - Taxes - \$19.50; Yankton Media Inc. - SRF Notice Published - \$16.74; Yankton Medical Clinic - Firefighter Physicals - \$2,145.00; Yankton Rexall Drug - K9 Reno Meds - \$35.96; Yankton School District - Shared Expenses - \$35,508.53; Yankton Transit Inc. - 1/2 Special Approp - \$22,500.00; Yankton Vol Fire Department - 2021 Fire Calls & Drills - \$1,040.00; Ykt Janitorial & Dt Sc - Cleaning Supplies - \$704.82; Zebec - Aquatic Center Tubes - \$5,683.93; Ziegler/William P - Officer Stipend - \$600.00

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

Motion adopted

Salaries by Department: January 2021

Administration \$52,588.27; Finance \$34,865.35; Community Development \$28,349.66; Police/Dispatch \$204,421.66; Fire \$16,771.03; Engineering / Sr. Citizens \$51,804.57; Streets \$49,900.26; Snow & Ice \$14,966.68; Traffic Control \$4,613.27; Library \$24,246.62; Parks / SAC \$74,821.74; Marne Creek \$3,818.73; Water \$39,558.23; Wastewater \$45,538.61; Cemetery \$5,301.76; Solid Waste \$26,036.44; Landfill / Recycle \$20,512.88; Central Garage \$4,277.99

New Hires:

Hunter Hallock, \$1,558.00 bi-wkly, Water Distribution/Wastewater Collection Operations Specialist, Water Dept; Victoria Caine, \$1,762.77 bi-wkly, Youth Services Librarian, Library

Wage Changes:

Reid Hunhoff from \$11.00 hr. to \$11.25, Rec Div.

Position Changes:

William Jensen, from Fleet Mechanic in Central Garage at \$1,650.04 bi-wkly to Grounds Maintenance Worker in Parks Department at \$1,695.38 bi-wkly

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

During the Public Appearances selection, citizen, Curt Bernard, expressed his opinion that masks cause more problems than they solve. He stated the pandemic is one of fear.

Consent Agenda items were discussed and voted on separately.

The date of February 22nd, 2021 was set for the next work session of the Yankton City Commission. The meeting will be at 6:00 pm in Room #114 of the Career Manufacturing Technical Education Academy.

Action 21-34

Moved by Commissioner Benson, seconded by Commissioner Moser, to establish February 22, 2021, as the date for the public hearing on the request for a Special Malt Beverage (on-sale) Retailers License for 2 day, August 20-21, 2021, from Yankton Rodeo Association (Douglas O Hevle, President), Rodeo Grounds, 404 Paddle Wheel Drive, Yankton, S.D.

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

Action 21-35

Moved by Commissioner Brunick, seconded by Commissioner Webber, to approve a license to have a vendors Farmers Market May 1 thru October 31, 2021 on Saturday mornings at the City Parking Lot on 2nd and Douglas North East corner by Market at the Meridian. (Memorandum 21-24)

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

Action 21-36

Moved by Commissioner Webber, seconded by Commissioner Miner, to establish February 22, 2021, as the date for the public hearing on the request for a Special Events (on-sale) Liquor License for February 27, 2021 from Flusswerks, LLC, (Paul Lowrie, Man. Member) d/b/a The Landing, Big River Burrito Co., 100 Douglas, Suite 101, Yankton, S.D.

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

Action 21-37

This was the time and place for the public hearing and second reading for Ordinance No. 1045, AN ORDINANCE SUPPLEMENTING THE 2021 ANNUAL APPROPRIATION ORDINANCE #1038. (Memorandum 21-18) No one was present to speak for or against the adoption of the ordinance. Moved by Commissioner Moser, seconded by Commissioner Webber, to adopt Ordinance No. 1045. **Roll Call:** All members present voting “Aye;” voting “Nay:” None. Motion adopted.

Commissioner Carda introduced and Mayor Johnson read the title of Ordinance No. 1046, AN ORDINANCE EXTENDING THE TEMPORARY MASK ORDINANCE NO. 1044, and set the date of the second reading and public hearing as February 22nd, 2021. Commissioners had discussions on the Health Board recommendation; the proposed end date, whether or not there should be a resolution instead of an ordinance or in addition to an ordinance, and if there should be some metrics involved to trigger an end date. No other official action was taken as this time.

Commissioner Schramm introduced and Mayor Johnson read the title of Ordinance No. 1047, AN ORDINANCE REMOVING RESTRICTIONS ON THE SALE OF ALCOHOL ON CHRISTMAS DAY IN THE CITY OF YANKTON and set the date of the second reading and public hearing as February 22nd, 2021.

Action 21-38

Moved by Commissioner Schramm, seconded by Commissioner Benson, to approve Resolution 21-08. (Memorandum 21-23)

RESOLUTION 21-08

WHEREAS, the City of Yankton has determined that owning the property at 713 Broadway Avenue, Yankton South Dakota is in the best interest of the community, and

WHEREAS, the property is legally described as the North 1/2 of Lot 15 and all of Lot 16, Block 71, Central Yankton Addition to the City of Yankton, South Dakota, and

WHEREAS, the current owners, Bradley C. Dykes (co-owner Sheryl, M. Dykes) have voluntarily offered to sell the described property to the City of Yankton for Twenty-Three Thousand Five Hundred Dollars (\$23,500) as described in the associated purchase agreement.

NOW, THEREFORE BE IT RESOLVED that the Board of City Commissioners of the City of Yankton, South Dakota, hereby approves the purchase of the described property, and

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

Roll Call: Commissioners voting “Aye” were Brunick, Maibaum, Miner, Moser, Schramm and Mayor Johnson; voting “Nay” were Commissioners Benson, Carda and Webber. Motion adopted.

Action 21-39

Moved by Commissioner Benson, seconded by Commissioner Moser, to approve Resolution 21-07.
(Memorandum 21-22)

RESOLUTION 21-07

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

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

SURPLUS PROPERTY TO BE TRADE IN:
2015 Toro Ground Master 4100-D serial number 314000148

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

Action 21-40

Moved by Commissioner Carda, seconded by Commissioner Webber, to adjourn at 8:33 p.m.

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

Nathan V Johnson
Mayor

ATTEST:

Al Viereck
Finance Officer



OFFICE OF THE CITY MANAGER

www.cityofyankton.org

VOL. 56, NUMBER 4

Commission Information Memorandum

The Yankton City Commission meeting on Monday, February 22, 2021, will begin at 7:00 pm.

Non-Agenda Items of Interest

1) Community & Economic Department Update

The budgeted camera security system is substantially installed at the airport. We are happy to have access to this technology. It provides our staff, and if necessary, emergency responders the ability to view multiple locations at the airport if needed. The project will improve our ability to protect the private and public investments at the facility.

2) Environmental Services Department Update

The Water Environment Federation (WEF) is a not-for-profit technical and educational organization representing water quality professionals around the world. As a global water sector leader, the mission is to connect water professionals; enrich the expertise of water professionals; increase the awareness of the impact and value of water; and provide a platform for water sector innovation. WEF and its global network of members and Member Associations (MAs) provide water quality professionals around the world with the latest in water quality education, training, and business opportunities. WEF's diverse membership includes scientists, engineers, regulators, academics, utility managers, plant operators, and other professionals.

The South Dakota Water Environment Association (SDWEA) is a member association in partnership with the Water Environment Federation (WEF). The South Dakota Water Environment Association (SDWEA) is dedicated to providing education, disseminating technical information, increasing public understanding and promoting sound public policy in the water environment field. The Association is committed to providing high quality services to its Members. Tanner Hanson, City of Yankton Wastewater Plant Superintendent, is the current President of the SDWEA. Tanner is in his second year as president after serving 2 years as vice president. Tanner has been involved with setting up the annual conferences and seminars within the state. Tanner has been instrumental in helping guide the organization through the pandemic. Tanner has worked with other members of SDWEA to make conferences and other training available online to water/wastewater operators around the state. Tanner has also been instrumental in promoting the SD WEA and its fund-raising opportunities. Tanner has become recognized as one of the leaders in our industry within the state. Tanner has gone above and beyond and has done an excellent job representing the City of Yankton.

3) Police Department Update

We were able to tentatively hire one candidate from the recent hiring process. This individual is still in school at Mount Marty University and we will attempt to hire him part time to be able to complete his classroom training while he is still in school. This will help us cut down on the time it takes to make him a fully functional police officer.

We are still short staffed. We are working with HR to start another round of hiring. We are brainstorming ways to more actively recruit viable candidates.

We will be advertising for an SRO position as Officer Wilson will go back to patrol at the end of the school year.

We will be postponing the citizen police academy until spring of 2022 due to COVID distancing. A large part of the citizen police academy is “show and tell” and requires hands on training.

Other meetings that we will attend via zoom are as follow: Connecting Cultures, South Dakota Chiefs of Police, Emergency Management meeting, COVID Task Force, Optimists.

4) Public Works Department Update

Street department crews have been working on the annual tree removal list as the weather allows. In addition, street department staff continue to perform winter maintenance projects on both equipment and the streets.

The Huether Family Aquatics Center

As can be expected with the current weather, all ongoing work is interior related. The contractors were able to complete the sheetrock installation in the concession building. Electricians are working on installing wire in the conduit that is already in place.

The ceiling installation in the bathhouse is ongoing. The water heater in the bathhouse mechanical room has been set and the plumber is making the final connections.

Sheetrock on the ceiling of the mechanical building is nearly complete.

Marne Creek Bank Stabilization and Maintenance Trail Reconstruction

The FEMA estimate review by Banner Associates is complete. It was determined that the best course of action at this time was to utilize this estimate as our “ground zero” point. If at a later point in time we decide that their estimate is not adequate, then we can direct Banner Associates to complete their own pre-disaster cost estimate.

A pre-disaster cost estimate is required by FEMA as part of the process to receive funding.

In-house Projects

The Spruce Street reconstruction project, from 4th Street to 6th Street, has been advertised for bid. The 23rd Street construction project will be advertised in the near future.

Yankton Citywide Cleanup

Yankton Citywide Cleanup is scheduled to begin curbside pickup April 19, 2021. Placing items curbside before April 10 is not permitted. Items placed curbside before April 10 may be removed at the property owner’s expense. Residents on City solid waste collection routes may participate, at no additional cost, by placing items into sorted piles, by type, at their homes. Please have items placed curbside by your regular collection day. Piles should be located directly in front of your property, not in the street, alley, or neighboring property. The Transfer Station will be accepting no charge drop-off from regular collection route customers April 19 through May 15 during normal operating hours, Monday-Friday 8:00 am – 3:45 pm and Saturday 8:00 am – 12 noon. Items not eligible for disposal include tires, grass clippings, leaves, recyclables, refrigerator, air conditioners, dehumidifiers, paint,

chemicals or household hazardous waste, oils, and batteries. Motor oil may be taken to the transfer station and disposed of free of charge year around. Please place solid waste and recycle roll carts for regular collection at your normal collection point and away from piles. For more information on citywide cleanup and Transfer Station hours, visit <http://www.cityofyankton.org> or call (605) 668-5211. Due to the cancellation of the fall 2020 Household Hazardous Waste Collection Event, an event has been scheduled for the spring of 2021. Enclosed in this packet is an information flyer for the Household Hazardous Waste Collection Event scheduled for Saturday, April 17th.

5) Library Update

In February, the library is offering a Bingo game. Participants can get a Bingo by doing things like walking the Meridian Bridge, trying a new recipe, and sending a card or letter to someone in a nursing home. We of course also have challenges that involve reading, like trying a different genre or a new title. The game offers lots of ways to be active, be creative, be kind and have fun. Once participants have a Bingo, they can return their cards to the library for a chance to win \$25 in Yankton bucks along with some other fun prizes.

We are still compiling stories for our Community History Project. We'd love to hear your perspective and for you to tell your friends and colleagues about the project.

6) Parks and Recreation Department Update

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

7) Fire Department Update

The Yankton Fire Department Executive committee has formulated a "return to normal" plan for bringing members back to the fire station for training and other events. We will be following City Ordinance regarding masking. Training and meetings will again be held within our facilities and virtual options will be available to those that chose not to attend in person.

8) Finance Department Update

The City of Yankton is renewing its annual general liability and property insurance with the South Dakota Public Assurance Alliance (SDPAA) effective March 1, 2021. As a member, we receive benefits in stable pricing, free risk control surveys, free property valuation reviews, and safety assistance. In the past twelve years, we have utilized M.T. & R.C. Smith Insurance as an agent to handle insurance claims, add and remove vehicles and property, and collect on third party claims. We have been reviewing our files and have decided to work directly with the SDPAA. This will save the City roughly 5% in agent commission fees and will increase efficiency. We are thankful for the excellent customer service and relationship with Smith Insurance. We will still be using Smith Insurance for our notary bond needs, airport liability insurance, and Fireman's accident policy.

The deadline for filing nominating petitions for the city commission vacancies is Friday, February 26 at 5:00 p.m. Individuals who have filed petitions and are candidates for the city commission as of Tuesday, February 16 are Nathan V. Johnson, Michael Grave, Bridget Benson, and Stacey Nickels. The municipal election will be held Tuesday, April 13.

During the winter months, residential utility customers often ask how their sewer rate is calculated. The residential rate is based on an average of their water consumption during the months of December, January and February as billed in January, February and March of each year. This sets their maximum rate for the coming year. Residential sewer rates are adjusted annually and are reflected in the April utility billing.

Please see the enclosed Monthly Finance Report for January.

9) Human Resources Department Update

We have one offer extended for a Police Officer for the Yankton PD. We are still looking for more officers for our department, therefore, we will restart our search. We have some applications that have come in since our last interview group, this is where we'll start.

The Fleet Mechanic position has been offered and accepted. The applicant is in the middle of the post offer testing, and we expect this person to start March 1st and they will be announced at that time.

We will begin summer seasonal recruitment within the next week or two. As in past years, we are looking for summer help in Parks and Recreation and Public Works. Specifically, we are looking for lifeguards, water safety instructors, softball umpires, volleyball referees, youth summer program instructors, solid waste collectors and engineering aides.

The Library has begun conducting interviews for the Library Assistant. We have a very talented and competitive group of applications and are looking forward to finding the best people to join our organization.

Kronos testing has begun. We have selected a small sample of employees to begin tracking their time and entering it into the timeclock for testing. We have timeclocks for the Parks, Streets, Transfer station and City Hall. Other areas of our organization will use computers or personal devices to clock in/out.

10) Monthly reports / Minutes

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

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

Sincerely,

Amy Leon
City Manager

PARKS AND RECREATION DEPARTMENT

SUMMIT ACTIVITIES CENTER and RECREATION PROGRAMS

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

- 1) safety of everyone- staff and patrons.
- 2) Help in the effort to have in-school classes during the entire 2020-2021 school year. We continue to monitor pandemic data in the county, monitor YSD in-school operations, and will adjust plans accordingly. The facility will not be able to go back to what everyone knew as “normal” operations until after Memorial Day 2021.

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 Memorial Day 2021.

- SAC member attendance for February 1 – 15 – 1,015 visits
(2020- 2,953 visits, 2019- 3,468 visits, 2018- 3,170 visits, 2017- 3,344 visits)
- New Members Joined– 46
(2020- 23 people, 2019- 40 new members, 2018- 41 people, 2017- 26 people)
 - Annual passes sold: 3
 - Monthly passes sold: 41
 - EFT passes sold: 2
 - The Huether Family Aquatics Center passes sold- 14
- GreatLIFE reimbursement for December 2020: \$646.50

Capital Building Rentals

- Days Rented – 0 Dates

Park Shelter Rentals

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

Saturday, February 20 at the SAC- The Yankton Swim Team will have an intra-squad meet to record times for applying to other meet qualifications.


The SAC staff are working with winter swimming lessons and lifeguard certification classes.

The SAC staff are working with open swims on Saturday and Sundays. Two sessions of open swims happen each Saturday and Sunday. The times are Noon to 1:30 and 2:00pm to 3:30.

The Recreation Staff have been working on the operations plan for The Huether Family Aquatics Center for 2021.

The Recreation Staff will begin working on a digital summer recreation brochure for 2021 in the coming weeks.

Brittany LaCroix has launched a social media “photo” campaign for the Facebook pages.

It’s time to show some LOVE for Yankton  Take a photo with a heart or your favorite place in Yankton using [#ILoveYankton](#)

Brittany L. is working with the River City Rainbow Chase for a new running event in Yankton in March of 2021. The event is set for Saturday, March 13, at 9:00am. More information can be found on Facebook at the River City Rainbow Chase page.

Brittany L. is working on 4th of July fireworks for 2021.

Brittany L. is planning for Music at the Meridian in 2021.

PARKS

Todd is working with the Yankton CVB and the Nebraska Department of Tourism on an attraction at the Meridian Bridge as an effort to bring tourism to the area from Nebraska as a part of their state’s “passport” program. Numerous sites around Nebraska are on the passport and visitors need to visit all the sites and have the passport stamped to be entered into win prizes.

The parks staff have been removing snow and ice from city properties, sidewalks, and parking lots.

The parks staff have been taking down holiday decorations and banners.

The Parks Department is working with the Street Department to take down dead, diseased, or hazardous trees on City property and in street ROW’s. Parks staff are trimming trees in parks and green spaces maintained by the City. The Street Department helps in this effort with large limbs. Ash trees are being removed also as a part of the Emerald Ash Borer Mitigation Plan for ROW’s, boulevards, and City owned property.

The Parks Department is beginning to prepare for 2021 Capital purchases.

FINANCE MONTHLY REPORT

Activity	January-21	January-20	Jan-21YTD	Jan-20YTD
UTILITY BILLING:				
Water				
Water Sold (in gallons per 1,000)	40,507 M	41,638 M	40,507 M	41,638 M
Water Billed	\$480,883.99	\$474,408.07	\$480,883.99	\$474,408.07
Basic Water Fee/Rate per 1000 gal.*	\$27.51/6.30	\$27.51/\$6.12		
Number of Accounts Billed	5,386	5,331	5,386	5,331
Number of Bills Mailed	5,386	5,331	5,386	5,331
Total Meters Read	5,845	5,786	5,845	5,786
Meter Changes/pulled	4	2	4	2
Total Days Meter Reading	1	1	1	1
Misreads found prior to billing	0	0	0	0
Customers requesting Rereads	0	0	0	0
Sewer				
Sewer Billed	\$332,418.99	\$330,538.33	\$332,418.99	\$330,538.33
Basic Sewer Fee/Rate per 1000 gal.*	\$11.22/\$6.80	\$10.69/\$6.48		
Solid Waste				
Solid Waste Billed	\$107,942.61	\$103,633.53	\$107,942.61	\$103,633.53
Basic Solid Waste Fee*	\$23.61	\$22.92		\$22.92
Total Utility Billing:	\$921,245.59	\$908,579.93	\$921,245.59	\$908,579.93
Adjustment Total:	(\$251.35)	(\$140.00)	(\$251.35)	(\$140.00)
Misread Adjustments	\$0.00	\$0.00	\$0.00	\$0.00
Other Adjustments	(\$131.35)	(\$10.00)	(\$131.35)	(\$10.00)
Penalty Adjustments OFF	(\$130.00)	(\$140.00)	(\$130.00)	(\$140.00)
Penalty Adjustments ON	\$10.00	\$10.00	\$10.00	\$10.00
New Accounts/Connects	43	40	43	40
Accounts Finaled/Disconnects	73	58	73	58
New Accounts Set up	7	7	7	7
Delinquent Notices	354	395	354	395
Doorknockers	98	160	98	160
Delinquent Call List	50	98	50	98
Notice of Termination Letters	5	8	5	8
Shut-off for Non-payment	4	5	4	5
Delinquent Notice Penalties	\$3,540.00	\$3,950.00	\$3,540.00	\$3,950.00
Doorknocker Penalties	\$980.00	\$1,600.00	\$980.00	\$1,600.00
Bad debts/Accts listed at Collections	\$116,193.23	\$96,354.28		\$100,311.62
Other Office Functions:				
Interest Income	\$17,383.79	\$91,358.20	\$17,383.79	\$91,358.20
Interest Rate-Checking Account	0.41%	2.05%		
Interest Rate-CDs	N/A	N/A	N/A	N/A
# of Monthly Vendor Checks	123	157		
Payments Issued to Vendors	\$ 2,913,582.79	\$ 3,492,390.68	\$ 2,913,582.79	\$ 3,492,390.68
# of Employees on Payroll	167	203		
Monthly Payroll *	\$ 487,061.36	\$ 471,129.82	\$ 487,061.36	\$ 471,129.82

Joint Powers Solid Waste Authority
Financial Report Thru January 31, 2021

Description	Yankton Transfer	Vermillion Landfill	Total Joint	1 Month Budget	Legal 2021 Budget
Joint Power Transfer/Landfill					
<i>Total Revenue</i>	\$108,989.96	\$63,568.13	\$172,558.09	\$202,415.00	\$2,428,980.00
<i>Expenses:</i>					
Personal Services	16,274.39	29,170.12	45,444.51	63,435.25	761,223.00
Operating Expenses	22,528.78	12,229.84	34,758.62	72,120.83	865,450.00
Depreciation (est)	13,477.54	20,651.83	34,129.37	36,099.67	433,196.00
Trench Depletion	0.00	10,235.36	10,235.36	18,833.33	226,000.00
Closure/Postclosure Resrv	0.00	644.73	644.73	2,083.33	25,000.00
Amortization of Permit	0.00	141.47	141.47	111.25	1,335.00
<i>Total Operating Expenses</i>	52,280.71	73,073.35	125,354.06	192,683.67	2,312,204.00
<i>Non Operating Expense-Interest</i>	0.00	0.00	0.00	5,467.83	65,614.00
<i>Landfill Operating Income</i>	56,709.25	(9,505.22)	47,204.03	4,263.50	51,162.00
Joint Recycling Center					
<i>Total Revenue</i>	0.00	4,629.31	4,629.31	7,958.33	95,500.00
<i>Expenses:</i>					
Personal Services	0.00	16,638.51	16,638.51	19,752.75	237,033.00
Operating Expenses	0.00	5,342.97	5,342.97	10,258.33	123,100.00
Depreciation (est)	0.00	2,427.50	2,427.50	3,125.00	37,500.00
<i>Total Operating Expenses</i>	0.00	24,408.98	24,408.98	33,136.08	397,633.00
<i>Non Operating Expense-Interest</i>	0.00	0.00	0.00	0.00	0.00
<i>Recycling Operating Income</i>	0.00	(19,779.67)	(19,779.67)	(25,177.75)	(302,133.00)
<i>Total Operating Income</i>	\$56,709.25	(\$29,284.89)	\$27,424.36	(\$20,914.25)	(\$250,971.00)
Tonage in Trench:	1/31/2020	1/31/2021			
Asbestos	26.48	5.45	5.45	4.17	50.00
Centerville	20.89	20.96	20.96	91.67	1,100.00
Beresford	109.82	0.00	0.00	116.67	1,400.00
Clay County Garbage	1,006.40	1,008.68	1,008.68	1,208.33	14,500.00
Elk Point	89.82	80.53	80.53	21.67	260.00
Yankton County Garbage	1,774.08	1,814.95	1,814.95	1,991.67	23,900.00
<i>Total Tonage in Trench</i>	3,027.49	2,930.57	2,930.57	3,434.17	41,210.00
Operating Cost per ton			\$42.77	\$57.70	\$57.70

This report is based on the following:

Revenue accrual thru January 31, 2021

Expenses cash thru January 31, 2021 with February's bills

Joint Powers Solid Waste Authority
Financial Report Thru January 31, 2021

Description	Yankton Transfer	Vermillion Landfill	Total Joint	1 Month Budget	Legal 2021 Budget
Source of Funds					
<i>Beginning Balance</i>	(\$552,370.00)	\$2,257,455.00	\$1,705,085.00	\$1,705,085.00	\$1,705,085.00
<i>Operating Revenue:</i>					
Net Income	56,709.25	(29,284.89)	27,424.36	(20,914.25)	(250,971.00)
Depreciation	13,477.54	23,079.33	36,556.87	39,224.67	470,696.00
Trench Depletion	0.00	10,235.36	10,235.36	18,833.33	226,000.00
Amortization of Permit	0.00	141.47	141.47	111.25	1,335.00
<i>Non Operating Revenue:</i>					
Grant	0.00	0.00	0.00	41,666.67	500,000.00
Loan Proceeds	0.00	0.00	0.00	125,000.00	1,500,000.00
Contributed Capital	0.00	0.00	0.00	833.33	10,000.00
Sale Proceeds	0.00	0.00	0.00	4,125.00	49,500.00
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	0.00	939.59	939.59	1,766.67	21,200.00
<i>Cash Flow Transfer:</i>					
Joint Power Transfer/Landfill	(61,035.78)	61,035.78	0.00	144,500.00	1,734,000.00
Joint Recycling Center	0.00	0.00	0.00	0.00	0.00
Total Funds Available	(543,218.99)	2,323,601.64	1,780,382.65	2,060,231.67	5,966,845.00
Application of Funds Available					
<i>Joint Power Transfer/Landfill</i>					
Equipment	0.00	0.00	0.00	40,166.67	482,000.00
Trench	0.00	0.00	0.00	0.00	0.00
Closure/Postclosure Cash Res.	0.00	644.73	644.73	2,083.33	25,000.00
<i>Joint Recycling Center</i>					
Equipment	0.00	213,824.70	213,824.70	3,583.33	43,000.00
<i>Payment Principal</i>	0.00	0.00	0.00	13,100.83	157,210.00
<i>Appropriation to Reserve</i>	0.00	0.00	0.00	0.00	0.00
Total Applied	0.00	214,469.43	214,469.43	58,934.17	707,210.00
Ending Balance	(\$543,218.99)	\$2,109,132.21	\$1,565,913.22	\$2,001,297.50	\$5,259,635.00

Joint Power Transfer/Landfill Description	Yankton Transfer	Vermillion Landfill	Total Joint	1 Month Budget	Legal 2021 Budget
<i>Revenue: (accrual)</i>					
Asbestos	\$0.00	\$275.60	\$275.60	\$500.00	\$6,000.00
Elk Point	0.00	4,105.47	4,105.47	5,200.00	\$62,400.00
Centerville	0.00	1,068.96	1,068.96	1,148.33	13,780.00
Beresford	0.00	0.00	0.00	6,041.67	72,500.00
Clay County Garbage	0.00	54,833.45	54,833.45	68,466.67	821,600.00
Compost-Yd Waste-Wood	0.00	473.15	473.15	791.67	9,500.00
Contaminated Soil	0.00	1,339.30	1,339.30	416.67	5,000.00
White Goods	0.00	151.50	151.50	500.00	6,000.00
Tires	0.00	1,219.90	1,219.90	333.33	4,000.00
Electronics	0.00	100.80	100.80	500.00	6,000.00
Other Revenue	0.00	0.00	0.00	1,258.33	15,100.00
Cash long	0.00	0.00	0.00	0.00	0.00
Rubble	5,766.91	0.00	5,766.91	4,333.33	52,000.00
Transfer Fees	103,162.55	0.00	103,162.55	112,500.00	1,350,000.00
Metal	60.50	0.00	60.50	416.67	5,000.00
Other Operational - Solid Waste	0.00	0.00	0.00	8.33	100.00
Total Revenue	108,989.96	63,568.13	172,558.09	202,415.00	2,428,980.00
<i>Expenses: (cash)</i>					
Personal Services	16,274.39	29,170.12	45,444.51	63,435.25	761,223.00
Insurance	0.00	0.00	0.00	2,502.08	30,025.00
Professional Service/Fees	1,733.16	264.00	1,997.16	11,000.00	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	2,930.57	2,930.57	3,875.00	46,500.00
Professional - Legal/Audit	0.00	0.00	0.00	229.17	2,750.00
Publishing & Advertising	0.00	0.00	0.00	275.00	3,300.00
Rental	0.00	0.00	0.00	41.67	500.00
Hauling fee	0.00	0.00	0.00	0.00	0.00
Equipment repair	556.62	390.98	947.60	5,083.33	61,000.00
Motor vehicle repair	0.00	0.00	0.00	2,000.00	24,000.00
Vehicle fuel & maintenance	10,438.83	1,385.50	11,824.33	17,250.00	207,000.00
Equip, Mat'l & Labor	5,889.44	0.00	5,889.44	5,416.67	65,000.00
Building repair	0.00	0.00	0.00	2,000.00	24,000.00
Facility repair & maintenance	0.00	113.58	113.58	2,916.67	35,000.00
Postage	20.34	1.78	22.12	70.83	850.00
Office supplies	53.16	47.08	100.24	291.67	3,500.00
Copy supplies	0.00	0.00	0.00	31.25	375.00
Uniforms	0.00	427.00	427.00	458.33	5,500.00
Small Tools & Hardware	0.00	0.00	0.00	20.83	250.00
Travel & Training	0.00	396.93	396.93	375.00	4,500.00
Operating supply	513.00	6,143.69	6,656.69	12,300.00	147,600.00
Electricity	775.46	0.00	775.46	2,583.33	31,000.00
Heating Fuel - Gas	2,512.28	0.00	2,512.28	2,708.33	32,500.00
Water	0.00	0.00	0.00	291.67	3,500.00
WW service	0.00	0.00	0.00	108.33	1,300.00
Landfill	0.00	0.00	0.00	25.00	300.00
Telephone	36.49	128.73	165.22	266.67	3,200.00
Depreciation (est)	13,477.54	20,651.83	34,129.37	36,099.67	433,196.00
Trench Depletion		10,235.36	10,235.36	18,833.33	226,000.00
Closure/Postclosure Resrv		644.73	644.73	2,083.33	25,000.00
Amortization of Permit		141.47	141.47	111.25	1,335.00
Total Op Expenses	52,280.71	73,073.35	125,354.06	192,683.67	2,312,204.00

Joint Powers Solid Waste Authority
Financial Report Thru January 31, 2021

Joint Power Transfer/Landfill Description	Yankton Transfer	Vermillion Landfill	Total Joint	1 Month Budget	Legal 2021 Budget
<i>Non Operating Expense-Interest</i>	0.00	0.00	0.00	5,467.83	65,614.00
<i>Operating Income (Loss)</i>	\$56,709.25	(\$9,505.22)	\$47,204.03	\$4,263.50	\$51,162.00
<i>Capital:</i>					
Capital Outlay	\$0.00	\$0.00	\$0.00	\$40,166.67	\$482,000.00
Landfill Development	0.00	0.00	0.00	210,416.67	\$2,525,000.00
Capital Lease	0.00	0.00	0.00	0.00	\$0.00
<i>Total Capital Expenditures</i>	\$0.00	\$0.00	\$0.00	\$250,583.33	\$3,007,000.00
<i>Grant Reimbursement</i>	\$0.00	\$0.00	\$0.00	\$41,666.67	\$500,000.00
<i>Federal Grant thru State</i>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<i>Equipment Sale Proceeds</i>	\$0.00	\$0.00	\$0.00	\$4,125.00	\$49,500.00
<i>Cash Flow Transfer</i>	(\$61,035.78)	\$61,035.78	\$0.00	\$0.00	\$0.00
<i>Tonage in Trench:</i>					
Asbestos		5.45	5.45	4.17	50.00
Beresford		0.00	0.00	116.67	1,400.00
Centerville Garbage		20.96	20.96	91.67	1,100.00
Clay County Garbage		1,008.68	1,008.68	1,208.33	14,500.00
Elk Point		80.53	80.53	21.67	260.00
Yankton County Garbage		1,814.95	1,814.95	1,991.67	23,900.00
<i>Total Tonage in Trench</i>		2,930.57	2,930.57	3,434.17	41,210.00
 Operating Cost per ton			 \$42.77	 \$57.70	 \$57.70

Joint Recycling Center Description	Yankton Transfer	Vermillion Center	Total Joint	1 Month Budget	Legal 2021 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	208.33	2,500.00
Plastic	0.00	0.00	0.00	1,250.00	15,000.00
Aluminum	0.00	0.00	0.00	1,333.33	16,000.00
Newsprint	0.00	281.33	281.33	750.00	9,000.00
Cardboard	0.00	4,152.23	4,152.23	3,333.33	40,000.00
High Grade Paper	0.00	0.00	0.00	416.67	5,000.00
Other Material	0.00	195.75	195.75	666.67	8,000.00
Contributions/Operating Grants	0.00	0.00	0.00	0.00	0.00
Total Revenue	0.00	4,629.31	4,629.31	7,958.33	95,500.00
<i>Expenses:</i>					
Personal Services	0.00	16,638.51	16,638.51	19,752.75	237,033.00
Insurance	0.00	0.00	0.00	200.00	2,400.00
Professional Service/Fees	0.00	0.00	0.00	250.00	3,000.00
Hazardous Waste Collection	0.00	0.00	0.00	3,333.33	40,000.00
Professional-Legal	0.00	0.00	0.00	0.00	0.00
Publishing & Advertising	0.00	0.00	0.00	125.00	1,500.00
Rental	0.00	0.00	0.00	0.00	0.00
Equipment repair	0.00	0.00	0.00	791.67	9,500.00
Vehicle repair & maintenance	0.00	0.00	0.00	83.33	1,000.00
Vehicle fuel	0.00	29.84	29.84	416.67	5,000.00
Building repair & maintenance	0.00	91.08	91.08	208.33	2,500.00
Postage	0.00	0.44	0.44	8.33	100.00
Freight	0.00	0.00	0.00	1,458.33	17,500.00
Office supplies	0.00	47.09	47.09	83.33	1,000.00
Uniforms	0.00	0.00	0.00	62.50	750.00
Materials Purchases	0.00	213.40	213.40	375.00	4,500.00
Travel & Training	0.00	529.24	529.24	125.00	1,500.00
Operating Supplies	0.00	2,318.98	2,318.98	833.33	10,000.00
Copy Supply	0.00	65.98	65.98	16.67	200.00
Electricity	0.00	1,914.80	1,914.80	541.67	6,500.00
Heating Fuel-Gas	0.00	0.00	0.00	395.83	4,750.00
Water	0.00	29.54	29.54	54.17	650.00
WW service	0.00	40.50	40.50	100.00	1,200.00
Telephone	0.00	62.08	62.08	70.83	850.00
Revenue Sharing	0.00	0.00	0.00	725.00	8,700.00
Depreciation (est)	0.00	2,427.50	2,427.50	3,125.00	37,500.00
Total Op Expenses	0.00	24,408.98	24,408.98	33,136.08	397,633.00
<i>Non Operating Expense-Interest</i>	0.00	0.00	0.00	0.00	0.00
Operating Income (Loss)	\$0.00	(\$19,779.67)	(\$19,779.67)	(\$25,177.75)	(\$302,133.00)
Capital Outlay	\$0.00	\$213,824.70	\$213,824.70	\$3,583.33	\$43,000.00
Grant Reimbursement/Donations	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Cash Flow Transfer	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

This report is based on the following:

Revenue accrual thru January 31, 2021

Expenses cash thru January 31, 2021 with February's bills

2021 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	56,709.25	(9,505.22)	47,204.03	2,930.57	42.77	0.00	(19,779.67)	(19,779.67)	56,709.25	(29,284.89)	27,424.36

2/8/2021

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 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
October 2020	268.16	599.32	497.65	85.75	31.21	1,213.93	571.74	2,053.83
November 2020	262.62	589.64	455.91	68.49	24.26	1,138.30	493.33	1,894.25
December 2020	284.79	574.48	477.91	65.28	27.70	1,145.37	470.55	1,900.71
2020 Total	3,226.15	7,011.27	5,549.16	917.64	316.67	13,794.74	7,101.01	24,121.90
January 2021	236.20	525.19	420.65	82.07	23.66	1,051.57	507.40	1,795.17
2021 Total	236.20	525.19	420.65	82.07	23.66	1,051.57	507.40	1,795.17

CITY OF VERMILLION
LANDFILL TONS

	2021	Art's Garbage	City of Elk Point	Fischer Disposal	Loren Fischer	Herm's Sanitation	Turner County	Vermillion Garbage	Waste Mgmt of Sioux City	Other	2021 Tons
\$51.00 PER TON	Jan	26.78	80.53	177.08	491.69	23.71	20.96	58.58	125.47	110.82	1115.62
	Feb										0.00
	Mar										0.00
	April										0.00
	May										0.00
	June										0.00
	July										0.00
	Aug										0.00
	Sept										0.00
	Oct										0.00
	Nov										0.00
	Dec										0.00
			26.78	80.53	177.08	491.69	23.71	20.96	58.58	125.47	110.82
\$49.00 PER TON	Jan	10.20	109.82	89.82	188.77	479.63	20.89	42.05	132.71	179.52	1253.41
	Feb	27.67	86.89	74.09	164.48	363.19	18.85	35.80	166.79	115.88	1053.64
	Mar	36.06	117.09	87.63	200.26	442.49	18.29	39.74	120.55	312.30	1374.41
	April	21.04	118.69	101.50	209.59	597.24	15.73	37.34	91.47	511.54	1704.14
	May	20.92	112.24	87.29	228.45	607.99	15.83	36.03	82.73	224.84	1416.32
	June	63.59	131.92	96.00	251.81	636.94	18.20	34.82	120.15	483.54	1836.97
	July	73.05	133.48	103.55	232.84	637.95	18.08	40.96	127.16	316.98	1684.05
	Aug	22.18	130.83	89.52	239.99	563.87	13.35	47.89	166.30	229.07	1503.00
	Sept	5.10	114.94	101.96	215.96	547.94	23.22	37.96	140.07	351.97	1539.12
	Oct	15.13	125.51	90.86	207.74	535.07	18.23	43.75	220.27	210.17	1466.73
	Nov	17.08	126.87	95.34	210.56	529.42	20.56	42.02	166.62	123.31	1331.78
	Dec	81.40	114.86	119.47	192.03	500.93	21.70	36.67	129.75	95.13	1291.94
			393.42	1423.14	1137.03	2542.48	6442.66	222.93	475.03	1664.57	3154.25

January 2021	
YPD	
Calls For Service	
911 HANG UP	5
911 OPEN	5
ALARM	5
ALCOHOL	4
AMBULANCE	21
ANIMAL	27
ASSAULT	5
ASSIST	8
ATTEMPT TO LOCATE	2
BOND VIOLATION	2
BURGLARY BUSINESS	2
BURGLARY RESIDENTIAL	3
CHILD ABUSE	3
CHILD CUSTODY	1
CIVIL DISPUTE	16
CRIMINAL ENTRY OF MV	1
DISORDERLY CONDUCT	13
DOMESTIC VIOLENCE	21
DRIVING COMPLAINT	21
DRIVING COMPLAINT 911	4
DRUG	22
ELDER ABUSE	1
ESCORT	5
EX PATRL	6
FAMILY OFFENSE	3
FIGHT	7
FIRE	5
FOREIGN AID	20
FRAUD	13
GAS DRIVE OFF	1
HARASS	18
HAZMAT	1
HIT&RUN	16
INFORMATION	6
INSPECT	4
JUV	18
LEWDNESS	1
LOST & FOUND	3
MENTAL ILLNESS	16
MISC	4
MISSING PERSON	3
MOTOR ASSIST	14
NOISE COMPLAINT	10
OPN DOOR	3
PARKING	19
PROPERTY	8
PROTECTION ORDER	4
REQUEST	2
ROBBERY	1
RUNAWAY	1
SAFETY TALK	4
SEX CRIME	8
SIG 2	26
SIGNAL 1 INJURY	3
SUICIDE	9
SUSP ACTIVITY	18
SUSPICIOUS PERSON/VEHICLE	42
THEFT	40
THREAT	6
TRAFFIC CONTROL	2
TRAFFIC STOP	246
TRESPASS	5
TRUANCY	7
VANDALISM	24
VEHICLE/ROAD COMPLAINT	8
WALKAWAY	1
WARRANT	9
WEAPONS	2
WELFARE CHECK	49
Total:	913

Adult Arrests:
Individuals Arrested: 63
of Charges: 99

Juvenile Arrests:
Individuals Arrested: 3
of Charges: 4

Total Citations: 81

January 2021
YPD
Activity Report

	GENERAL SUMMARY			
	THIS MONTH		Year To Date	
	This Year	Last Year	This Year	Last Year
POLICE INCIDENTS	913	1092	913	1092
SHERIFF INCIDENTS	149	142	149	149
AMBULANCE CALLS (YPD)	21	21	21	21
FIRE / HAZMAT CALLS	5	3	5	5
FOREIGN AID CALLS	20	17	20	20
ALARMS	5	25	5	5
ANIMAL CALLS / COMPLAINTS	27	26	27	27
ANIMALS CLAIMED OR IMPOUNDED (HHS)	11	9	11	11
ANIMALS DISPOSED	0	0	0	0

	ACCIDENT SUMMARY			
	THIS MONTH		Year To Date	
	This Year	Last Year	This Year	Last Year
STATE REPORTABLE	18	20	18	20
NON REPORTABLE AND HIT & RUN	24	29	24	29
SIGNAL 1 INJURY	3	3	3	3
# PERSONS INJURED	2	2	2	2
FATALITIES	0	0	0	0
PEDESTRIAN ACCIDENT	1	1	1	1

January 2021

YPD

Citations

			THIS MONTH		YEAR TO DATE	
	This Month Juv / Adult		Total This Year	Total Last Year	Total This Year	Total Last Year
SUSPENDED, EXPIRED OR UNLICENSED DRIVER		14	14	19	14	19
CARELESS DRIVING			0	5	0	5
EXHIBITION DRIVING		2	2	1	2	1
SPEEDING	1	7	8	12	8	12
STOP SIGN, RED LIGHT VIOLATION	2	2	4	10	4	10
ANIMALS AT LARGE			0	0	0	0
MAINTENANCE OF FINANCIAL RESPONSIBILITY		9	9	17	9	17
OPEN CONTAINER			0	2	0	2
CONSUMPTION UNDERAGE (18-20 yoa)		3	3	3	3	3
LIQUOR VIOLATIONS / FURNISHING ALCOHOL TO A MINOR			0	0	0	0
MISDEAMEANOR DRUG VIOLATIONS (POSS. OF DRUG PARAPH)		20	20	8	20	8
TOBACCO VIOLATIONS	3		3	5	3	5
PETTY THEFT UNDER \$400		5	5	0	5	0
INTENTIONAL DAMAGE TO PROPERTY			0	0	0	0
OTHER VIOLATIONS	3	10	13	19	13	19
TOTAL TRAFFIC CITATIONS	9	72	81	101	81	101

January 2021

YPD

Adult Arrest

	THIS MONTH		YEAR TO DATE	
	This Year	Last Year	This Year	Last Year
MURDER	0	0	0	0
RAPE	0	0	0	0
ROBBERY	0	0	0	0
DUI	9	5	9	5
DRIVING UNDER REVOCATION	5	3	5	3
BURGLARY	0	2	0	2
ASSAULT AGGRAVATED	1	1	1	1
ASSAULT SIMPLE	2	0	2	0
CRIMES AGAINST FAMILY / DOMESTIC VIOLENCE	7	7	7	7
DISORDERLY CONDUCT	0	0	0	0
SEXUAL CONTACT/SEX OFFENSES	0	0	0	0
THEFT PETTY	2	2	2	2
THEFT GRAND	0	0	0	0
THEFT AUTO	0	0	0	0
FORGERY & COUNTERFEITING	0	2	0	2
FRAUD	0	0	0	0
EMBEZZLEMENT	0	0	0	0
INTENTIONAL DAMAGE	0	1	0	1
NARCOTIC DRUG CHARGES	24	43	24	43
LIQUOR ARRESTS	1	0	1	0
WEAPONS VIOLATION	2	0	2	0
WARRANTS	26	26	26	26
PROTECTIVE CUSTODY	0	0	0	0
ALL OTHER OFFENSES	20	50	20	50
TOTAL ARRESTS	99	142	99	142

January 2021
YPD
Juvenile Arrests

	THIS MONTH		YEAR TO DATE	
	This Year	Last Year	This Year	Last Year
CURFEW	2	5	2	5
RUNAWAY	1	1	1	1
MIC	1	0	1	0
DUI	0	0	0	0
MURDER	0	0	0	0
RAPE	0	0	0	0
ROBBERY	0	0	0	0
BURGLARY	0	0	0	0
ASSAULT AGGRAVATED	0	0	0	0
ASSAULT SIMPLE	0	2	0	2
CRIMES AGAINST FAMILY/ DOMESTIC VIOLENCE	0	0	0	0
DISORDERLY CONDUCT DISTURBANCE OF SCHOOL	0	3	0	3
SEXUAL CONTACT / SEX OFFENSES	0	0	0	0
THEFT PETTY	0	0	0	0
THEFT GRAND	0	0	0	0
THEFT AUTO	0	0	0	0
FORGERY & COUNTERFEITING	0	0	0	0
FRAUD	0	0	0	0
EMBEZZLEMENT	0	0	0	0
INTENTIONAL DAMAGE	0	0	0	0
NARCOTIC DRUG CHARGES	0	6	0	6
LIQUOR ARRESTS	0	0	0	0
WEAPONS VIOLATIONS	0	0	0	0
ALL OTHER OFFENSES	0	1	0	1
TOTAL ARRESTS	4	18	4	18

CITY of YANKTON
PLANNING COMMISSION MEETING MINUTES
for
Monday, December 14, 2020

The meeting was called to order at 5:39PM by Planning Commission Chairman Steve Pier.

This meeting was conducted via technology; with public comment available prior to the meeting via phone, mail 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: Deb Specht, Sean Wamble, Mike Healy, Lynn Peterson, Evie Sime, Warren Erickson, Marc Mooney, City Commission Liaison, Dave Carda, ETJ Member Michael Welch, and Chairman Steve Pier,

Unable to attend: Brad Wenande.

Chairman Pier asked for the consideration of the November 9, 2020 meeting minutes.

MINUTES - November 9, 2020

20-73 **MOTION** – It was moved by Commissioner Erickson and seconded by Commissioner Peterson to approve the minutes from November 9, 2020.

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

MOTION – PASSED

There were no Consent or Old Business items for Planning Commission action.

NEW BUSINESS:

Chairman Pier moved on to New Business to discuss a review of the Replat of Lots 1 and 2 of Groseth Crossing Subdivision in the Southwest Quarter of the Southwest Quarter of Section 31, T94N, R55W of the 5th P.M., City and County of Yankton South Dakota. To be hereafter known as: Lots 1A, 1B, 2A and 2B of Groseth Crossing Subdivision, City and County of Yankton, South Dakota. Address, 3100 Broadway Ave. Lubben Properties, LLC, owner.

Dave Mingo described the purpose of the unusually configured plat and that there are access easements associated with the property. The complicated part of the review was determining compliance with the parking requirements based on the occupancies or potential occupancies in the development. Chairman Pier asked more specific questions about how the parking calculations were reviewed and Mr. Mingo described the process.

Staff recommends approval of the plat.

20-74 **MOTION:** It was moved by Commissioner Erickson and seconded by Commissioner Wamble to recommend approval of the Replat of Lots 1 and 2 of Groseth Crossing Subdivision in the Southwest Quarter of the Southwest Quarter of Section 31, T94N, R55W of the 5th P.M., City and County of Yankton South Dakota. To be hereafter known as: Lots 1A, 1B, 2A and 2B of Groseth Crossing Subdivision, City and County of Yankton, South Dakota. Address, 3100 Broadway Ave. Lubben Properties, LLC, owner.

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

MOTION – PASSED

MEETING SCHEDULE:

December 14, 2020: City Commission reviews the plat and makes final decision.

Chairman Pier continued on with new business to discuss the plat review of Lots 6A, 6B, 7A, and 7B, Block 2, Westbrook Estates being a Replat of Lots 6 and 7, Block 2, Westbrook Estates located in the East 700 feet of the East Half of the Southeast Quarter, except the South 560 feet and less R.O.W. thereof, Section 2, T93N, R56W of the 5th P.M., City of Yankton, South Dakota. Address, east side of the 2500 Block of Dorian Drive. Johanneson Contracting, Inc., owner.

Dave Mingo stated the proposed plat is part of the typical process of dividing duplexes once the foundation walls have been poured.

Staff recommends approval of the plat.

20-75 **MOTION:** It was moved by Commissioner Specht and seconded by Commissioner Erickson to recommend approval of the plat of Lots 6A, 6B, 7A, and 7B, Block 2, Westbrook Estates being a Replat of Lots 6 and 7, Block 2, Westbrook Estates located in the East 700 feet of the East Half of the Southeast Quarter, except the South 560 feet and less R.O.W. thereof, Section 2, T93N, R56W of the 5th P.M., City of Yankton, South Dakota. Address, east side of the 2500 Block of Dorian Drive. Johanneson Contracting, Inc., owner.

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

MOTION – PASSED

MEETING SCHEDULE:

December 14, 2020: City Commission reviews the plat and makes final decision.

OTHER BUSINESS:

Chairman Pier moved on to Other Business to discuss the November, 2020 Building Permit Report. The total, year to date valuation at the end of November, 2020 was \$31,007,754.23. For comparison, the total, year to date valuation at the end of November, 2019 was \$47,773,022.13.


20-76 **ADJOURNMENT**

MOTION – It was moved by Commissioner Peterson and seconded by Commissioner Wamble to adjourn at 6:02PM.

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

MOTION – PASSED

Respectfully submitted,



Dave Mingo, Secretary

HOUSEHOLD HAZARDOUS WASTE COLLECTION

Why can't I just throw Household Hazardous Waste (HHW) away?

Certain types of HHW have the potential to cause physical injury to sanitation workers, contaminate septic tanks or wastewater treatment systems if poured down drains or toilets, and present hazards to children and pets if left around the house. Read product labels for disposal directions to reduce the risk of products exploding, igniting, leaking, mixing with other chemicals, or posing other hazards on the way to a disposal facility. Even empty containers of HHW can pose hazards because of the residual chemicals that might remain.

When and where can I dispose of my HHW?

On April 17th, from 9:00 AM to 1 PM, bring your HHW to the Yankton Transfer Station.

Cost is \$10 per vehicle. Please try to bring exact change, lines move faster that way. Make all checks to City of Vermillion. No cards!

The Yankton Transfer Station is located at:
1200 W 23rd Street
Yankton, SD 57078

Brought to you by:
The City of Yankton
Keep Yankton Beautiful
Missouri Valley Recycling



YANKTON HOUSEHOLD HAZARDOUS WASTE COLLECTION

WHEN: APRIL 17TH, 9:00 AM TO 1:00 PM

WHERE: YANKTON TRANSFER STATION

WHY: TO GET RID OF HAZARDOUS WASTE THAT CAN HARM YOU, YOUR FAMILY OR THE ENVIRONMENT.

Examples of HHW

- Latex and Oil Based Paints
- Household Cleaning Products
- Fluorescent Light Bulbs
- Batteries
- Pesticides
- Anti-Freeze
- Oil

Yankton Citywide Cleanup Scheduled April 19th – April 23rd, 2021

The annual Yankton Citywide Cleanup is scheduled to begin on April 19th, 2021. Residents on regular city garbage collection routes may dispose of those materials outlined below at no additional charge.

Placing items curbside before April 10th is not permitted, and those items may be removed at the property owner's expense.

April 19th - May 15th: Free item drop-off at the Transfer Station (Monday - Friday 8:00 a.m. - 3:45 p.m., Saturday 8:00 a.m. to 12 Noon.)

April 10th: Items may be placed curbside.

April 19th – April 23rd: Curbside Collection

The following type of materials may be disposed of at no additional charge for residents on the city garbage routes:

- **Tree branches - no longer than 10'**
- **Wood products**
- **Metal items**
- **Minimal concrete**

If you are on a city garbage collection route, city crews will pick up the materials if you follow these steps:

1. Separate materials by type into piles.
2. Piles must be placed at the street curb on the day that your regular garbage is picked up. Items will not be picked up in alleys.
3. Piles must be placed directly in front of your property and not in front of adjacent neighboring property.
4. Tree branches shall be no longer than 10' in length.
5. Garbage cans set out for normal collection must be set away from piles and left in alleys.

This service is only available for residential customers on the regular city garbage collection routes.

The following materials cannot be picked up by city crews.

Information for disposal of these items is provided below.

- **Grass clippings and leaves**
Grass and leaves may be disposed of at the transfer station *free of charge* throughout the summer. They will not be picked up by city crews during citywide cleanup. Grass clippings and leaves must be free of cans, paper, and other debris.

- **Old records, files, cans, and clothing**

These materials can be considered regular garbage and be disposed of or recycled with the routine garbage throughout the year.

- **Newspapers, cardboard, plastics, tin and aluminum cans, and magazines**

Please recycle these items *free of charge* throughout the year. If you are on the city garbage collection route you may separate and set these items out with your routine garbage. Everyone in Yankton County including businesses may recycle these items *free of charge* by bringing the items to the transfer station. For more information on Yankton's single stream recycling program, go to our Recycling Page.

- **Tires, refrigerators, air conditioners, dehumidifiers, motor oils, or automotive-type batteries**

1. Tires, refrigerators, air conditioners, and dehumidifiers must be taken to the Transfer Station and a fee will be charged.
2. Motor oil may be taken to the transfer station and disposed of *free of charge* at any time.
3. Automotive-type batteries may be dropped off at the Battery Exchange on West Highway 50 or Yankton Metals at 1405 Bill Baggs Road.

- **Paints, thinners, painting oils, and other household hazardous waste.**

It is best to use these materials up or give them to someone else that need them. Paints, thinners, and related items are considered hazardous waste and may not be disposed of at the transfer station. Any disposal procedures or plans will be advertised when developed.

- **Construction, demolition debris, old buildings, etc.** Concrete or bricks from sidewalks, patios, and landscaping may be disposed of *free of charge* if kept separate from other waste and brought to the Transfer Station. Construction debris and large amounts of rubble from building demolition of garages, storage sheds and houses may be taken to the transfer station at any time and a fee will be charged.

For further information, contact the City of Yankton Street Department at 668-5211 or go to the City of Yankton website <http://www.cityofyankton.org/departments-services/solid-waste/city-wide-cleanup>

Thank You

For helping to make Yankton a safer and more attractive community

Please keep your street trees trimmed

Memorandum #21-27

To: City Manager
From: Finance Officer
Date: February 8, 2021
Subject: Special Events Dance for Yankton County 4-H

We have received the following application for a Special Event Dance License:

Yankton County 4-H

The Yankton County 4-H has applied for a license to hold a Special Events Dance outside the Pine Acres 4-H Building in the big grassy area on Friday, August 6, 2021.

A license fee of \$5.00 has been paid.

Proof of insurance has been provided.



Al Viereck
Finance Officer

NOTICE OF HEARING UPON APPLICATION
FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN that an application has been received by the Board of City Commissioners of the City of Yankton, South Dakota, for a Special Events RETAIL (on-sale) Liquor License for 1 day, April 24, 2021, from BPO Elks Lodge 994 d/b/a Elks Lodge 994 (Cindy Goeden, Secretary), NFAA, 800 Archery Lane, Yankton, South Dakota.

NOTICE IS FURTHER GIVEN that a Public Hearing upon the application will be held on Monday, March 8, 2021 at 7:00 p.m. in the City of Yankton Community Meeting Room at the Career Manufacturing Technical Education Academy, 1200 West 21st Street, Yankton, South Dakota, where any person or persons interested in the approval or rejection of the above application may appear and be heard.

Dated at Yankton, South Dakota,
this 22nd day of February, 2021.



Al Viereck
FINANCE OFFICER

____ Voice vote

Memorandum #21-25

To: City Manager
From: Finance Department
Date: February 8, 2021
Subject: Special Events Malt Beverage License for Yankton Rodeo Assn.

We have received an application for a Special Malt Beverage (on-sale) Retailers License for 2 days, August 20 & 21, 2021 from Yankton Rodeo Association (Douglas Hevle, President), Rodeo Grounds, 404 Paddle Wheel Drive, Yankton, S.D.

The above applicant is in compliance with the City Code of Ordinances, as checked by the Department of Finance. The applicant is in compliance with all building and fire codes.



Al Viereck
Finance Officer

Memorandum #21-26

To: City Manager
From: Finance Department
Date: February 8, 2021
Subject: Special Events (on-sale) Liquor License for The Landing

We have received an application for a Special Events RETAIL (on-sale) Liquor License for February 27, 2021 from Flusswerks, LLC, (Paul Lowrie, Man. Member) d/b/a The Landing, Big River Burrito Co., 100 Douglas, Suite 101, Yankton, S.D.

The above applicant is in compliance with the City Code of Ordinances, as checked by the Department of Finance. A Police check on the Applicant revealed no felony convictions or wants. An inspection by the Building Inspector and Fire Marshal has been done and the premises are in compliance with building and fire codes.



Al Viereck
Finance Officer

Memorandum #21-38

To: Yankton City Commission

From: City Manager Amy Leon

Date: February 17, 2021

Re: COVID-19 Temporary Mask Ordinance

Background Regarding Resolution 20-26:

In mid-April, while many of the City's businesses were temporarily closed under temporary Ordinance #1033, the City Commission passed Resolution 20-26. The Resolution was presented as "stay at home" recommendations order to the community. It covers a broad swath of "personal responsibility" measures, including the wearing of face coverings and social distancing. Resolution 20-26 does not and has never had the force/effect of law. There is no punishment for violations of its terms. It also has no time limitations regarding its effectiveness, and as such, the Resolution remains active guidance to the residents and business patrons of the City.

Background Regarding Ordinance #1034:

This Commission took action to end the closing of businesses imposed by temporary Ordinance #1033 on May 1, 2020. Ordinance #1033 expired by its own terms on June 8, 2020.

Shortly before Ordinance #1033 expired in late May, 2020, some Commissioners and the voting and *ex officio* members of the City's Health Board were concerned about the need to quickly impose new restrictions upon the City if COVID-19 numbers would spike in a manner that would threaten to overwhelm the local healthcare system. To address that concern, Ordinance #1034 was presented to the Commission for a 1st Reading (it was "introduced") at the May 26 regular meeting. If left unchanged, the Ordinance may be passed in a single additional meeting if placed on a published meeting agenda for a second reading.

The Ordinance was strategically drafted to give the Commission a large number of powers, which the Commission might exercise by subsequent agenda action item. After passage of the ordinance, the Commission would need to consider and pass a new resolution (following a recommendation from the City's Health Board) to exercise some or all of the powers contained within the ordinance. Any powers/restrictions exercised by the Commission could be limited in duration, but in no event could the restrictions last beyond 180 days following passage of the Ordinance.

Background Regarding Work Session of November 23, 2020

The November 23, 2020 work session began with a short explanation of the goal for the work session was to gather a consensus of how the commission wanted to proceed regarding a question of whether or not to have a mask ordinance in the City of Yankton. City Attorney, Ross Den Herder laid out five basic options for how the commission could proceed and explained the process for how the Commission could proceed. After much discussion from Commissioners, community leaders and other citizens, the consensus was to remind citizens of the current

____ Roll call

Resolution 20-26, asking citizens to follow CDC recommendations. Recommendations were for hygiene, social distancing, staying home when feeling ill and wearing of masks. It was also the commissions consensus to help fund a community campaign effort up to \$15,000 to remind citizens of the CDC recommended safe practices.

Background Regarding Special City Commission Meeting of December 2, 2020

On December 2, 2020, the City Commission held a first reading of Memorandum supporting first reading of Ordinance #1044, Temporary Mask Ordinance and setting December 9, 2020 as second reading and public hearing of said Ordinance. It was encouraged that citizens submit their comments via e-mail, letter, Facebook or by physically attending the meeting on December 9, 2020. City Attorney, Ross Den Herder, explained that the ordinance creates a mask mandate, the definition of the mandate, the current exemptions and the abilities to suspend. Commissioners had some concerns about the language of the ordinance and were to be incorporated for the second reading and public hearing.

Background Regarding Special City Commission Meeting of December 9, 2020

At the Special City Commission meeting of December 9, 2020, a second reading and public hearing was held for Ordinance No. 1044, AN EMERGENCY ORDINANCE REQUIRING THE WEARING OF FACE COVERINGS IN CERTAIN SITUATIONS TO SLOW THE COMMUNITY SPREAD OF THE NOVEL CORONAVIRUS CAUSING COVID-19 DISEASE. Doug Ekeren, Regional President of Avera Sacred Heart Hospital, was present and gave a brief explanation of effects on the hospital due to the current surge in COVID cases and urges a mandate for masks. Amy Leon, City Manager, gave an explanation of the night's public comment process. She also explained that the comments read prior to the meeting were provided electronically to the Commissioners. Ross Den Herder, City Attorney, explained the Ordinance as presented and its definitions. Citizens physically present at the meeting were invited to speak. YouTube comments during the meeting were provided by David Mingo, Director of Community Development. The Commissioners discussed and heard from Dr. Mary Milroy on behalf of the Health Board and discussed the Health Board's recommendation for Ordinance #1044. The Commission voted and passed Ordinance #1044 (7 to 2) to include no fine or other penalty for any violation of this Ordinance; property and business owners were encouraged and directed to refuse service and turn out all persons refusing to cooperate with the terms of this Ordinance with enforcement assistance provided by the Yankton Police Department under existing laws applicable of trespass. The ordinance is effective until 12:01 a.m. on March 1, 2021, unless extended, amended, or terminated by ordinance. The ordinance was deemed necessary for the immediate preservation of the public health, safety and welfare of the City and shall become effective immediately upon its passage and publication.

Background Regarding City Commission Meeting of February 8, 2021

The Commission set the second reading and public hearing for February 22, 2021 for Ordinance #1046. Commissioners had discussions on the Health Board recommendation; the proposed end date, whether or not there should be a resolution instead of an ordinance or in addition to an ordinance, and if there should be some metrics involved to trigger an end date.

Direction was given to develop a set of metrics the Commission could use to guide them to lift the mask ordinance prior to the May 28 extension date. Direction was also given that the Health Board meet regularly to update these metrics and provide guidance to the City Commission.

The Health Board met on February 17, 2021 to discuss Ordinance #1046 and the metrics that were developed. The Health Board also discussed an alternative Resolution drafted by Commissioner Maibaum. The Health Board has recommended letting the Ordinance expire on its own on March 1, 2021.

TEMPORARY ORDINANCE NO. 1046

AN EMERGENCY ORDINANCE SUPERSEDING AND EXTENDING THE REGULATIONS CONTAINED WITHIN TEMPORARY ORDINANCE NO. #1044, REQUIRING THE WEARING OF FACE COVERINGS IN PREMISES OPEN TO THE PUBLIC TO SLOW THE COMMUNITY SPREAD OF THE NOVEL CORONAVIRUS CAUSING COVID-19 DISEASE.

WHEREAS, the City of Yankton has the authority pursuant to SDCL 9-29-1 to pass ordinances for the purpose of promoting the health, safety, morals, and general welfare, of the community; and

WHEREAS, pursuant to SDCL 9-32-1, the City has the power to do what is necessary or expedient for the promotion of health or the suppression of disease; and

WHEREAS, an outbreak of the disease COVID-19, which is caused by the novel coronavirus, has been confirmed in more than 100 countries, including the United States; and

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

WHEREAS, the World Health Organization (WHO), the Centers for Disease Control and Prevention (CDC), and the Secretary of the U.S. Department of Health and Human Services have declared the outbreak of COVID-19 disease as a public health emergency; and
WHEREAS, in response to the spread of COVID-19 Governor Kristi Noem issued Executive Order 2020-34 which declared a state of emergency to exist in all counties in the State of South Dakota through June 30, 2021; and

WHEREAS, through January 25, 2021, the South Dakota Department of Health reported that Yankton County has experienced 2719 total confirmed cases and 27 deaths since the pandemic began; and

WHEREAS, it is important that control measures continue to be taken to reduce or slow down the spread of the virus causing COVID-19 in order to preserve the functional workforce and to protect the health and safety of the City's residents, especially for seniors and those with underlying health conditions that make them particularly vulnerable to COVID-19, until such time that an FDA approved vaccine become widely available to the general public; and

WHEREAS, the CDC and the vast majority of medical professionals continue to recommend the use of face coverings by the public to slow the spread of the virus causing COVID-19; and

WHEREAS, on December 9, 2021, the Board of City Commissioners of the City of Yankton passed Temporary Ordinance No. #1044, which required the wearing of Face Coverings in all premises open to the public as those terms are defined therein, which ordinance was drafted to “sunset” 12:01 a.m. on March 1, 2021; and

WHEREAS, the implementation of face covering regulations contained within Temporary Ordinance No. #1044 corresponded with a decrease in the number of active COVID-19 cases in Yankton County; and

WHEREAS, an extension of the regulations contained within Temporary Ordinance #1044 beyond its sunset date is necessary because current information available to the City of Yankton indicates that an FDA approved vaccine for the virus causing COVID-19 disease will not be widely available to the general public until mid-to-late spring of 2021, which is a considerable period of time beyond the original sunset date of March 1, 2021.

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

I. DEFINITIONS

“FACE COVERING” as used herein shall mean a covering which, when worn properly, must cover the nose and mouth completely and can include a paper or disposable face mask, a cloth face mask, a scarf, a bandanna, a neck gaiter, or a religious face covering. Masks that incorporate a valve designed to facilitate easy exhaling, mesh masks, or masks with openings, holes, visible gaps in the design or material. or vents are not sufficient face coverings because they allow exhaled droplets to be released into the air.

“PREMISES OPEN TO THE PUBLIC” is broadly defined to mean any location or entity that employs or engages workers, including all private-sector entities, public-sector entities, non-profit entities of every variety, regular commercial or business establishments, private clubs, public transportation (including buses, taxis, ride-sharing vehicles, or vehicles used for business purposes) and any place which is generally open to the public, including daycare facilities.

II. FACE COVERINGS REQUIRED

Within the City of Yankton, all persons must wear a face covering in a manner that completely covers the nose and mouth in premises open to the public where 6-foot social distancing cannot be achieved or consistently maintained. The owner or operator of each premises open to the public must make reasonable efforts to ensure that all patrons, employees, and other persons within the indoor public place are complying with the requirements of this ordinance. The owner or operator of each premises open to the public shall post a visible sign at each public entrance notifying patrons of the requirement that face coverings must be worn upon the premises. Nothing in this ordinance should be construed as preventing any business, organization, or property owner, from adopting and enforcing rules or restrictions on the

wearing of face coverings or social distancing requirements that are more restrictive than the provisions in this Ordinance. The restrictions set forth in the above paragraph shall not apply to an individual:

- (a) Under the age of five (5) years old; however, parents and guardians of each child aged three or four are encouraged to have such child wear a face covering if the child can remove the face covering without assistance;
- (b) Seated at a public place to eat or drink, or while immediately consuming food or beverages;
- (c) Who is receiving dental or medical care that prevents them from wearing a face covering;
- (d) Who is obtaining or receiving services that reasonably requires the temporary removal of a face covering in order to obtain or receive the service;
- (e) With a medical condition, mental health condition, or disability that makes it unreasonable for the individual to wear a face covering;
- (f) Who is engaged in swimming, showering, exercising, or a sports activity where the nature of the activity or the level of exertion makes it reasonably impractical to wear a face covering, provided that minimum social distancing of six feet or more is maintained to the extent possible and further provided that all spectators, coaches, and non-participants wear a face covering;
- (g) Who is a public safety worker actively engaged in a public safety role, including but not limited to, law enforcement personnel, fire fighters, or emergency medical personnel, in situations where wearing a face covering would seriously interfere in the performance of the individual's public safety responsibilities;
- (h) Who is engaged in an occupation reasonably preventing the wearing of a face covering;
- (i) Who is asked to temporarily remove a face covering to verify his or her identity for lawful purposes;
- (j) Who is providing a speech, lecture, sermon, or broadcast to an audience or officiating a ceremony or religious service so long as six feet of distancing from other individuals is maintained;
- (k) Who is seated at a desk or standing at a stationary workstation provided that the desk or workstation is shielded from the public or other employees by a solid wall or protective glass, plexiglass, or plastic barrier or partition;

- (l) Who is alone in an office, room, vehicle, the cab of equipment or machinery, or an enclosed work area; however, in such situations, the individual should carry a face covering to be used when the person is no longer alone;
- (m) Who is communicating with an individual who is deaf or hard of hearing or who has a disability, medical condition, or mental health condition that makes communication with that individual impractical while wearing a face covering, provided that minimum social distancing of six feet or more is maintained to the extent possible;
- (n) Who is playing a musical instrument that cannot be played while wearing a face covering, provided that a minimum social distancing of six feet or more is maintained at all times; or
- (o) Who is only in close proximity to those individuals who reside within the individual's own household and no others.

III. NO PENALTY

There shall be no fine or other penalty for any violation of this Ordinance; however, all property and business owners are encouraged and directed to refuse service and turn out all persons refusing to cooperate with the terms of this Ordinance with enforcement assistance provided by the Yankton Police Department under existing laws applicable to trespass.

IV. ORDINANCE SUNSET DATE

This ordinance shall remain effective until **12:01 a.m. on Friday, May 28, 2021**, unless extended, amended, or terminated by ordinance. Following recommendation of the City Board of Health, the City Commission may suspend or, once suspended, reinstate enforcement of this Ordinance by resolution at any time before the expiration of the ordinance.

V. IMMEDIATE EFFECT

This ordinance is hereby declared necessary for the immediate preservation of the public health, safety, and welfare of the city and shall become effective immediately upon its passage and publication pursuant to SDCL 9-19-13.

VI. SUPERSEDING PRIOR TEMPORARY ORDINANCE

This ordinance fully supersedes and replaces Temporary Ordinance No. #1044.

Dated this ____ day of February, 2021.

CITY OF YANKTON

Nathan V Johnson, Mayor

ATTEST:

Al Viereck, Finance Officer

(SEAL)

First Reading:
Second Reading:
Published:
Effective:

Please consider extending the mask mandate. Even though we have vaccine coming, we are not out of the woods so please endorse a safe, responsible community. Leave the end date open so there will not be a need to bring this up again until the medical community feels there is no need for it.

Lola Harens

I see you will be discussing prolonging the mask mandate in Yankton county on Monday. As a mother and practicing nurse I encourage you to NOT extend the mandate, in fact, I would encourage you to vote that it stop immediately. Masks or face coverings of any sort do not prevent spread of any virus. It is harmful especially to children who are unable to see a full face and I am sure they long to see a smile. If a person feels the need to wear one that is fine, but it is an infringement on my rights as a person to mandate what I wear. The covid cases are dropping steadily and I think it is quite obvious that this whole thing has just caused an extensive amount of fear. There is no need to wait for any type of vaccine as the AMA has recinded their recommendations regarding covid treatment protocols. There are treatments available now and have shown to be quite effective. Information is available at American frontline doctors. It is time to take the masks off. Treat the virus if one becomes ill and live life without fear of this virus. Encourage common sense sickness education such as staying home if ill. Thank you for your time.

Stephani Reinhardt

Please consider the transcript below. I spoke about this at the Yankton city commission 2-8-21.

We must balance the unhealthy bacteria, fear & isolation masks are causing. People who wish, will wear them anyway. Maybe 3 of them.

No one is in the hospital for C19 here. Cases are way down.

It is time to end the mandate, not extend it.

We would never have opened schools if we were so timid. Thank goodness we did open them in August.

But far far far !!!! more importantly, Yankton should be helping America.

Helping Governor Noem & SD, fight vs the world wide fear mongers

Public appearance at Yankton city commission meeting Feb 8 2021

Take a stand.

Hello, I am Curt Bernard.

I see that tonight you will be doing a first reading of an extension of the mask ordinance until June.

I oppose masks as they cause far far more damage than they help.

They separate and divide us; cause isolation, depression, sickness and fright.

And the law is unneeded; as the case count has been dropping since late October, over a month before this law was in effect.

The feared run up in cases, the feared Thanksgiving bump. The fears about Christmas, New Years or Superbowl as spreading events, BS – it never happened.

I ask for a resolution against the real epidemic.....The epidemic of fear.

Take a stand for real people against the control freaks & fear mongers of America. For fear has infected millions and caused great damage.

Be brave. Without it we would be like Chicago, or New York

We are America, light of the world. We are South Dakota. With a wise and brave governor, who stayed the course & let the wise people make their own decisions. She helped us live good lives with jobs, kids in schools and safety instead of strife & fear. She could use your support.

Other states have had a year of draconian lockdowns and masks. Yet the virus spread in those states anyway. Their case counts spiked and declined. They are finally lifting some lockdowns a bit, but continue to act irrationally.

We are South Dakota. Geeze, hold your head high.

Make a motion, speak up, be strong against the Epidemic of Fear.

Instead of a mask extention, make a motion, build a resolution against the Epidemic of Fear!

Thank you.

Dear Commissioners;

Thank you so much for your service and commitment to the citizens of Yankton. We ask that you extend the current masking ordinance to May 28, 2021. Please do not allow yourselves to be charmed by the encouraging reduction in COVID-19 related infections, hospitalizations and deaths. There is an obvious reason for this, and it has everything to do with masking and social distancing.

Dr. Anthony Fauci has stated that ~ 75% of the U.S. population will need to be vaccinated in order to achieve herd immunity, and that will likely be achieved no earlier than this fall. Although vaccination efforts in the Yankton area by Avera (and soon by local pharmacies) are earnest, the vaccine rollout has been sluggish, suggesting that local herd immunity is months away.

As members of the Yankton City Commission, you are the chosen leaders of our community. Please help lead us all out of the grip of this pandemic by extending our current masking ordinance.

our best wishes,

Mary Ann and Dr. Patrick King

We need to be moving forward. Cancel any more thought of extending it. I am NOT for a mask mandate.

PR Olson

I support extending the mask ordinance until May 28.

We need to continue supporting precautions until the majority of our citizens have been vaccinated, including the second shot. Especially with the more virulent variants spreading, we need to make sure our population is protected from another surge.

Thank you!
Bill Cope

I would like the city to continue the mask mandate until the end of May. Yes, cases are currently on the decrease and vaccines are being administered so it would be easy to eliminate the mandate. BUT, what if the cases begin to increase then it could take almost a month to reinstate the mandate.

If all things remain positive, the mandate could be eliminated prior to the end of May.

Let's stay cautious and protect our citizens.

Thank you.

Al Schumacher

Dear City Commissioners,

We would like to urge you to extend the mask mandate until May 28th, 2021. With the rollout of vaccines happening more slowly than expected and the increased variants of COVID 19, we think it would be the prudent course of action. We agree with Commissioner Carda, this date coincides with the end of the school year and is a small thing to ask of our community to wear masks.

Thank you.

Pat and Denise Cody

Please vote "YES" to continue the mask mandate in Yankton. It has been a positive action to slow the spread. Thank you!

Kay Koler

Hello,

I would like to voice my support in extending the mask mandate. It appears that wearing masks may be helping to keep our numbers down. If something is working, I think we should keep doing it. Plus, it will be a while before everyone who wants a vaccine can be vaccinated. I know that COVID 19's mortality risk is low. But I also know several people who have had COVID-19 who are still suffering from unusual symptoms — long after the Department of Health has cleared them as recovered.

Since there is no enforcement mechanism with this mandate, businesses and citizens who really do not want to wear masks already aren't. If they wish, they can continue to not follow the law once it is extended. So, really I don't see any harm in extending the mandate – I only see the good. With new variants of the virus around us, I feel we should remain vigilant in slowing the spread. Ending the mask mandate may give the community a false sense of security.

Thank you,
Rebecca Johnson

Please extend the current city mask mandate until May 28, even as we all hope and pray you will be able to lift it before then.

No one really knows what the next few months will hold. The current mandate and other public health measures, plus vaccines, may indeed be bringing this pandemic to an imminent close. Or we may be heading into new and dangerous territory, brought about by the too early lifting of wise leadership efforts like the mask mandate and/or the new variants that currently surround our state.

So here's my first question: is asking our citizens to wear masks when they are in public really SO onerous a burden that you are not willing to extend that requirement for long enough to find out whether this dip in cases is real or simply a pause?

And here's my second question: if the mask mandate truly is part of the solution, how are you going to feel if, based on your hopes instead of the wisdom and advice of medical professionals local and beyond, you give up on it too soon and we go back into a murderous spike?

Again, please extend the current city mask mandate until May 28, even as we all hope and pray you will SAFELY be able to lift it before then.

Thank you.

Kathy K. Grow

Yankton, SD

To: Yankton City Commissioners,

From: Cindy Konopasek

resident of Yankton County since 1986

I write to urge Yankton City Commissioners to vote NO on extending the mask ordinance.

I will be joining the meeting on Feb 22, 2021 but would like to share my thoughts with Yankton City Commissioners in advance.

1. We move forward in freedom. No more fear mongering. Masks do nothing but **produce fear**.
2. Breathing is essential. Pro-breathing, pro-oxygen, and **pro-face are unalienable rights**.
3. Healthy people should not be mandated to wear masks. **People that want to wear masks can choose to**
wear masks. Choice is what makes society a healthy **place to live**.
4. Most importantly mask mandates infringe upon **constitutional and civil rights, and those infringing**
will be held accountable for these decisions.
5. City commissioners are not my physician and have no authority to make decisions on the personal health of **individual citizens of Yankton**.

a) **South Dakota Codified Laws 22-40-1: Practicing medicine without a license**

Requiring someone to wear a mask is a medical intervention. Unless you are a licensed

Medical professional, you have no authority to recommend such a practice. Further, a

surgical mask is designated by the FDA as a “medical device”. You have no legal

authority responsibility or liability to require that of either your customers or your

employees. This class 1 misdemeanor carries the penalty of up to one year in prison,

\$2,000 in fines, or both.

b) No “emergency order” supersedes established law. Any “health order” related to mask-

wearing is unlawful and unenforceable by law.

We are moving forward to a healthy city free from fear in Yankton, South Dakota where our rights are secured and will not be infringed.

.

Truth and Justice,

Cindy Konopasek

To: Yankton city commissioners,
From: Myles Konopasek
resident of Yankton County since 1985

I am writing to let the Yankton city commissioners that extending the mask ordinance is not necessary or in the best interest of the Yankton community.

Here are a few of my thoughts and concerns.

1. There is no science wearing masks and masks do nothing but produce fear.
 2. I am a healthy person and healthy people should not be mandated to wear masks.
 3. People that choose to wear masks can do so at their own discretion, but mandating masks is encouraging division in the community. I would hope that is not the goal of the commission.
 4. Mask mandates infringe upon constitutional and civil rights.
 5. City commissioners are not my physician and have no authority to make decisions on the personal health of individual citizens of Yankton.
- a) South Dakota Codified Laws 22-40-1: Practicing medicine without a license
Requiring someone to wear a mask is a medical intervention. Unless you are a licensed Medical professional, you have no authority to recommend such a practice. Further, a surgical mask is designated by the FDA as a “medical device”. You have no legal authority responsibility or liability to require that of either your customers or your employees. This class 1 misdemeanor carries the penalty of up to one year in prison, \$2,000 in fines, or both.
- b) No “emergency order” supersedes established law. Any “health order” related to mask-wearing is unlawful and unenforceable by law.

Looking forward to free choice, not fear.

Sincerely,

Myles Konopasek

I am writing to urge you to vote NO on the extending the mask mandate.

1. Mask mandates promote fear, and infringe on constitutional and civil rights.
2. No city commissioner is my personal physician and therefore the commission has no authority to make medical decisions for me or any citizen of Yankton.
3. Improper mask usage can lead to mouth and lung infections. being forced to constantly breathe your own carbon dioxide poses numerous health risks.
4. Requiring someone to wear a mask is medical intervention. Unless you are a licensed medical professional you have not authority to require mask use. This is practicing medicine without a license and is punishable under South Dakota Law.
5. Emergency orders DO NOT supersede established law, "health orders" related to mask wearing are unlawful and unenforceable.
6. Viruses are not contagious only through the mouth and nose but through the eyes and ears as well, making a mask an unreliable crutch for certain persons for their protection. Hand washing and not touching your face are vitally important to reduce virus transmission as well. Mask wearing actually increases face touching as they need adjustment.
7. If people wish to wear a mask, then that is their personal choice.

Thank you for your consideration.

Melody Pons

I write to ask you to vote NO on renewing the mask mandate. As I cannot attend the meeting on Feb 22nd, 2021.

1. Masks create fear. My personal experience is with my children who are still, 1 year later afraid of people with masks on. My 3-year-old son said, "Why is the store full of monsters?" Think of what we are doing to the children by forcing everyone around them to not show their faces.

2. Increase in crime. Due to the lack of identification, I can name 3 businesses in town that have seen an increase in theft because they cannot identify people who are doing the crime. Mask mandates encourage this behavior.

3. The mask mandate gives people the idea that it is okay to be mean to each other. I have not seen any increase in unity since the mask mandate took effect. In fact the quite the opposite. There are medical reasons why some don't wear masks, but making it a law seems to give people the idea that it is okay to berate people for their medical conditions.

4. IF you look at the science, which many do not take the time to do including other practitioners (yes it's true, some practitioners just repeat what they are told and don't go looking for themselves), you would find that it (the science) is weak at best in favor of masking with an N95 mask. NO ONE is wearing N95 masks! There is NO benefit to masking with a cloth mask, in fact, there IS harm:

a. At the last meeting I was interrupted, due to time, before I could give the 3 examples of patients that I have that cannot wear masks. I have countless more examples at this time, but I know you do not have time. (If you'd like I can provide it in a separate email). So, at the risk of sounding repetitive. Not all people can safely wear a mask. Mandating masks makes it so that these weak and frail patients now have a harder time getting essentials like groceries, gas, and clothing. PLEASE STOP PUNISHING THE WEAK!!

b. As a medical practitioner, I cannot stress enough that the harm DOES outweigh the benefit in this case. I know that there is debate about this fact. That is good! This is how medicine is. Medicine is to be taken on a case by case basis. The general public is not to be experimented on. Government stepping in and dictating one thought over another disrupts the natural balance. CHOICE is healthy, DICTATION is NOT.

We thank you for your service to this community.

Thank you for your time.

Valeri Grave

From: Jackie Binder

I write to urge Yankton City Commissioners to vote NO on the extending the mask ordinance.

I will be joining the meeting on Feb. 22, 2021 but would like to share my thoughts with the Yankton City Commissioners in advance.

1. We move forward in freedom. No more fear mongering. Mask do nothing but produce fear.
2. Breathing is essential. Pro-breathing, pro-oxygen, and pro-face are unalienable rights.
3. Healthy people should not be mandated to wear masks. People that want to wear a masks can choose to wear masks. Choice is what makes Society a healthy place to live.
4. Most importantly mask mandates infringe upon constitutional and civil rights, and those infringing will be held accountable for these decisions.
5. City commissioners are not my physician and have no authority to make decisions on the personal health of individual citizens of Yankton.
 - a. South Dakota Codified Laws 22-40-1: Practicing medicine without a license
Requiring someone to wear a masks is a medical intervention. Unless you are a licensed Medical professional, you have no authority to recommend such a practice.
Further a surgical mask is designated by FDA as a "medical device". You have no legal authority responsibility or liability to require that of either your customers or your employees. This class 1 misdemeanor carries penalty or up to one year in prison, \$2,000 in fines, or both.
 - b. No "emergency order" supersedes established law. Any "health order" related to mask wearing is unlawful and unenforceable by law.

We move forward to a healthy city, free from fear, in Yankton, South Dakota where right are secured and not infringed.

Truth and Justice,

Jackie Binder MS/RD/LN/LMNT

Site Visitor Name: Steph reinhardt

Hello,

I regard to the upcoming vote to extend the mask mandate I again implore you to vote NO. Again this is a very personal issue and I am of the belief that it is my body, my choice. Just like vaccines or other Heathcare decisions. The masks in no way shape or form slow or inhibit the spread of this virus. I find it to be more harmful than good as have articulated in a previous email.

I am writing to urge Yankton City Commissioners to vote NO on extending the mask ordinance.

1.) Healthy people should not be mandated to wear masks. People that want to wear masks can choose to wear masks. Choice is what makes society a healthy place to live.

2.) I cannot wear a mask due to a long-standing medical condition. I am often shamed in certain public places for not wearing a mask and have to state I have a medical condition in order to enter without a mask because people aren't familiar with the language of this ordinance. Even though they are well aware of my medical condition, they still treat me as if I am lying and refusing to "comply." We should not be teaching people to hate one another or discriminate against one another because you cannot wear a mask or choose not to wear a mask for your own health and well being.

This is causing major divisions in our society and it needs to stop! If you choose to wear a mask, wear one, but don't force others to wear one.

Thank you for choosing health freedom over politics,

Brittany Weston

To: Yankton City Commissioners,

From: Cindy Konopasek

resident of Yankton County since 1986

address: 181 Heritage Drive, Yankton, SD 57078

I write to urge Yankton City Commissioners to vote NO on extending the mask ordinance.

1. As a registered nurse since 2008 I started my RN career working at Avera Sacred Heart Hospital.
2. Certain skills required me to wear specific masks determined by a printed protocol, supported by research.
3. When the specific skill was completed, the mask was removed and discarded.
4. As a private citizen I refer to the South Dakota Constitution and the South Dakota Codified Laws as the printed protocol of what is required and what I require to protect my rights as a citizen.
5. There is no statutory law that requires a private citizen to wear a mask, get their temperature taken or stay six feet apart.
6. There is no statutory law that requires employees or customers of a business establishment to wear a mask, get their temperature taken or stay six feet apart (restrict movement).
7. Any mandate or ordinance requiring a mask violates several federal and state laws.
8. As a registered nurse it is important to know my scope of practice so that I am following the scope of practice laws in healthcare.
9. As a private citizen it is just as important, if not more so, I know my rights, documented in the South Dakota Constitution and the South Dakota Codified Laws, as well as my unalienable rights documented in the Constitution for the United States of America.
10. The Yankton city commission does not supersede the South Dakota Constitution, the South Dakota Codified Laws, or the Constitution for the United States of America.

South Dakota Constitution, Article XI, Section 1

§1. Inherent rights. All men are born equally free and independent, and have certain inherent rights, among which are those of enjoying and defending life and liberty, of acquiring and protecting property and the pursuit of happiness. To

secure these rights governments are instituted among men, deriving their just powers from the consent of the governed.

11. Therefore, attempting to deny a customer from acquiring property by shopping at a business (public accommodation) or to deny access to services that they have the right to enjoy is unlawful and a violation of Constitutional liberties.

We move forward to a healthy city, free from fear, in Yankton, South Dakota where rights are secured and not infringed.

.

Truth and Justice,

Cindy Konopasek

I am writing you and the City Commission to vote no on extending the mask ordinance. Please follow our State guidelines. Back our governor. This is an individual choice not to be mandated.

Best regards,
Kathy Feimer

I am writing this email to be addressed to each City Commissioner. I am asking you to vote no on extending the mask ordinance. This is an individual decision not something that is mandated. Follow our open State policy as Governor Noem has given us.

Best regards,
Kathy Feimer

Please vote no to extend the mask mandate.

We as Yankton citizens will decide what is best for our family. It should be a choice.

Thanks

Bonnie Hubbs

As a medical professional I favor the continued encouragement and promotion of mask wearing and physical distance during the pandemic. We are much closer to the end of the beginning than we are to the beginning of the end. Numbers have declined significantly locally and regionally but the United States still has dramatically more cases than any other country in the world and there are mutant strains of the virus that are spreading. I believe the reason for our lower numbers is directly related to mask mandates at school and from the city, as well as our less dense population and physical distance policies. Therefore, I will continue to encourage that we stay the course for the foreseeable future.

The guidelines regarding number of cases, hospitalizations and vaccination are appreciated. Unfortunately, we just don't know when it's truly safe to return to pre pandemic norms. It's a moving target and the variables are unpredictable. These are difficult decisions for city officials to make and I understand that. Thank you for allowing me to provide some insight. I favor continuing a mask mandate. If you have questions please don't hesitate to reach out and feel free to share this email with the city commissioners and Mayor Johnson.

Dr. Michael P. Pietila, MD FCCP FACP

I am writing to urge the Yankton City Commissioners to vote NO on extending the mask ordinance.

1. We move forward in freedom. No more fear mongering. Masks do nothing but produce fear.
2. Breathing is essential. Pro-breathing, pro-oxygen, and pro-face are unalienable rights.
3. Healthy people should not be mandated to wear masks. People that want to wear masks can choose to wear masks. Choice is what makes society a healthy place to live.
4. Most importantly mask mandates infringe upon constitutional and civil rights, and those infringing will be held accountable for these decisions.
5. City commissioners are not my physician and have no authority to make decisions on the personal health of individual citizens of Yankton.

a) **South Dakota Codified Laws 22-40-1: Practicing medicine without a license**

licensed
Requiring someone to wear a mask is a medical intervention. Unless you are a

Further, a
Medical professional, you have no authority to recommend such a practice.

prison,
surgical mask is designated by the FDA as a “medical device”. You have no legal authority responsibility or liability to require that of either your customers or your employees. This class 1 misdemeanor carries the penalty of up to one year in

\$2,000 in fines, or both.

mask-
b) No “emergency order” supersedes established law. Any “health order” related to wearing is unlawful and unenforceable by law.

We move forward to a healthy city, free from fear, in Yankton, South Dakota where rights are secured and not infringed.

.
Truth and Justice,
Mary Wenzlaff

Site Visitor Name: Rodger Wenzlaff

I writing to encourage the commission to NOT extend the mask mandate.

All it's doing is causing division and confusion.

NOW we're being told to wear TWO! masks. Give Me A Break!!

So again I'm encouraging you to NOT extend the mask mandate.

Best Regards

Rodger Wenzlaff

To whom it may concern:

I reject the idea that masks stop the spread of a virus. First it has been proven that the virus is smaller than any mask that is made, and therefore ineffectual. All this does is show compliance, it does nothing to stop the spread. The virus can be combated with three small medications that cost less than \$9 a day.

Why people get so upset with people that refuse to have their rights taken away when there is NO proof that masks make a difference. Yes, the virus has gone down, but it's a FLU ! And getting the vaccines will not prevent the spread of the flu. It hasn't in past years, and it will not in the future.

Check out the stats from the last three years, the flu is down, because it is counted as Covid !

People are dying, they die every year, and they die faster without the proper medications which have been promoted and then un-promoted and then re-promoted..sheeze...can they not make up their mind? Masks do not work ! Taking care of yourself works.

Our governor has been highly praised in every state for standing her ground. If you want to wear one, fine, but don't make me wear one. I'm fine ! I'm not sick, I don't intend to get the flu! But if I do, I know what will take care of me in a short time.

Thanks for your time

DK

Memorandum #21-39

To: Yankton City Commission

From: City Manager Amy Leon

Date: February 17, 2021

Re: Christmas Day Alcohol Sales

Attached is Ordinance #1047 which if approved, will allow for the sale and consumption of alcoholic beverages on Christmas Day. This matter has been brought up in the past and there was no push to change the Ordinance. In 2020, we received a request by a local liquor establishment and a bar owner, asking that we reconsider passing this Ordinance.

Another bar establishment has also supported the passage of this Ordinance.

Recommendation: It is recommended that the City Commission adopt Ordinance #1047 which will allow alcohol consumption, and sales on Christmas Day.

Ordinance No. #1047

An ordinance removing restrictions on the sale of alcohol on Christmas Day in the City of Yankton. Be it ordained that:

Ordinance Section 3-5 shall be amended to read as follows:

Sec. 3-5. - Times when on- and off-sale service is prohibited.

No on-sale or off-sale licensee shall sell, serve, or allow to be consumed on the premises covered by the license any alcoholic beverage between the hours of 2:00 a.m. and 7:00 a.m. daily ~~or at any time on Christmas Day.~~

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

Nathan V. Johnson, Mayor

Attest:

Al Viereck, Finance Officer

MEMORANDUM #21-32

To: Amy Leon, City Manager
From: Kyle Goodmanson, Director of Environmental Services
Date: January 25, 2021
Subject: Loan Application for Wastewater Improvements

In continuing action related to wastewater improvements, city staff will be submitting an amended Clean Water State Revolving Fund (SRF) Loan Program Application. The attached Authorizing Resolution #21-13 identifies a funding source for the wastewater improvements.

The City has identified the need to make substantial improvements to our wastewater system including improvements at the plant and collection system. This project will include 11 construction projects, collection system master plan, and a wastewater plant master plan. This project also received fund through Economic Development Administration. SRF funds will be used for engineering, required 20% matching funds, and construction overages due to inflation.

Due to the current inflated material cost related to the pandemic, projects are coming in higher than original cost estimates developed in the application. The grant requires all projects included in the original Preliminary Engineering Report must be completed as scoped. The City of Yankton is responsible to cover those additional cost overages. Staff is recommending an increase of \$1,000,000.00 totaling \$4,500,000.00. The increase will not require a rate increase as part of the application process. The City will not be penalized for funds not utilized as part of the loan process. The current rates are 2% for 20 years.

It is recommended that the City Commission authorize the City Manager to execute the amended SRF loan application. This will allow access to loan funds as construction and engineering contracts are awarded by the City Commission for the project identified.

Respectfully submitted,



Kyle Goodmanson
Director of Environmental Services

Recommendation: It is recommended that the City Commission consider the adoption of Authorizing Resolution #21-13 and authorize the City Manager to sign all documents necessary for the funding application.

I concur with this recommendation.

I do not concur with this recommendation.



Amy Leon, City Manager

____ Roll call

RESOLUTION #21-13

RESOLUTION AUTHORIZING AN APPLICATION FOR FINANCIAL ASSISTANCE, AUTHORIZING THE EXECUTION AND SUBMITTAL OF THE APPLICATION, AND DESIGNATING AN AUTHORIZED REPRESENTATIVE TO CERTIFY AND SIGN PAYMENT REQUESTS.

WHEREAS, the **City of Yankton** (the “City”) has determined it is necessary to proceed with improvements to its wastewater system, including but not limited to improvements associated with its sewer treatment plant (the “Project”); and

WHEREAS, the City has determined that financial assistance will be necessary to undertake the Project and an application for financial assistance to the South Dakota Board of Water and Natural Resources (the “Board”) will be prepared; and

WHEREAS, it is necessary to designate an authorized representative to execute and submit the Application on behalf of the City and to certify and sign payment requests in the event financial assistance is awarded for the Project,

NOW THEREFORE BE IT RESOLVED by the City as follows:

1. The City hereby approves the submission of an Application for financial assistance in an amount not to exceed \$4,500,000 at an interest rate of 2.0% and term of 20 years to the South Dakota Board of Water and Natural Resources for the Project.
2. The City pledges to repay the loan by using wastewater system revenues.
3. The City Manager is hereby authorized to execute the Application and submit it to the South Dakota Board of Water and Natural Resources, and to execute and deliver such other documents and perform all acts necessary to effectuate the Application for financial assistance.
4. The City Manager is hereby designated as the authorized representative of the City to do all things on its behalf to certify and sign payment requests in the event financial assistance is awarded for the Project.

Adopted at Yankton, South Dakota, this 22nd day of February, 2021.

APPROVED:

Nathan V Johnson, Mayor
City of Yankton

(Seal)

Attest: _____
Al Viereck
Finance Officer

Memorandum #21-28

To: Amy Leon, City Manager
From: Dave Mingo, AICP, Community and Economic Development Director
Date: February 10, 2021
Subject: Consideration of Transferring land to the National Park Service

Those of you that have been on the City Commission for some time may remember that we began a process to transfer approximately 34 of the 40 plus acres of City owned land in Nebraska to the National Park Service (NPS) in 2018. The property is off the southwest end of the Meridian Bridge (see the attached map). For a number of reasons, primarily the pandemic, the NPS had a delay in their process for consideration of the transfer. Our recent contacts with them indicate that they are now ready to move forward and present the proposal to their leadership in Washington D.C.

There are several reasons to consider the transfer. The primary reason is the NPS has access to funding opportunities they could use for appropriate outdoor experience improvements in the riparian area. As you know, much of the land is already in a Missouri National Recreation River conservation easement. If approved, the public will continue to have managed access to the wooded area, with hopefully some new outdoor experience amenities to enjoy. The NPS would not pay for the land but they would be responsible for all platting and administrative costs associated with the transfer.

The attached Letter of Intent includes detailed performance expectations that we recommend being included in the eventual transfer and contract documents if approved by the City Commission. These expectations have been through a series of re-writes with city staff and local NPS officials with input from the City Attorney. Important aspects of the proposal include the City getting the land back at no cost if the NPS liquidates it in the future, and, the City keeping the land where the wells are located and all water rights to the entire property. This proposal does not include the southernmost area located south / southeast of the curve in the access road to the Meridian Bridge.

Other secondary benefits of the proposal include relieving the City of liability and maintenance obligations, the possibility of the NPS installing a comfort station on the property, and although a minor amount, eliminating the Cedar County property tax the City currently pays on the land (The City of Yankton is not tax exempt in Nebraska).

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

Respectfully submitted,



Dave Mingo, AICP
 Community and Economic Development Director

_____ Roll Call (requires super majority for approval)

Recommendation: It is recommended that the City Commission approve Resolution #21-09 authorizing the City Manager to submit the Letter of Intent to the NPS outlining the framework for the transfer of approximately 34 acres as identified in Exhibit A. It is further recommended that the City Manager be authorized to sign the associated transfer and contractual documents upon concurrence of the NPS.

I concur with this recommendation.

I do not concur with this recommendation.



Amy Leon, City Manager

_____ Roll Call (requires super majority for approval)

RESOLUTION #21-09

WHEREAS, the City of Yankton owns over 40 acres of land in the State of Nebraska, and

WHEREAS, the Yankton Board of City Commissioners has determined it is in the City's best interest to transfer approximately 34 acres of said land, identified in the associated "Exhibit A," to the National Park Service, and

WHEREAS, the National Park Service has committed to make improvements to the property thereby enhancing the public's outdoor experience in the riparian area, and

WHEREAS, if the National Park Service ever decides to liquidate the described property, ownership will return to the City of Yankton, and

WHEREAS, this resolution, along with the associated "Letter of Intent" will provide the guidance for the contractual obligations and transfer between the two entities.

NOW, THEREFORE BE IT RESOLVED that the Board of City Commissioners of the City of Yankton, South Dakota, hereby approves the transfer of the approximate 34 acres of City owned property in Nebraska to the National Park Service as identified in Exhibit A, and

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

Adopted:

Nathan V. Johnson, Mayor

ATTEST:

Al Viereck, Finance Officer



February 23, 2021

Richard A. Clark, Superintendent
National Park Service
Missouri National Recreation River
508 E. 2nd Street
Yankton, SD 57078

R.E. Letter of Intent / Donation of City of Yankton Owned Property in Nebraska to NPS-MNRR.

Dear Mr. Clark,

It is our understanding that the National Park Service (NPS) is interested in acquiring land that the City of Yankton owns in Cedar County, Nebraska along a portion of the river included within the Missouri National Recreational River. The identified land is shown on the attached map but is generally known as the land on the south side of the Missouri River, between the Meridian Bridge and the Discovery Bridge. The land currently has a conservation easement on the north portion of the property and also has City wells in the southern portion.

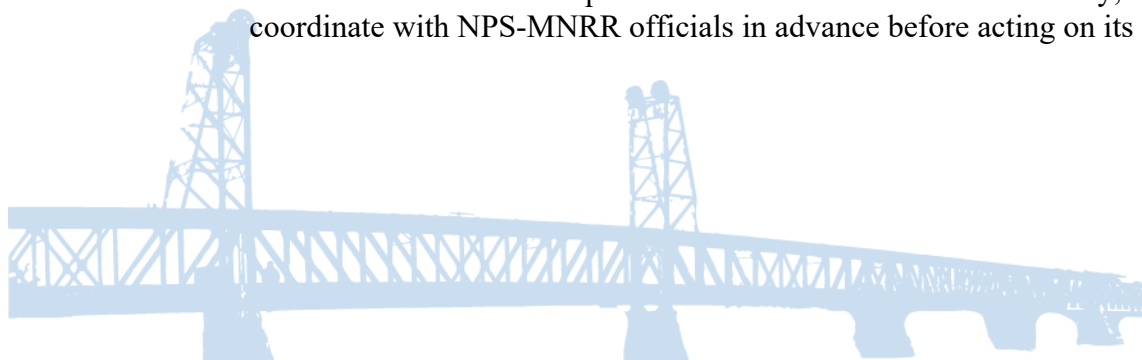
As proposed, the transfer to the NPS would consist of a "Quit Claim Deed" from the City to the NPS at no cost for the land. City approval of such a transfer would be subject to a number of conditions / performance expectations. They would be defined in a formal agreement and include:

City Performance Expectations:

- The City records a blanket easement for any and all underground City utilities prior to the transfer.
- City Transfers land to NPS via Quit Claim Deed. The transferred land would not include the location of the current City improvements in the parcel (as identified by the red line on the attached Exhibit A).
- Recognizing the City's interests with respect to water rights, in transferring said 34-acre parcel the City will retain all existing water rights applicable to the property that exist at the time of conveyance to NPS. As codified within the deed and transfer of title, in no way will the City be precluded from pursuing additional withdrawal and associated infrastructure in the future should such a need develop. Should such a need become necessary, the City will alert and coordinate with NPS-MNRR officials in advance before acting on its intentions.

416 Walnut St
PO Box 176
Yankton, SD 57078-0176
Phone (605) 668-5221
www.cityofyankton.org

EQUAL OPPORTUNITY EMPLOYER



NPS Performance Expectations:

- NPS agrees to pay for all costs associated with the transfer of the property. Said costs could include platting, recording of deeds and other filing fees.
- To the extent possible, and that special project funding may be secured, the NPS intends to improve trails to at least a primitive trail level as conceptually identified. The goal is for the NPS to create a trail system meeting applicable standards that will improve the visitor experience in the area while integrating the NPS-MNRR (Missouri National Recreational River) Green Island Unit.
- To the extent possible, the NPS will pursue special project funding support to enable the construction and maintenance of an ADA accessible restroom facility in reasonable proximity (goal of within 50 yards) to the established paved trail in the SE quadrant of the parcel as near as possible to the trail extending south from the Meridian Bridge. Said facility shall have seasonal water and lighting when available for use. It is understood that this will most likely be a tank and pump waste system.
- If the NPS decides to liquidate the property, it reverts back to the City at no cost. The NPS has no right to transfer to a third party at any time.

General Criteria:

- Upon the transfer of the approximate 34-acre Meridian parcel being completed, the City in cooperation with NPS-MNRR seeks to continue joint conservation interests by coordinating further to evaluate, and hopefully see to fruition the full potential of the tract being developed by NPS, including an improved trailhead and trail system, establishing interconnectivity with the adjacent NPS-MNRR Green Island property, as well as constructing a comfort station (e.g. restroom facility) to improve the overall visitor experience and desired future condition of the area.
- The above stipulations can be renegotiated with the consent of both parties at any time.

Please feel free to contact me if you have further questions.

Sincerely,

Amy Leon, City Manager

The mission of the City of Yankton is to provide exemplary experiences, services, and spaces that create opportunities for everyone to learn, engage, and thrive.

Enclosure (Exhibit A)

_____ Roll Call (requires super majority for approval)

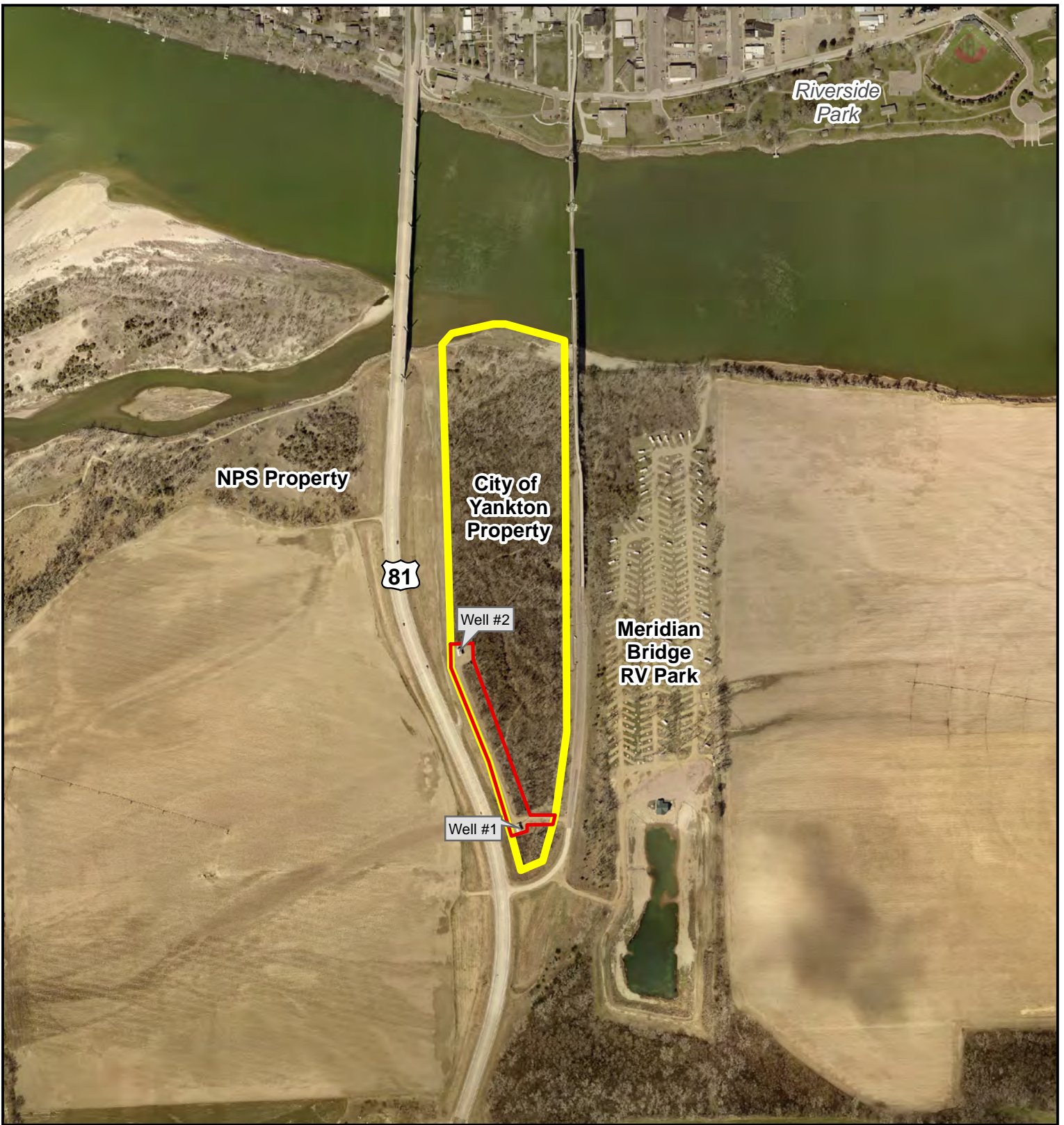
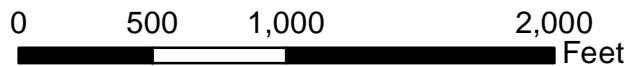


Exhibit A

City of Yankton

Land Transfer to NPS



Memorandum #21-29
Establish Date for Public Hearing

To: Amy Leon, City Manager
From: Dave Mingo, AICP Community and Economic Development Director
Subject: Planning Commission Action #21-02 / Resolution #21-10
Date: February 10, 2021

REQUEST TO VACATE R-O-W

ACTION NUMBER: 21-02

E.T.J. MEMBER ACTION REQUIRED: No

APPLICANT / PETITIONERS: Yankton Medical Clinic.

ADDRESS / LOCATION: The north - south alley between 8th Street and 9th Street, between Dakota Street and Redmond Street.

PROPERTY DESCRIPTION: Alley in Block 2, Redmond's Subdivision in the City of Yankton.

ZONING DISTRICT: B-2 Highway Business District.

PREVIOUS ACTION: None.

COMMENTS: The applicant is requesting that the entire north-south alley in the block be vacated. The purpose of their request to allow them more flexibility in the development of their healthcare campus. As you know, we are usually extremely conservative when it comes to the consideration of vacating any right-of-way. We generally recommend maintaining all dedicated corridors just in case there is an unforeseen future public infrastructure need.

With that being said, there is some logic in vacating this specific right-of-way. Reasons supporting the vacation include:

- There are no through utilities, or identified need for future through utilities in the corridor.
- There is no alley connection in the blocks to the north or south so it is very unlikely that any utility or transportation connections will need this alignment.
- There are no other alleys in the surrounding neighborhood.
- The City does not maintain this corridor. The Yankton Medical Clinic removes snow and does pavement repairs as a part of their regular parking lot maintenance.

All applicable utility companies have been contacted and do not object to vacating the right-of-way. City staff does not see any need to maintain the alley as dedicated right-of-way. Staff recommends approval of the proposed vacation.

HEARING SCHEDULE:

- February 8, 2021: The Planning Commission reviews and makes a recommendation.
- February 22, 2021: The City Commission establishes March 22, 2021 as the date for a public hearing.
- March 22, 2021: The City Commission holds a hearing and makes final a decision.

Planning Commission results: The Planning Commission recommended approval of the proposed alley right of way vacation.

Prepared by:
City of Yankton
PO Box 176
Yankton, SD 57078
(605) 668-5252

RESOLUTION #21-10

RIGHT-OF-WAY VACATION

WHEREAS, the City of Yankton has conducted the process to vacate the identified Right-of-Way known as the north - south alley in Block 2 of Redmond's Subdivision, between 8th Street and 9th Street, between Dakota Street and Redmond Street. Yankton Medical Clinic, applicant and adjacent property owner. Reference the attached "Exhibit A," and

WHEREAS, the proposed Right-of-Way vacation has been reviewed by the City Planning Commission and a recommendation has been made thereof, and

WHEREAS, due and proper notice of hearing regarding said process has been given, and

WHEREAS, the City of Yankton, South Dakota, after due investigation and consideration with applicable utilities involved has determined that good cause exists for vacating the described Right-of-Way.

NOW THEREFORE BE IT RESOLVED, that the north - south alley in Block 2 of Redmond's Subdivision, between 8th Street and 9th Street, between Dakota Street and Redmond Street be vacated.

Adopted:

Nathan V. Johnson, Mayor

Attest:

Al Viereck, Finance Officer

Request to Vacate ROW

City of Yankton
Yankton, SD 57078

Re: ROW Vacation Request

Dear Commission Members:

This letter, pursuant to the City of Yankton's Code of Ordinances and the South Dakota Codified Law is hereby submitted as a formal request for the vacation of right-of-Way. The appropriate petition accompanies this placation.

Description and purpose of ROW vacation request: North – South Alley in Block 2, Redmond’s Subdivision.

The location of our adjacent property is: The entire block lying between 8th Street and 9th Street, and Redmond Street and Dakota Street.

Lot Number: Block 2, Redmond’s Subdivision in the City of Yankton

Zoning District: B-2 Highway Business

CA, (initials to verify by oath) of which we own.

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

Thank you for your consideration,

Dated this 8th day of January, 2021

Charles A. Amos, CEO
printed name and title if applicable
Yankton Medical Clinic, PC

Charles A. Amos
signature

1104 West 8th Street, Yankton SD
address

1-8-2021
date

DM (initials of City of Yankton Official) all applicable utility companies and governmental entities have commented on the proposal.

PETITION FOR RIGHT-OF-WAY VACATION

To: The Board of City Commissioners of the City of Yankton, South Dakota.

The undersigned owner(s), pursuant to SDCL 9-45-7, respectfully petitions the Board of City Commissioners of the City of Yankton, South Dakota, for the vacation of the following described right-of-way:

North – South Alley in Block 2, Redmond’s Subdivision

And, in support of said petition of vacation, the petitioner(s) shows the Board of City Commissioners:

1. That the petitioner(s) is / are the sole and absolute owner(s) of the property adjacent to said right-of-way besides the City of Yankton;
2. That said right-of-way is excessive in the amount of right-of-way needed;
3. That said right-of-way does not now contain any public utilities.

This petition is accompanied with a drawing marked “Exhibit A”, showing the location of the proposed right-of-way vacation.

Eligible petitioners:

Chak A. Am. CEO
Authorized Signature, Yankton Medical Clinic, PC

1-8-2021
Date

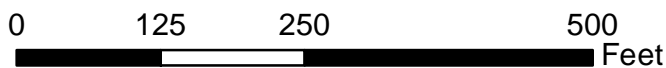


Exhibit A

City of Yankton

Right of Way Vacation Location Map

Block 2, Redmond's Subdivision in the City of Yankton



Memorandum #21-30

To: Amy Leon, City Manager
From: Dave Mingo, AICP Community and Economic Development Director
Subject: Planning Commission Action #21-03 / Resolution #21-11
Date: February 10, 2021

PLAT REVIEW

ACTION NUMBER: 21-03

E.T.J. MEMBER ACTION REQUIRED: No

APPLICANT / OWNER: Matthew Christensen, Managing Member, White Crane Estates, L.L.C.

ADDRESS / LOCATION: Both sides of the 300 block of Lilac Lane and the east side of the 300 Block of Tulip Lane.

PROPERTY DESCRIPTION: Lots 26, 27, 49, 50, 51 & 52 of Crestview Homes Subdivision, in the NE 1/4 of Section 21, T93N, R56W of the 5th P.M., Yankton County, South Dakota.

ZONING DISTRICT: County jurisdiction.

PREVIOUS ACTION: Approval of Subdivision layout and prior development phases in 2007 - 2020.

COMMENTS: The location of the proposed plat is in the City's three mile plating jurisdiction. This allows the City to require the dedication of right-of-way along the extension of the planned street grid. The proposed lots are located in a previously approved subdivision layout with identified right-of-way corridors serving as the primary access to the property. The previous right-of-way dedications meet the requirements of the City's review process for the location. The plat is not adjacent to the City's corporate limits so the Subdivision Ordinance requirements do not apply.

The proposal will be subject to county platting and land use approval requirements as it moves forward through that process.

Staff recommends approval of the proposed plat

SCHEDULE:

February 8, 2021: The Planning Commission reviews the plat and makes a recommendation to the City Commission.

February 22, 2021: The City Commission reviews the plat and makes a final decision.

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

_____ Roll call

RESOLUTION #21-11

Plat

WHEREAS, it appears from an examination of the plat of Lots 26, 27, 49, 50, 51 & 52 of Crestview Homes Subdivision, in the NE 1/4 of Section 21, T93N, R56W of the 5th P.M., Yankton County, South Dakota prepared by John L. Brandt, a registered land surveyor in the state of South Dakota, and

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

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

Adopted:

Nathan V. Johnson, Mayor

ATTEST:

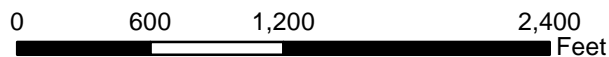
Al Viereck, Finance Officer



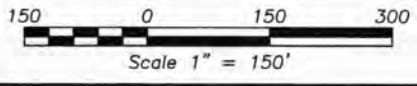
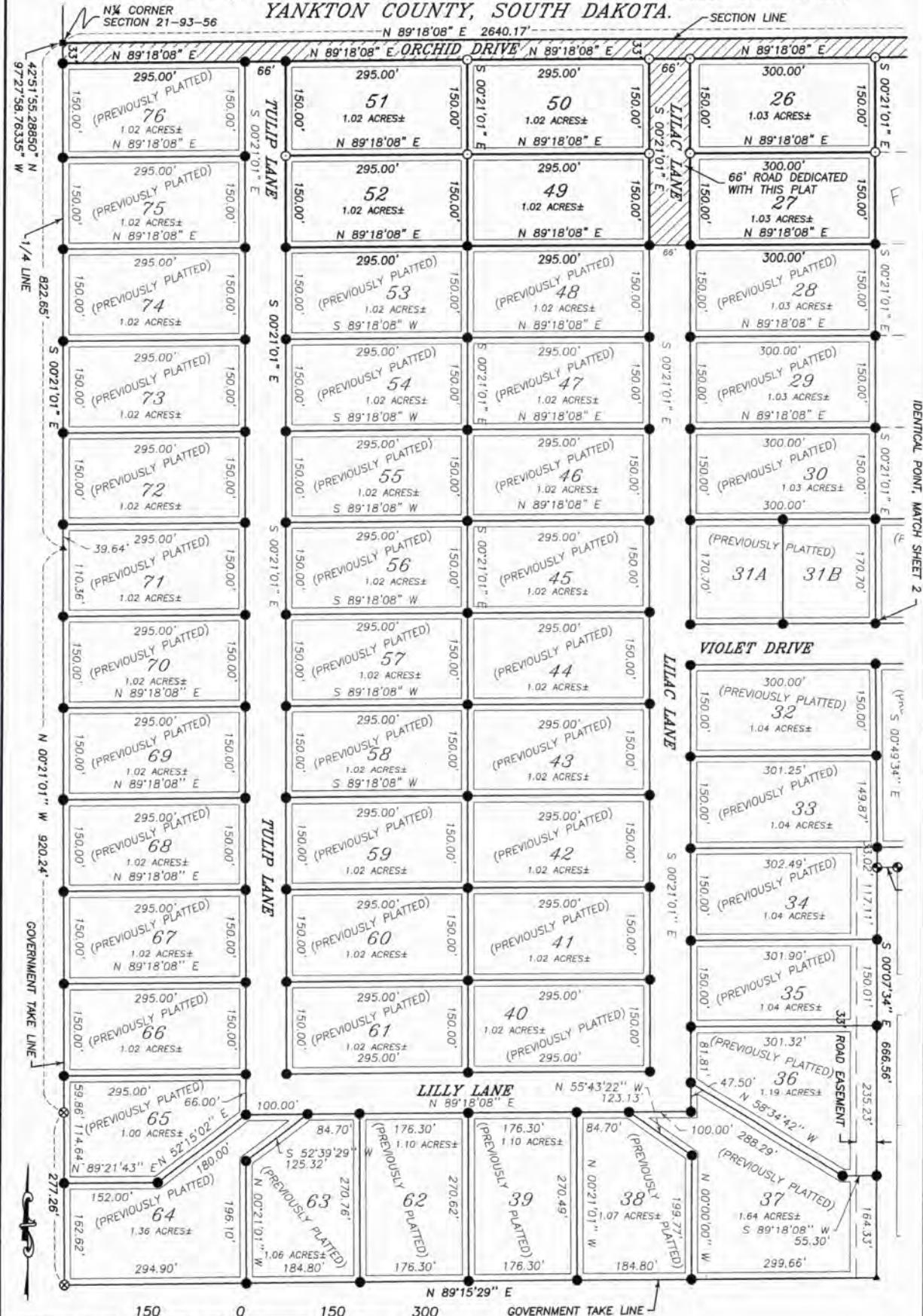
City of Yankton

Plat Location Map

Plat of Lots 26, 27, 49, 50, 51, & 52 of the Crestview Homes Subdivision located in the NE 1/4 of Section 21, T93N, R56W of the 5th P.M., Yankton County, South Dakota

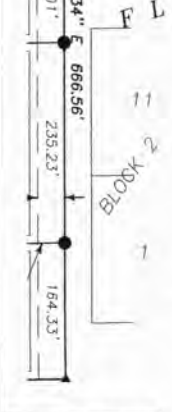
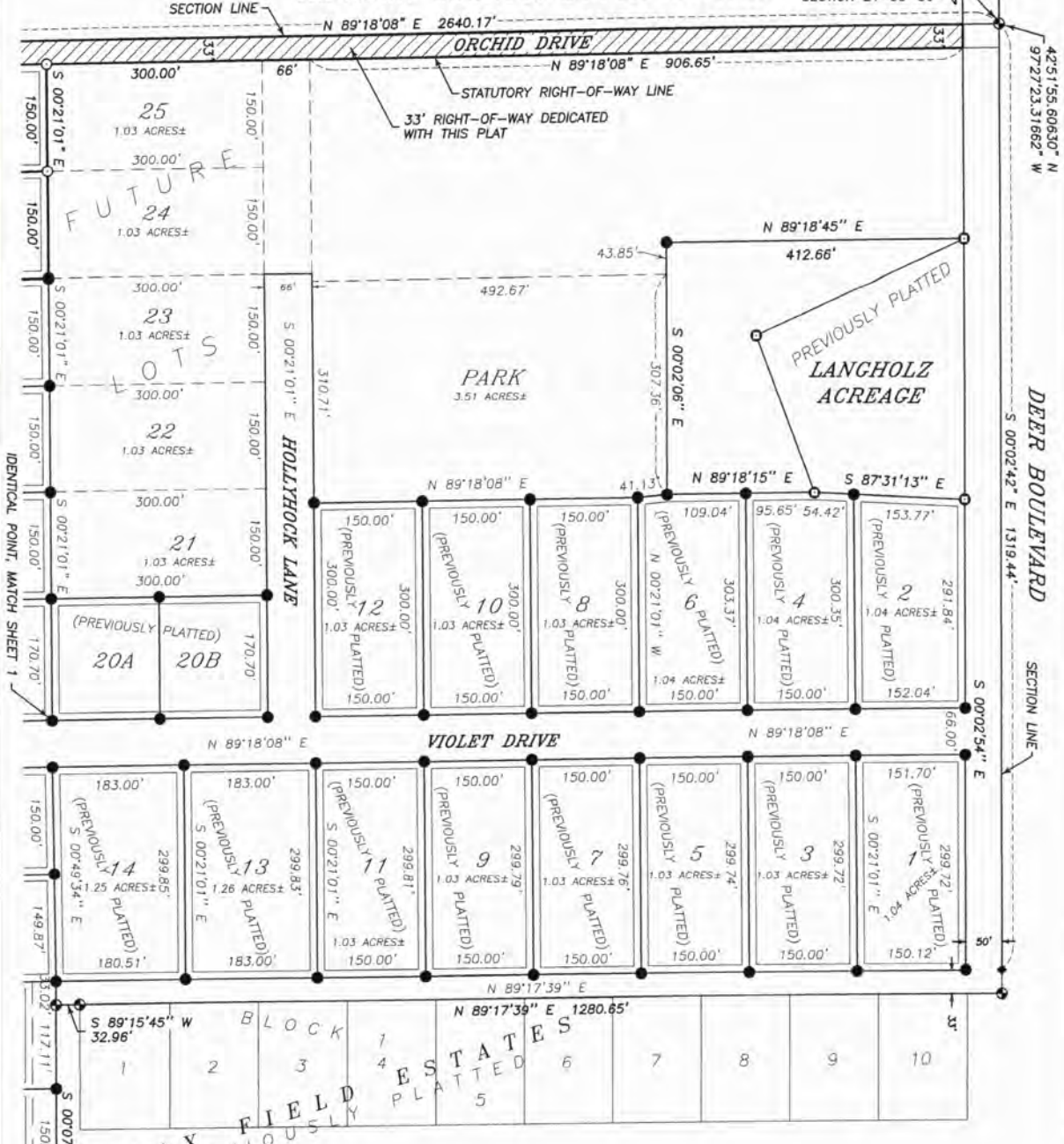


PLAT OF LOTS 26, 27, 49, 50, 51 AND 52, CRESTVIEW HOMES SUBDIVISION,
 IN THE NE1/4 OF SECTION 21, T93N, R56W OF THE 5TH P.M.,
 YANKTON COUNTY, SOUTH DAKOTA.



PLAT OF LOTS 26, 27, 49, 50, 51 AND 52, CRESTVIEW HOMES SUBDIVISION,
IN THE NE1/4 OF SECTION 21, T93N, R56W OF THE 5TH P.M.,
YANKTON COUNTY, SOUTH DAKOTA.

NE CORNER
SECTION 21-93-56



LEGEND

- SET 5/8" REBAR WITH L.S. CAP STAMPED "J. BRANDT R.L.S. 5349"
- FOUND 5/8" REBAR WITH L.S. CAP STAMPED "J. BRANDT R.L.S. 5349"
- ⊙ FOUND 5/8" REBAR WITH L.S. CAP STAMPED "TOM WEEK PELS 2912"
- ▲ FOUND T-BAR
- ⊗ FOUND T-BAR WITH CAP
- FOUND T-BAR WITH CAP INSIDE IRON PIPE
- ◆ FOUND IRON PIPE WITH L.S. CAP
- ⊕ FOUND 5/8" REBAR
- FUTURE LOT LINES

PREPARED BY:
BRANDT LAND SURVEYING
1202 WILLOWDALE ROAD
YANKTON, SD 57078
(605) 665-8455

NOTE:
BASIS OF BEARING
BY GPS OBSERVATION



Scale 1" = 150'



LOCATION (N.T.S.)

Memorandum #21-31

To: Amy Leon, City Manager
From: Dave Mingo, AICP Community and Economic Development Director
Subject: Planning Commission Action #21-04 / Resolution #21-12
Date: February 10, 2021

PLAT REVIEW

ACTION NUMBER: 21-04

E.T.J. MEMBER ACTION REQUIRED: No

APPLICANT / OWNER: Matthew Christensen, Managing Member, White Crane Estates, L.L.C.

ADDRESS / LOCATION: West side of the 300 block of Hollyhock Lane.

PROPERTY DESCRIPTION: Lots 21, 22, 23, 24 and 25, Crestview Homes Subdivision, in the NE 1/4 of Section 21, T93N, R56W of the 5th P.M., Yankton County, South Dakota.

ZONING DISTRICT: County jurisdiction.

PREVIOUS ACTION: Approval of Subdivision layout and prior development phases in 2007 - 2020.

COMMENTS: The location of the proposed plat is in the City’s three mile plating jurisdiction. This allows the City to require the dedication of right-of-way along the extension of the planned street grid. The proposed lots are located in a previously approved subdivision layout with identified right-of-way corridors serving as the primary access to the property. The previous right-of-way dedications meet the requirements of the City’s review process for the location. The plat is not adjacent to the City’s corporate limits so the Subdivision Ordinance requirements do not apply.

The proposal will be subject to county platting and land use approval requirements as it moves forward through that process.

Staff recommends approval of the proposed plat

SCHEDULE:

February 8, 2021:	The Planning Commission reviews the plat and makes a recommendation to the City Commission.
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February 22, 2021:	The City Commission reviews the plat and makes a final decision.
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Planning Commission results: The Planning Commission recommended approval of the proposed plat.

RESOLUTION #21-12

Plat

WHEREAS, it appears from an examination of the plat of Lots 21, 22, 23, 24 and 25, Crestview Homes Subdivision, in the NE 1/4 of Section 21, T93N, R56W of the 5th P.M., Yankton County, South Dakota prepared by John L. Brandt, a registered land surveyor in the state of South Dakota, and

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

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

Adopted:

Nathan V. Johnson, Mayor

ATTEST:

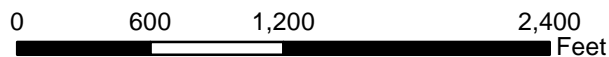
Al Viereck, Finance Officer



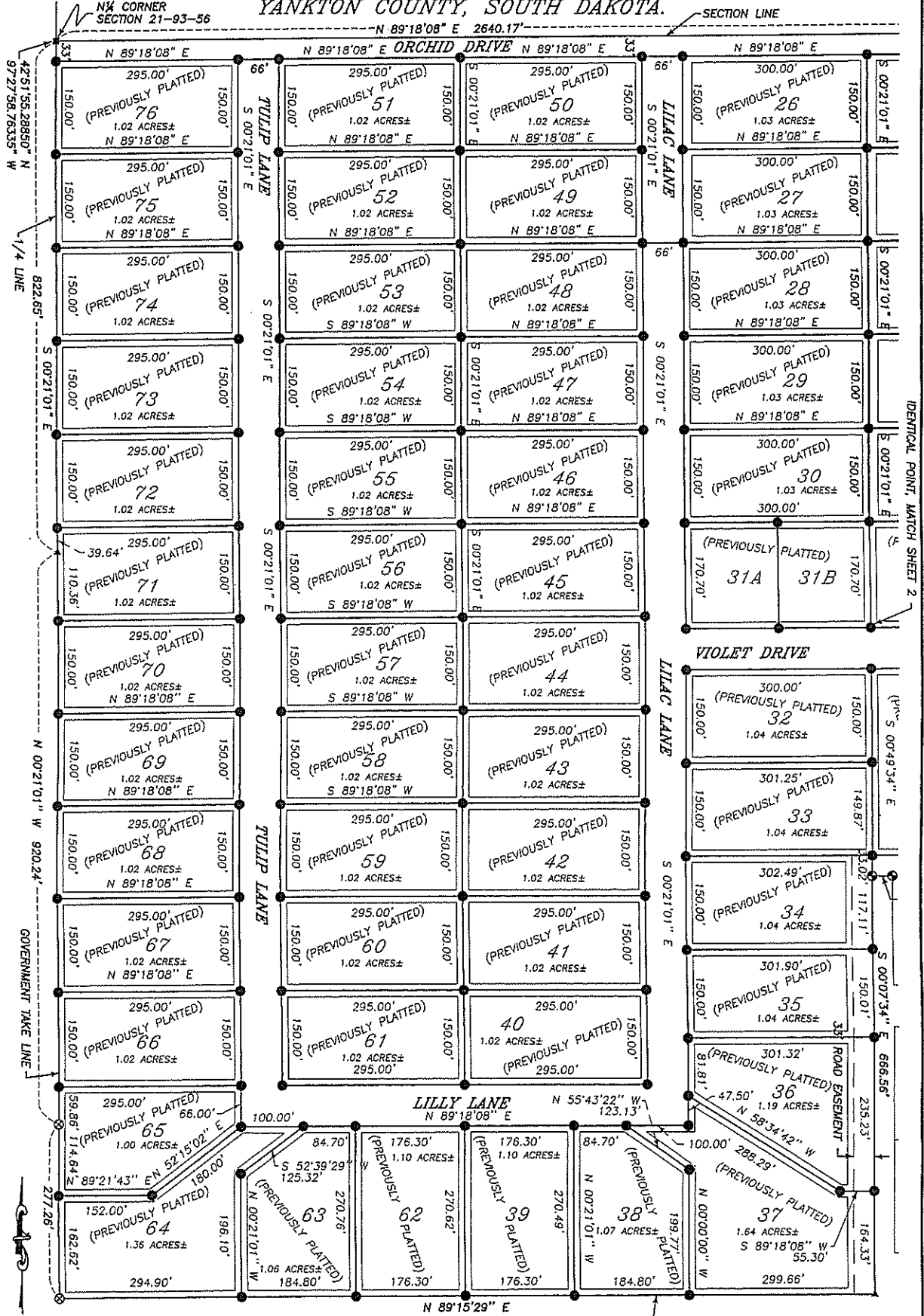
City of Yankton

Plat Location Map

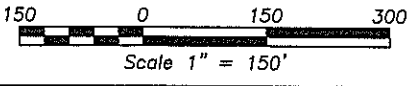
Plat of Lots 21, 22, 23, 24, & 25 of the Crestview Homes Subdivision
 located in the NE 1/4 of Section 21, T93N, R56W
 of the 5th P.M., Yankton County, South Dakota



PLAT OF LOTS 21, 22, 23, 24 AND 25, CRESTVIEW HOMES SUBDIVISION,
 IN THE NE1/4 OF SECTION 21, T93N, R56W OF THE 5TH P.M.,
 YANKTON COUNTY, SOUTH DAKOTA.



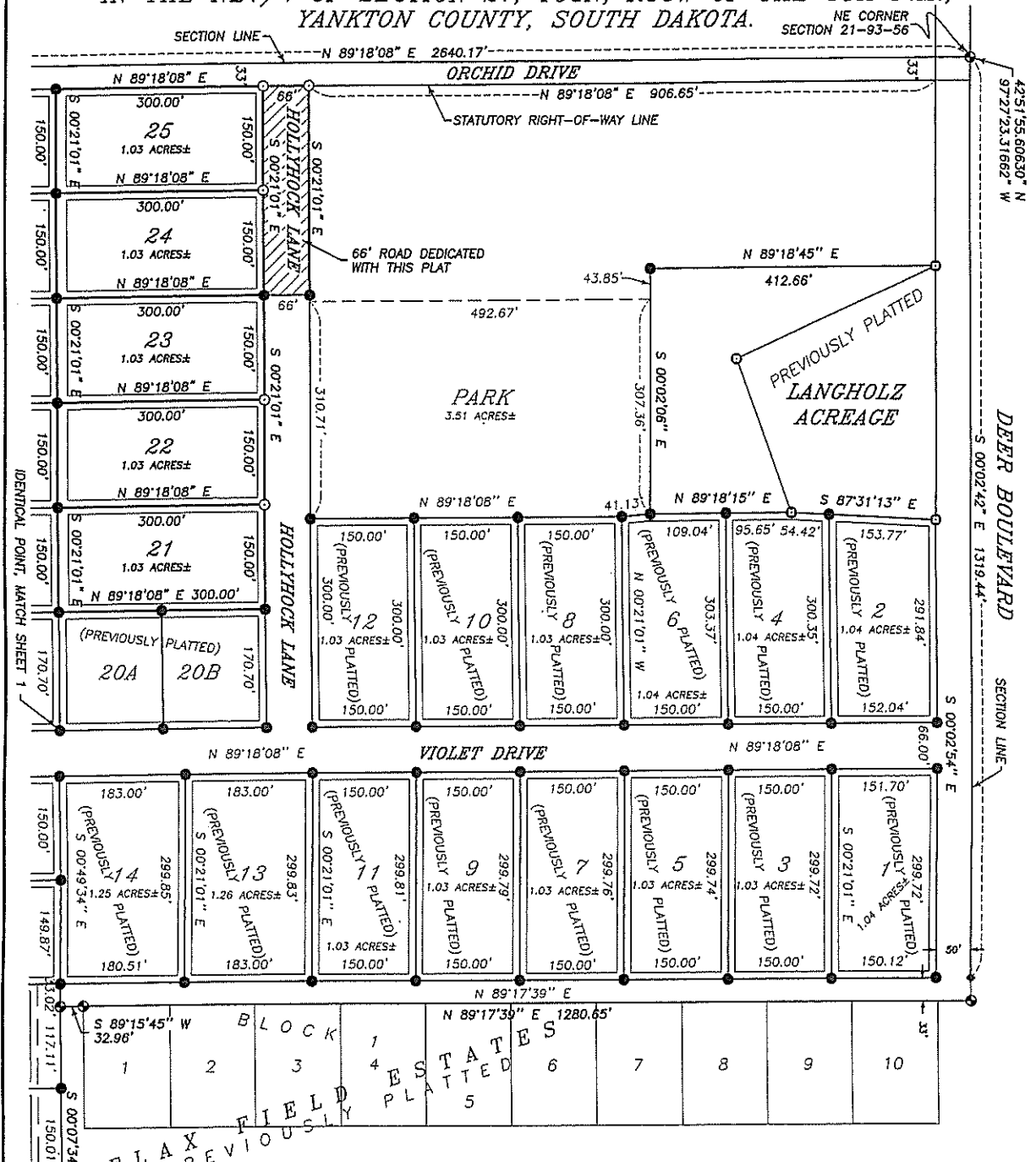
JOB No 20439
 PAGE 1 OF 3



GOVERNMENT TAKE LINE

IDENTICAL POINT, MATCH SHEET 2

PLAT OF LOTS 21, 22, 23, 24 AND 25, CRESTVIEW HOMES SUBDIVISION,
 IN THE NE1/4 OF SECTION 21, T93N, R56W OF THE 5TH P.M.,
 YANKTON COUNTY, SOUTH DAKOTA.

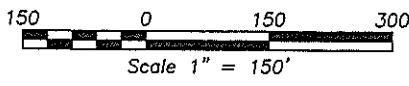
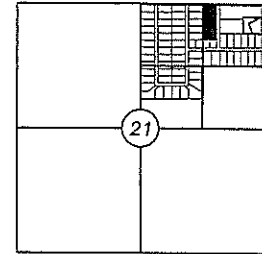


LEGEND

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- FOUND 5/8" REBAR WITH L.S. CAP STAMPED "J. BRANDT R.L.S. 5349"
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PREPARED BY:
 BRANDT LAND SURVEYING
 1202 WILLOWDALE ROAD
 YANKTON, SD 57078
 (605) 665-8455

NOTE:
 BASIS OF BEARING
 BY GPS OBSERVATION



Memorandum #21-33

To: Amy Leon, City Manager
From: Dave Mingo, Community and Economic Development Director
Date: February 11, 2021
Subject: Community Development Block Grant Proposal for the Pathways Shelter for the Homeless Capacity Building Improvements Project.

City staff, officials from Planning and Development District III and representatives of the Pathways Shelter for the Homeless have identified a grant program that could help Pathways address some of their space needs. The Governor's Office of Economic Development (GOED) recently announced that they have up to 100 percent funding available for certain types of COVID-19 related projects. The criteria for the program match up well the property acquisition and improvement plans that Pathways has recently developed.

The proposed project includes the acquisition of property near the existing Pathways facility and substantial improvements to both their current location and the property they wish to acquire. The proposal will help Pathways better serve their clients, especially in this time when space is at a premium and social distancing is important. The description in the attached Community Development Block Grant (CDBG) application cover sheet and associated budget sheet explains the project. The proposal does not include the need for any City funding. If the grant is awarded at a level below 100 percent, Pathways will be responsible for funding the shortfall.

The CDBG program requires local government sponsorship so the City Commission is being asked to adopt Resolutions #21-14, #21-15 and #21-16 to show support for the project. The grant funds originate at the Federal Department of Housing and Urban Development so the resolutions include standard assurances that all applicants must agree to. We have adopted such resolutions in the past and continue to conduct our business in compliance with each statement. City support of the project means that the funds will pass through our accounting system and the City Manager would be designated to sign the associated grant administration documents. The City has sponsored similar grant applications for several other entities in the past.

The CDBG program is competitive so there are no guarantees until an award has been granted and a grant agreement is in place. Preliminary discussions with staff at the GOED have been positive so we are hopeful that City sponsorship of the application will help a local organization that is making a difference in our community.

Respectfully submitted,




Dave Mingo, AICP
Community and Economic Development Director

Three Roll Calls for the Resolutions _____

Recommendation: It is recommended that the City Commission take three separate actions to approve Resolution #21-14 authorizing submittal of the application, Resolution #21-15 establishing a Project and Environmental Certifying Officer and Resolution #21-16 Assuring Fair Housing.

I concur with the recommendation

I do not concur with the recommendation



Amy Leon, City Manager

APPLICATION FOR STATE ASSISTANCE

APPLICATION INFORMATION Legal Name: City of Yankton	FUNDING SOURCE: A. CDBG B. Local C. D. E. F. G. TOTAL	ESTIMATED FUNDING: \$ 269,491.00 \$ \$ \$ \$ \$ \$ 269,491.00
Address (city, state, and zip code): PO 176 Yankton, SD 57078 605-668-5221		
SUB-APPLICANT AND ADDRESS: Pathways Shelter for the Homeless 412 E. 4th Street Yankton, SD 57078		
NAME AND TELEPHONE NUMBER of a local official to be contacted on matters involving this application: Name: Amy Leon, City Manager Phone: (605) -668-5221	EMPLOYER IDENTIFICATION NUMBER: Applicant: 46-6000567 DUNS: 04-299-9185 Sub-Applicant: 47-3974624	
DESCRIPTION OF PROJECT: Pathways Capacity Building Improvements Pathways Shelter for the Homeless has been significantly impacted by the logistical and economic challenges of COVID-19. The shelter serves a vulnerable population experiencing homeless in a time when many outreach services are closed, limited, or unavailable. Many clients are employees of the service industry or other frontline employees in jobs impacted by reduced economic activity in manufacturing, tourism, recreation, and entertainment. The Shelter's COVID-19 response measures have meant struggling to serve as many clients as safely possible at a time when demand remains high. Locally, clients have been impacted by lay-offs and furloughs driven by regional and national economic trends. During 2020, Pathways served 268 unique individuals including a significant percentage of individuals from races and ethnicities who statistically have been disproportionately impacted by the pandemic. Pathways proposes acquiring an adjacent property with two existing residential units creating a "campus" to better address CDC recommendations to keep staff and clients safe. One of the units on the acquired property would be renovated and made available for housing a family. The second unit would be modified to allow some staff offices to be moved out of the main building freeing up that former office space to be converted to an additional residential unit for clients. An additional dwelling unit would be created in the basement of the unit able to accommodate up to an additional three individuals.		
PROPOSED PROJECT START DATE: June 2021	NAME, ADDRESS, AND PHONE NUMBER OF CONSULTANT:	
APPLICATION PREPARED BY: Name: Eric Ambroson Phone: (605) 665-4408		
I declare and affirm under the penalties of perjury that this application had been examined by me, and to the best of my knowledge and belief, is in all things true and correct. The document has been duly authorized by the governing body of the applicant and the applicant will comply with attached assurances if the assistance is awarded.		
Typed Name of Authorized Representative Amy Leon	Title City Manager	Telephone Number 605-668-5221
Signature of Authorized Representative X	Date Signed	

RESOLUTION #21-14

AUTHORIZING RESOLUTION

WHEREAS, The City of Yankton of has identified the need to increase the capacity of Pathways Shelter for the Homeless thereby providing essential services to the homeless population due to the recent COVID-19 pandemic, and

WHEREAS, The City of Yankton proposes to sponsor Pathways Shelter for the Homeless in making capacity improvements at its facility by submitting a Community Development Block Grant (CDBG) application, and

WHEREAS, the City of Yankton is eligible for federal assistance for the proposed project, and

WHEREAS, with the submission of the CDBG application, The City of Yankton assures and certifies that all CDBG program requirements will be fulfilled, and

WHEREAS, The City of Yankton has published the required publications for the CDBG application.

NOW THEREFORE, BE IT RESOLVED that the City of Yankton of duly authorizes the submission of the CDBG application requesting approximately \$269,491 for the Pathways Capacity Building Improvements Project, and

BE IT FURTHER RESOLVED that the Mayor be authorized to execute the CDBG application for The City of Yankton.

Adopted:

Nathan V. Johnson, Mayor

Attest:

Al Viereck, Finance Officer

RESOLUTION #21-15

**DESIGNATING CDBG PROJECT CERTIFYING OFFICER AND
ENVIRONMENTAL CERTIFYING OFFICER**

Pathways Capacity Building Improvements Project.

WHEREAS, The City of Yankton is applying for a Community Development Block Grant from the U.S. Department of Housing and Urban Development as administered by the State of South Dakota, and

WHEREAS, The City of Yankton is required to designate a certifying officer for the purpose of signing required documents pertaining to these grants, and

WHEREAS, The City of Yankton is required to designate an environmental certifying officer for the purpose of signing required environmental documents pertaining to these grants.

NOW THEREFORE, BE IT RESOLVED that the City Manager of the City of Yankton be hereby designated as the City's Certifying Officer for the purpose of signing correspondence, pay requests, and other required documents, and

BE IT FURTHER RESOLVED that the City Manager of the City of Yankton be hereby designated as the City's Environmental Certifying officer for all environmental review procedures associated with the CDBG project.

Adopted:

Nathan V. Johnson, Mayor

Attest:

Al Viereck, Finance Officer

RESOLUTION #21-16

RESOLUTION ASSURING FAIR HOUSING

WHEREAS, it is the City Commissions belief that discrimination in housing not only threatens the rights and privileges of the citizens of Yankton, but also menaces the institutions and foundations of a free and democratic society, and

WHEREAS, the City Commission desires to give meaning to the guarantees of equal rights contained in the Constitution and laws of this State and the United States of America and to encourage and bring about mutual self-respect and understanding among all citizens and groups in Yankton, and

WHEREAS, under the Federal Fair Housing act, (Title VIII of the Civil Rights Act of 1968), it is illegal to deny housing to any person because of race, color, religion, sex or national origin.

NOW THEREFORE BE IT RESOLVED that the City of Yankton, South Dakota, makes a firm commitment to do all within its power to eliminate prejudice, intolerance, disorder, and discrimination in housing, and
Therefore, be it also resolved that the Fair Housing and Equal Opportunity logo will be displayed at the Yankton city office.

AND BE IT FURTHER RESOLVED that the following procedures will be used to accomplish the purpose of the aforementioned resolution:

1. The City of Yankton shall inform all City employees of the City's commitment to equal housing.
2. The City of Yankton shall direct all employees to forward immediately to the City Manager any reports they receive of housing discrimination.
3. The City of Yankton shall forward such complaints to the South Dakota Division of Human Rights within 10 days of receipt of said complaint.

Adopted:

Nathan V. Johnson, Mayor

Attest:

Al Viereck, Finance Officer

City of Yankton - Pathways Capacity Building Project

BUDGET SHEET

	A	B	C	D	E	F	G
Cost Classification	CDBG	Local					Total Funds A thru F
1. Administration Expense	\$14,600	\$0				\$0	\$14,600
2. Land, Structure, Right-of-Way	\$100,000	\$0				\$0	\$100,000
3. Architectural/Engineering Basic Fees	\$0	\$0				\$0	\$0
4. Other Architectural/Engineering Fees	\$0	\$0				\$0	\$0
5. Project Inspection Fees	\$0	\$0				\$0	\$0
6. Site Preparation	\$8,000	\$0				\$0	\$8,000
7. Relocation Expenses	\$0	\$0				\$0	
8. Demolition and Removal	\$2,500	\$0					
9. Equipment	\$5,000	\$0				\$0	\$5,000
10. Construction/Rehabilitation	\$139,391	\$0				\$0	\$139,391
11. Contingencies		\$0				\$0	\$0
12. Total	\$269,491	\$0				\$0	\$266,991
Total %	100.94%	0.00%				0.00%	100.00%



City of Yankton

Pathways Shelter for the Homeless CDBG
COVID-19 Response Project Location Map

Memorandum #21-35

To: Amy Leon, City Manager
From: Corey Potts, Public Works Manager
Subject: Bid award for a New 2021 Model 4x2 Yard Tractor for the Public Works Department, Joint Powers Division
Date: February 16, 2021

Bid packets were furnished to three equipment dealers and the city received the one (1) bids outlined below for a new 2021 4x2 Yard Truck.

<i>Bidder Name</i>	<i>Acknowledge Addendum</i>	<i>Specified Equipment Cost</i>
Truck Center 2801 S. 13 th St Norfolk, NE 68702		\$107,167.44

The proposed yard truck is a replacement for equipment presently in operation. The yard tractor that is to be replaced is Unit #227, a 2005 Ottawa Commando Yard Tractor. Replacement of this equipment is in accordance with the approved replacement plan of thirteen (15) years. The Department will place this unit on the surplus auction for later this fall.

The 2021 adopted budget allowed \$100,000 for the purchase of a replacement yard tractor for the Department of Public Works, Joint Powers Division. The bid Price for the new Ottawa T2 Yard Tractor is \$107,167.44. The bid price is above the budgeted amount by \$7,167.44, the difference will be made up on other purchases.

The low bid on the new 2021 Model Ottawa T2 4x2 Yard Tractor does meet specifications. Therefore, it is recommended that the 2021 Model Ottawa T2 4x2 Yard Tractor bid for \$107,167.44 be awarded to Truck Center Companies, Norfolk, Nebraska.

Respectfully submitted,

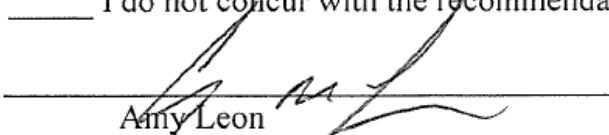


Corey Potts
Public Works Manager

Recommendation: It is recommended that the City Commission approve Memorandum #21-35 to award the bid for the New 2021 Model Ottawa T2 4x2 Yard Tractor 4x2 to Truck Center Companies of Norfolk, Nebraska in the amount of \$107,167.44 for the Department of Public Works, Joint Powers Division and to approve Resolution #21-18 to surplus the 2005 Ottawa Commando Yard Tractor VIN# 312658

I concur with the recommendation.

I do not concur with the recommendation.



Amy Leon
City Manager

____ Roll call

RESOLUTION #21-18

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

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

PROPERTY TO BE SURPLUS

2005 OTTAWA COMMANDO YARD TRACTOR VIN#312658

Dated this 22nd day of February, 2021.

Nathan V Johnson
Mayor

ATTEST:

Al Viereck
Finance Officer

Memorandum #21-34

To: Amy Leon, City Manager
From: Corey Potts, Public Works Manager
Subject: Bid award for Steel Transfer Station Walking Floor Trailer for the Department of Public Works, City of Yankton/Joint Powers Department
Date: February 12, 2021

Twenty-two bid packets, for one new walking floor trailer were sent to equipment dealers and three (3) bids outlined below were received.

<i>Bidder</i>	<i>Total Cost</i>
<i>Northern Truck & Equipment 47213 Schweigers Circle Sioux Falls, SD 57107</i>	\$70,617.00
<i>J&J Trailer Manufacturing 28290 Southbridge Circle Westlake, OH 44145</i>	\$89,600.00
<i>Wilkins Trailers 148 South Road 22 Morris, MN 56267</i>	\$77,161.00

The 2021 Joint Powers budget provides \$80,000 for the purchase of one new steel walking floor trailer for the City of Yankton, Public Works Department/Joint Powers Department.

The steel walking floor trailers are an important part of the Yankton Transfer Station operation. Yankton is permitted to accept municipal solid waste (MSW) for transport to the landfill located in Clay County. MSW and construction debris are transported in the walking floor trailers to the landfill.

The trailers are located in the pits at the transfer station for loading purposes. Solid waste is dumped from the tipping floor into these trailers. The loads are arranged and packed to get the most weight on the trailers. They are then covered and moved to an outside staging area for transfer to the Vermillion Landfill.

The trailers are 48 feet in length with a walking floor mechanism to unload the solid waste. The trailers also have a roll tarp that is securely fastened down according to state laws while transporting solid waste to Vermillion to prevent material from blowing out of the trailer.

All bids received meet the minimum specifications. The low bid submitted by Northern Truck & Equipment of Sioux Falls, SD is similar to the ones presently in service, having the same major components, such as the walking floor mechanism, landing gear, tarp components, suspension

and axles. The steel trailers have proven to be more durable for the transfer operation than the previously used aluminum trailers when the transfer operation first began.

The trailer will replace #243 a 2007 Steco walking floor trailer. The trailer will be surplus in the fall.

City Staff recommends that the bid for \$70,617.00 be awarded to Northern Truck & Equipment of Sioux Falls, SD, which is \$9,383.00 under the budgeted amount.

Respectfully submitted,

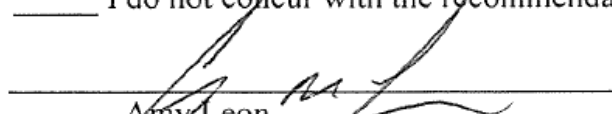


Corey Potts
Public Works Manager

Recommendation: It is recommended the City Commission approve Memorandum #21-34 to award the bid for one New Steel Transfer Station Walking Floor Trailer for \$70,617.00 to Northern Truck & Equipment of Sioux Falls, South Dakota and to approve Resolution #21-17 to surplus the 2007 Steco Walking floor trailer vin# 5EWWS482571254315

I concur with the recommendation.

I do not concur with the recommendation.



Amy Leon
City Manager

____ Roll call

RESOLUTION #21-17

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

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

PROPERTY TO BE SURPLUS

2007 STECO WALKING FLOOR TRAILER VIN# 5EWWS482571254315

Dated this 22nd day of February, 2021

Nathan V Johnson
Mayor

ATTEST:

Al Viereck
Finance Officer

Memorandum #21-36

To: *Amy Leon, City Manager*
From: *Bradley Moser, Civil Engineer*
Subject: *Acceptance of the Sanitary Sewer, Storm Sewer and Street Improvements for Phase 2A-2, of the Westbrook Estates Residential Development Project*
Date: *February 16, 2021*

The developer, Nielson Construction is asking that the utility and street improvements for Phase 2A-2, of the Westbrook Estates Residential Development be accepted. The improvements are located in front of the following lots:

Block 7, Lots 13 thru 24,
 Block 8, Lots 1 thru 12,
 Block 9, Lots 6 thru 10,
 Block 10, Lots 1 thru 6,
 All in Westbrook Estates Subdivision

Although the water main was installed to city specifications it will ultimately be accepted by B-Y Water. As for the remaining utilities, they were completed in accordance to the approved plans and have passed the required testing.

The billing costs have been calculated. There were no personnel labor costs incurred as the utilities for this phase were installed and tested in conjunction with the phase 2A-1 utilities. A payment, of \$480.00, has been received from the developer. The calculation totals are as follows:

Total Personnel Labor Costs	\$0.00
Sewer Connection Fees	<u>\$480.00</u>
GRAND TOTAL:	\$480.00

It is recommended that the City Commission accept the sewer, storm and street improvements as described above.

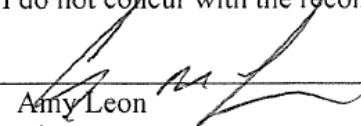
Respectfully submitted,



Bradley Moser
 Civil Engineer

Recommendation: It is recommended that the City Commission accept the sewer, storm and street improvements for Phase 2A-2, of the Westbrook Estates Residential Subdivision, as detailed in Memorandum #21-36.

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



Amy Leon
City Manager

cc: Adam Haberman, PE

____ Roll call

Memorandum No. 21-37

TO: City Commission
FROM: Lisa Yardley, Deputy Finance Officer
RE: TMA Utility Billing Agreement
DATE: February 16, 2021

Attached is an Agreement between the City of Yankton and Third Millennium Associates, Inc. ("TMA") for outsourcing utility billing production, printing, and mailing. This Agreement includes materials and services to be provided by TMA at a set cost structure along with establishing the City of Yankton's responsibilities.

Third Millennium Associates of Warrenville, IL has been utilized since December 2019 when the City upgraded from a postcard to an 8 ½" x 11" utility bill mailed along with a return envelope plus additional notices as needed. In the Fall of 2019, TMA was deemed a local-government-focused reputable outsourcing company for utility bill production and has proven to be a cost-effective alternative. For example, the landfill vouchers and tree trimming reminders attached with the September 2020 utility bills only cost \$0.1993 per insert.

If approved, the contract will commence immediately, and will run through the next three years.

It is worth pointing out that the City and TMA have been operating as though a written contract exists for over one year with virtually no issues. Third Millennium appears to have overlooked the signing of their contract with the City. They have demonstrated themselves to be good partners for the City of Yankton and staff wish to continue the ongoing relationship.

Recommendation: It is recommended that the City Commission approve the agreement and authorize the City Manager to sign said agreement and any other documents pertaining to this project.



Utility Billing Production Agreement

Third Millennium Associates, Inc. and the City of Yankton, SD

This agreement, which is three years duration, will automatically renew after the original three-year period and annually thereafter unless either party provides to the other party written notice of cancellation at least 60 days prior to the date of termination. The minimum renewal or contract extension will be 1 (one) year. This production agreement, which is entered into this ____ day of _____ 2021 by and between Third Millennium Associates, Inc. (hereinafter referred to as “TMA”) and the **City of Yankton, SD** (hereinafter referred to as “CITY”).

For consideration of payment, TMA will provide to CITY, information technology services, laser imaging and mailing services for the purpose of rendering Utility Billing invoices and other items as detailed on the attached Schedule “A”.

1. Pre-agreement Confidentiality

Confidentiality and non-disclosure are defined by mutual agreement between TMA and CITY per the attached agreement document dated and signed on the ____ of _____ 2021 by TMA and CITY. Also refer to paragraph 10 of this agreement.

2. Pricing Structure

The prices on which products and services will be provided by TMA to CITY are set forth on the attached Schedule B.

3. Postage Cost

Postage costs are not included in the attached listed prices and will be paid by CITY directly to the USPS via E.P.S.. (Enterprise Payment System). However, in order to maximize the postage, discount available to the City, TMA will employ all cost control measures detailed in the Executive Summary provided to the City, including Full-Service mail compliance, utilization of postage sorting software, paper weight and quality control, and tray sorting. The CITY will be required to open and maintain an E.P.S. account. At the conclusion of each production run, TMA will provide the CITY with the 3602 document for its review via Third Millennium Associates Gateway “TMAG”, with the monthly postage required for your utility bills and/or other TMA imaged mailings on behalf of CITY. CITY will pay a monthly postage directly to the USPS, via the E.P.S. system. The USPS will report directly to CITY all amounts charged to the CITY postal account. In addition, TMA will open a first class Pre-Sort Permit on your behalf, the cost of which will be billed to the CITY via Invoice.

4. Payment Terms

Products and services provided by TMA shall be cumulatively billed on a monthly basis. The TMA Invoice format shall detail each individual mailing and the dates of the provided service. All correctly rendered TMA monthly invoices shall be paid by CITY within 30 days of receipt by the CITY.

5. TMA Quality Commitment

TMA guarantees that it will maintain consistent standards of quality workmanship and warrants the accurate and timely processing, printing and mailing of the document as outlined in paragraph seven (7) and that its products and services will be free from defect in materials and workmanship. TMA does not warrant that the document contents are fit, legally or otherwise, for their intended purpose or use.

6. Limits of Liability

TMA agrees to use all reasonable efforts to provide timely services, but will not be held liable for errors of omission resulting from inaccuracies or defects in any CITY billing data file, or for errors, omissions or delays resulting from improper input and output data controls and procedures used by CITY or given to TMA by CITY.

TMA shall not be held responsible for any loss or delay or any default caused by acts of God or any other circumstances outside TMA's control which includes but is not limited to fire, flood, or labor from usual sources of supply, government restrictions, or electrical, mechanical or computer software failure that is unavoidable or beyond reasonable control of TMA. TMA agrees to use all reasonable efforts to provide timely production services at an alternate site in the event that their production site is unusable due to the aforementioned acts of God or any circumstances outside TMA's control.

TMA'S maximum liability for any and all claims arising from the performance of its obligations shall not exceed the purchase price of the services provided.

7. Division of Responsibilities

7A. TMA Responsibilities

- 7A-1. To write the software required to convert the CITY Utility Billing file to the required laser image format.
- 7A-2. To write software that will allow CITY'S Utility Billing files to be processed through Postal software for the purpose of reducing CITY'S postage to the minimum allowable postage piece rate.
- 7A-3. To procure all materials required to produce and to mail the Utility Bills. This includes the Utility Billing invoice, the No.10 window envelope and the No. 9 courtesy reply envelope. TMA will not guarantee the performance of materials not produced by TMA.
- 7A-4. TMA will notify CITY of the record count and control totals for the Utility Billing file no later than four (4) business hours after receipt of the file.
- 7A-5. TMA will laser image and mail all CITY Utility Bills within forty-eight (48) post office operating hours after receipt of CITY control total / record count sign off.
- 7A-6. TMA will provide our employees the training to ensure the confidentiality of CITY information.
- 7A-7. TMA will maintain effective and timely communications with CITY in all matters pertaining to the responsibilities listed herein.

7A-8. TMA will provide CITY with all necessary implementation training and ongoing customer support during the term of this Agreement.

7B. CITY Responsibilities

7B-1. Project Initiation: CITY will provide to TMA an Enterprise Resource Planning (ERP) Utility Billing file containing all required billing elements which are internally calculated by the CITY'S ERP software. Provide the Utility Billing file record layout with file to form written instructions, all billing business rules, exception rules and any other variations to the above. CITY shall approve the record count and control total format presentation and laser imaged Utility Bill format both front and back upon project completion.

7B-2. Billing File and/or Bill Format Changes: Subsequent to CITY "Project Initiation approval" any changes to billing business rules, laser image format, ERP billing file corruption, modifications and or version updates will be billed to CITY at the prevailing programming rates.

7B-2a: If your billing file is submitted to the TMA Gateway prior to 1pm, on a regular business day, and that file stalls/fails, the file will be reviewed the same business day. TMA will then impart this information to the municipality for the next steps to be determined.

7B-2b: If your billing file is submitted to the TMA Gateway after 1pm, on a regular business day, and that file stalls, the file will be reviewed on the next business day. TMA will then impart this information to the municipality for the next steps to be determined.

7B-2c: If your file is approved on the TMA Gateway, on a regular business day, and our production staff attempts to run the file in production and if it is determined that the file is corrupt, we will review the issue and advise the municipality for the next steps to be determined.

- On files approved before 1pm, on a regular business day, review the same business day.
- On files approved after 1pm, on a regular business day, reviewed the next business day.

7B-3. If, in the course of file review (whether prior to approval of file or after approval of file), it is determined that a file correction/or multiple corrections are needed, TMA will advise on the information that we have available, what the issue with the file is, and consult with the CITY for direction on whose responsibility it will be to correct the file.

7B- 3a: If that fix/correction is to be made by TMA, the number of programming hours (cost) will be explained, as well as the timeframe for the fix to be implemented before the work is commenced.

7B-4. To provide to TMA a three (3) business hour response via the TMA Gateway verifying the record count and control totals as stated in 7A-4.

7B-5. To maintain an E.P.S. postal account.

7B-6. To pay all correctly rendered TMA invoices within 30 days of CITY receipt.

8. Price Changes

The prices listed on Schedule B shall be subject to review each year on the anniversary date of this agreement. That review shall determine if there were any increases or decreases in the cost of paper, production, transportation or any other cost component of the herein contained products and/or services. Prices may also be reviewed more frequently if the agreement quantity as stated in SCHEDULE "B" varies by more than ten percent.

In order to increase prices, TMA must provide the City with third-party documentation justifying such cost increases. That documentation shall consist of letters of price increase or decrease from paper mills, articles from the Wall Street Journal or any other legitimate and universally accepted source. In the absence of the above documentation, the J.P. Morgan-Chase Chicago area consumer price index will be used as the source of price increase or decrease.

9. Renegotiations and Cancellation

In the event either party is in breach of any of the terms contained herein, the non-breaching party shall give written notice of said breach to the breaching party. The breaching party shall have ten (10) days to cure the breach. In the event said breach is not cured within ten (10) days of notice, the non-breaching party may then give thirty (30) days written notice of cancellation of this Agreement. Notwithstanding any term or provision of this contract to the contrary either party hereto may terminate this agreement for any or no reason at all upon 60 day written notice to other party.

10. Post-Agreement Confidentiality

In the event of cancellation or expiration of this agreement, TMA shall return to CITY all materials and information pertaining to the performance of this agreement. These materials shall include, but are not limited to, all electronic media, all printed material, all notes, memos or other sources of CITY confidential information, as that term is defined in the confidentiality agreement between the parties.

In no instance, prior to, during, or after the conclusion of this agreement, shall TMA offer for sale or in any other manner disclose to any third party the CITY document file or any other such CITY files, or any confidential information, as that term is defined in the confidentiality agreement between the parties, whether written or in electronic media format.

11. Materials Production

Prior to materials production runs, TMA will notify CITY in writing of the items to be produced, production quantities planned and the estimated period of materials consumption. TMA will base its materials production quantities on projections using current semi-annualized Utility billing volume.

Any materials (i.e., non-imaged forms, envelopes, etc.) that have been produced specifically and exclusively for CITY'S use will be paid for by CITY and at CITY'S written request will be returned by

TMA to CITY upon cancellation or expiration of this agreement. In addition, any materials produced that are unmodified and unused will be billed to the CITY at a stock replacement rate.

12. Other Provisions

This agreement constitutes the entire agreement between the parties pertaining to the subject matter hereof and supersedes all prior agreements. No amendment, supplement, modification, waiver or termination of this agreement shall be binding unless executed in writing by the party to be bound thereby. No waiver of any of the provisions of this agreement shall be deemed or shall constitute a waiver of any other provision of this agreement, whether or not similar, nor shall such waiver constitute a continuing waiver unless otherwise expressly provided.

This agreement shall be construed and interpreted according to the laws of the State of Illinois.

If any provision, clause or part of this agreement, or the application thereof under certain circumstances is held illegal or unenforceable, the remainder of this agreement, or the application of such provision, clause or part under certain circumstances, shall not be affected thereby.

IN WITNESS WHEREOF, the duly authorized representatives of the parties have executed the Agreement effective as of the date last written below.

AUTHORIZATION

THIRD MILLENNIUM ASSOCIATES, INC.

Signature: _____  _____

Name: _____ Elizabeth S. Adducci _____

Title: _____ Vice President _____

Date: _____ January 19, 2021 _____

CITY OF YANKTON, SD

Signature: _____

Name: _____

Title: _____

Date: _____ January 19, 2021 _____

Schedule A

Materials to be provided by TMA:

- M1. 8 1/2 X 11” Utility bill printed two colors on the face and one color on the back. Paper is 20lb. MOCR bond, with a cross perforation to create the remittance portion of the document.
- M2. No.10 window envelope. Paper is 24 lb. white-wove.
- M3. No.9 courtesy window reply envelope. Paper is 20 lb. white-wove.
- M4. With mutual agreement, CITY may authorize TMA to provide certain materials for new projects or variations of the billing project. These material descriptions may be attached to, and become a part of Schedule “A”.

Services to be provided by TMA:

- S1. To write CITY Utility billing file conversion software that will allow the laser imaging of CITY Utility bills per the charges stated in Schedule “B”.
- S2. To write the required software that will allow CITY’S billing file to be processed by TMA postal software.
- S3. To process the CITY data file using TMA postal sort application software to reduce the CITY’S postage rate to the minimum automation rate amount allowed by the USPS.
- S4. To laser image CITY Utility bills in quantities and frequencies as stated in schedule “B” of this agreement.
- S5. To insert, seal, tray, sleeve, band, label, palletize and prepare USPS form 3602 and deliver to the US Post office all pieces laser imaged with respect to item S4.
- S6. To insert additional pieces into the outgoing No.10 billing envelope as directed by CITY per the conditions and charges as stated in Schedule “B” of this agreement.
- S7. With mutual written agreement, CITY may authorize TMA to provide additional services and/or products for new projects or variations of this billing project. These service descriptions may be attached to, and become a part of Schedule “A”.
- S8. TMA will provide CITY with all necessary implementation training and ongoing customer support during the term of this Agreement.

SCHEDULE B - Pricing

The prices contained herein are based on an average annual usage of 63,600 – 66,000 Water Bills. Any variance in the above quantities in excess of ten (10) percent per agreement year will be cause for a price review. There will be no more than one production run per month for the above stated item. Each Utility Billing unit shall consist of the components described in Schedule A.

- 1B. CITY regular, past due, shut off and final Water Bills will be laser imaged and mailed at a cost of 11.9 cents per bill (excluding postage). Prices are based on a monthly billing cycle, billed monthly, approximately 5,300 -5,500 pieces per month. Past Due/Shut off /final notices will be laser imaged and mailed at a cost of 11.9 cents per bill (excluding postage). In any given month if the bill run does not equal \$100, a minimum run charge would apply. The initial set-up and programming fee will be \$1,200.

Should CITY require changes to the Regular/Past Due/Shut off or Final bills, or require the addition of other bill notices to be designed and implemented at a later time than initial implementation, these set-ups will be quoted at the time of work at our prevailing programming rates.

- 2B. There will be a minimum charge of \$100 per month on items that do not total this in a single production run.
- 3B. The TMA PDF electronic utility bill archival/Adobe Acrobat retrieval system will be provided at no additional cost.
- 4B. A separate insertion charge will be applied for any additional item inserted into the out-going billing envelope. Insertion items must physically qualify for use on our insertion equipment. The insertion charge is \$0.015 cents per item. This charge does not include the cost of supplying the additional item(s) to be inserted.
- 5B. Should CITY choose to provide the printed item to be inserted, there will be a \$95 flat handling charge added to the insertion cost of the item being provided. The insertion cost of a CITY provided insert will be \$0.035 cents per item. The cartons should be properly labeled on the outside showing full product description and quantity contained therein. Each shipment must also contain a packing list with product description and quantity contained in each carton, total cartons and total weight. The item must be properly packaged, folded and oriented for use on a high-speed, multi-station inserter.
- 6B. With mutual written agreement, CITY may authorize TMA to provide certain products and services for new or revised projects. The TMA pricing structure for these projects may be attached to, and become a part of, Schedule “B”.