

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
DECEMBER 8, 2025**

The regular meeting of the Yankton City Commission was called to order by Mayor Villanueva at 6:00 p.m.

Roll Call: Present: Commissioners Benson, Bertsch, Brunick, Carda, Conkling, Hunhoff, Moser, and Spencer and Mayor Villanueva. City Attorney Den Herder, City Manager Leon, and Finance Officer Yardley were also present. Quorum present.

Action 25-287

Moved by Commissioner Bertsch, seconded by Commissioner Hunhoff, to approve Minutes of the regular meeting of November 24, 2025. All present voted aye; motion carried, 9-0.

Action 25-288

Moved by Commissioner Benson, seconded by Commissioner Hunhoff, that the Schedule of Bills be approved and warrants be issued as listed below. All present voted aye; motion carried, 9-0.

A&B Business (Lease) \$595.40; AFSCME (Dues) \$1,153.44; American Engineering (Testing) \$192; Avera Health Plans (Premiums) \$88,069.91; Banner Associates (8th & Burleigh) \$10,225.20; Bill Bartels (Irrigation Repair Reimb) \$582.62; Blackstrap (Road Salt) \$3,470.75; Centurylink (Phone) \$567.49; City Of Vermillion (Jt Powers) \$66,923.90; City Utilities (Water-Sewer Charges) \$36,042.79; Constellation New Energy (Fuel) \$2,481.61; Credit Collection Services (Garnishment) \$288.92; Dennis Kisch (Irrigation Repair Reimb) \$360.44; Feimer Construction (Douglas Avenue - 19th to 21st Street) \$484,183.52; Feld Fire (Repair) \$2,143.86; First Dakota (HSA Contributions) \$12,554.46; First National (Cafeteria Plan) \$2,812.50; Geotek Engineering (12th & Locust) \$258.75; Gerstner Oil (Fuel) \$26,005.30; Hawkins (Chemicals) \$5,237.08; Hulstein Excavating (Walnut Street) \$656,610.13; ICMA (Contributions) \$160; J&H Cleaning (Service) \$4,300; John T Jones (WWTP Construction) \$2,736,367.19; Kirt & Michelle Flannery (Irrigation Repair Reimb) \$363.78; Larry's Heating & Cooling (Repairs) \$199; Lumen (Internet) \$430.27; Malloy Electric (Repairs) \$2,396.89; Mead Lumber (Shelter Repair) \$927.31; Midamerican Energy (Fuel) \$1,960.06; Money Movers (Fee) \$11; Morrow/Joseph (Design Work) \$1,830; NE DOR (Withholding) \$1,182.80; Northwestern Energy (Electricity) \$107,888.96; Observer (Advertising) \$60; Peterson Plumbing (Repair) \$438.78; Power Source Electric (Repairs) \$135; Pro Hydro (Testing) \$2,925; PSN (Fee) \$72.96; Public Health Laboratory (Testing) \$788; Riverside Technologies (Parts) \$1,381.99; Sanitation Products (Parts) \$71.10; SD Social Services (Child Support) \$2,164.84; SD Redbook (Textbook) \$75; SDRS (Contributions) \$102,877.86; SDSRP (Contributions) \$25,602.19; Shur-Co (Parts) \$3,960.50; Sign Solutions (Signs) \$1,520.35; Standard Insurance (Premiums) \$7,776.45; Third Millennium (Utility Billing) \$2,747.54; Titan Machinery (Parts) \$572.20; Transource Truck (Parts) \$900.08; Truist Governmental (Dept Service) \$195,965.01; UKG (Software) \$2,495.98; United Way (Contributions) \$90; US Treasury (Withholding) \$193,484.24; USPS (Postage) \$4,231.39; Yankton County Sharpshooters (Rental) \$150; Yankton Redi-Mix (Concrete) \$288.75; Yankton School District (City/School Shared Expense) \$40,595.65; Yankton Thrive (Runza Sales Tax Reimb) \$2,957.58; Yankton Volunteer Firefighter's (Premium) \$89,893.89.

BMO Spend Dynamics P-Card Statement (Supplies, Parts, Training Travel, Professional Services, Postage, Misc. Concessions, Small Tools & Hardware, Telephone/Internet, Uniforms) \$115,079.48: 24

7 Travel \$75.36; Abdo Publishing \$2,145.50; Adobe \$79.98; Advanced Graphix \$107; Amazon \$10,597.31; Americinn \$112; AT&T \$1,575.78; Auto Value \$727.81; Autozone \$287.32; Avera Sacred Heart \$95; Axvoice \$21.44; Barnes & Noble \$627.21; Bluepeak \$3,858.41; Boller Printing \$360; Bomgaars \$1,131.84; Buffalo Wild Wings \$33.27; Buhls \$10; C & B Operations \$41.54; Caseys \$223.99; Ccsi Metrofax \$12.69; Christensen Radiator \$471.50; Clarks Rentals \$35.75; Cornwell D-P Tools \$507.85; Cpi Environmentalexprs \$108.10; Crescent Electric \$28.74; Crooked Pint \$37.76; Culvers \$38.24; Dairy Queen \$11.46; Delta Midwest City \$794.16; Dlt Solutions \$9,901.59; Dollar Tree \$10.50; Ebay \$159.98; Echo Electric \$1,026.45; Eldt.com \$25; Encapstore \$202.32; Esri \$4,090; Fastenal \$1,403.47; Fedex \$19.06; Firehouse Subs \$29.34; Floortec \$225; Four Seasons Fabric \$18; Freddys \$23.99; Fryn Pan \$68.59; Grainger \$297.20; Grassland Heating \$97.44; Hach Company \$5,452.75; Harbor Freight \$18.48; Hobby Lobby \$4.99; Homedepot.com \$398; House Of Brands \$21.37; Hy-Vee \$19.96; JCL Solutions \$798.35; Jersey Mikes \$29.89; Jimmy Johns \$74.63; JLC Piano Studio \$225; Kaiser Refrigeration \$26.99; Koletzky Implement \$960.33; Kopetskys Ace \$136.14; Krav Maga Worldwide \$2,385; Locators & Supplies \$60.95; Loves \$75.70; Mead Museum \$50; Menards \$2,583.29; Meridian Eye Care \$50; Midco \$2,651.50; Midwest Alarm \$215.67; Midwest Laboratories \$2,082.52; Midwest Tire \$5,559.36; Motorola Solutions \$4,048; Mutt Mitt \$4,159.30; Napa \$352.92; Nartec \$189.42; Nu Ctr Public Safety \$35; Olsons Pest \$185; One Office \$127.74; One Source The Background \$65; Oreilly \$3,011.64; Panera Bread \$16.58; Pb Online Postage \$515; Phenova \$462.38; Phillips 66 \$39.47; Pierre Ramkota \$142.04; Power Sports Nation \$1,259.99; Pro Auto \$208; Provantage \$624; Red Hydrant Inn & Play \$160; River District \$450; Riverside Hydraulics \$983.70; Rivistas \$2,762.58; Rods Piddle Shop \$2,816; Shell Oil \$77.87; Sheraton \$245.34; Sherwin-Williams \$596.36; Smartsign \$875.54; Safariland \$992.28; Sprinklerwhse \$203.69; The Atlantic (\$95.57); Theiacp \$220; Titan Machinery \$2,366.66; Trk Hosting \$7.95; Truck Trailer Sales \$83.75; UPS \$8,231.39; USPS \$362.35; Verizon \$1,140.74; VWR International \$1,561.63; Walgreens \$56.63; Wal-Mart \$1,723.01; Wave - Norse Fire \$150.55; www.lafc.org \$295; Yankton Medical Clinic: \$3,660; Yankton Janitorial \$300.70; Yankton Media \$390.59; Yankton Radio Group \$468; Yankton Thrive \$2,500; Zoro Tools \$415.45.

Salaries by Department for November:

Administration \$66,030.29; Finance \$33,953.59; Community Development \$26,304.15; Police/Dispatch \$245,275.15; Fire \$16,187.00; Engineering / Sr. Citizens \$60,726.23; Streets \$60,947.51; Traffic Control \$4,718.44; Library \$41,635.55; Parks / SAC \$102,078.22; Marne Creek \$4,350.59; Cemetery \$5,781.08; Water \$48,949.19; Wastewater \$50,747.60; Solid Waste \$31,050.96; Joint Powers \$24,844.63; Central Garage \$9,963.96.

New Hires:

Parks, Recreation and City Events Department: Zachary Bokemper, Official, \$26.00/game; Karmen Emery-Gallardo, Slide Attendant, \$13.00/hr; Grace Nesdahl, Official, \$26/game; Finance Department: Ryan Oster, Finance Generalist, \$1,951.76 biweekly.

Wage Changes:

Police Department: Jonathan Carlstedt, Police Officer, \$2,227.15 to \$2,286.38 biweekly; Community Development Department: Eric Ambrosion, Community Development Manager, \$3,407.15 to \$3,450.07 biweekly; Finance Department: Alvaro Fernandez, Utility Account Specialist, \$1,928.15 to \$1,952.46 biweekly.

Position Changes:

Public Works Department: Kole Simonsen, Sanitation Truck Operator to Equipment Operator, \$1,835.88 to \$1,835.88 biweekly.

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

Lucas Johnson, PE with Banner Engineering presented the 2025 Bridge Inspection Report. Out of twelve bridges, two were reported as being in poor condition – Cedar Street and 23rd street bridges.

Action 25-289

Mayor Villanueva moved consent item #1 on mobile home park licenses to New Buisness. Moved by Commissioner Bertsch, seconded by Commissioner Carda, to approve the consent items listed below. All present voted aye; motion carried, 9-0.

1. Establish December 18, 2025 as the date for the public hearing on the request for a transfer of owner and location of a Retail (on-off sale) Malt Beverage & SD Farm Wine license from MG Oil Company d/b/a Upperdeck, owner Troy & Marlyn Erickson, 315 Broadway Ave to Pump N Stuff Yankton Inc. d/b/a Pump N Stuff, owners David Lockwood, 215 W. 2nd St. Ste 3, Yankton, SD.
2. Establish December 18, 2025 as the date for the public hearing on the request for a transfer of owner of a Retail (on-sale) Liquor license from MG Oil Company d/b/a Upperdeck, owners Troy & Marlyn Erickson to Dawn Marts d/b/a Black Sheep Bar & Grill, owner Dawn, Lucas, and Rachel Marts, 315 Broadway Ave., Yankton, SD.
3. Consideration of Memorandum #25-225 recommending that the City Commission approve the renewal applications for Commercial Collector of Solid Waste licenses for the 2026 annual licensing period.

Action 25-290

This was the time and place for the second reading and public hearing for Ordinance No. 1102 AMENDING AND SUPPLEMENTING ORDINANCE NO. 1083, THE 2025 ANNUAL APPROPRIATIONS ORDINANCE. (Memorandum 25-226) Moved by Commissioner Carda, seconded by Commissioner Brunick, to adopt Ordinance No. 1102. All present voted aye; motion carried, 9-0.

Action 25-291

Moved by Commissioner Brunick, seconded by Commissioner Bertsch, to approve the request for the transfer of ownership of a Retail (On-off sale) Malt Beverage & SD Farm Wine License from owner Ting Wong to owner Ping Zheng, d/b/a King Buffet Mongolian Grill, Inc., 3013 Broadway Avenue, Suite #5, Yankton, SD. This alcohol license is not endorsed with video lottery. (Memorandum 25-222) All present voted aye; motion carried, 9-0.

Action 25-292

Moved by Commissioner Moser, seconded by Commissioner Spencer, to approve the request for the transfer of location and ownership of a Package (off-sale) Liquor license from Yankton Drug Co., owner Daniel Fiebelkorn, 109 W. 3rd St. to Diggers Inc., owners Larry and Peggy Olson, 511 W. 4th St.

Suite D, Yankton, SD effective January 1, 2026. (Memorandum 25-223) All present voted aye; motion carried, 9-0.

Action 25-293

Moved by Commissioner Benson, seconded by Commissioner Carda, to approve Resolution #25-57. (Memorandum 25-215)) Commissioners Benson, Bertsch, Brunick, Carda, Hunhoff, Moser, Spencer, and Mayor Villanueva voted aye; Commissioner Conkling abstained; motion carried, 8-0.

RESOLUTION #25-57

PLAT

WHEREAS, it appears from an examination of the Plat of Tract 1, Slowey Addition, in the SW 1/4 of Section 35, Township 94N, Range 56W of the 5th P.M., Yankton County, South Dakota (containing 40 acres more or less) 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 is hereby approved.

Action 25-294

Moved by Commissioner Conkling, seconded by Commissioner Bertsch, to approve a tarp liner sized 90' x 190' from Iron Sleek, Inc., Addison, IL, at an estimated cost of \$1,881.00 plus shipping through the BBB Fund. (Memorandum 25-216) All present voted aye; motion carried, 9-0.

Action 25-295

Moved by Commissioner Hunhoff, seconded by Commissioner Carda, to approve Resolution #25-58 so the City can (1) timely obtain settlement-compliant raw water testing of its water system wells at no up-front cost to the City, and (2) if eligible based on those results, pursue recovery of settlement funds under the national PFAS settlements. (Memorandum 25-217) All present voted aye; motion carried, 9-0.

RESOLUTION #25-58

**A RESOLUTION OF THE CITY OF YANKTON, SOUTH DAKOTA
AUTHORIZING THE EXECUTION OF THE LEGAL SERVICES AGREEMENT
RELATED TO THE AFFF PRODUCT LIABILITY LITIGATION**

WHEREAS, the City of Yankton (the "City") is committed to delivering clean drinking water to its customers; and

WHEREAS, the City is also committed to identifying parties responsible for increasing the costs of water treatment and system maintenance and taking reasonable steps to avoid passing on these costs to its consumers; and

WHEREAS, STAG LIUZZA, L.L.C., has put together a team of uniquely qualified and experienced attorneys (“the Firm”) who have joined together to assist public entities facing the challenges posed by potential per- and polyfluoroalkyl substances (“PFAS”); and

WHEREAS, the Firm is comprised of experienced attorneys in both in PFAS litigation and in the representation of public entities pursuing legal claims involving cost recovery related to remediation of water contamination; and

WHEREAS, the City Council has determined it to be in the City’s best interest to enter into the Legal Services Agreement with the Firm and pursue any settlement and other legal damage claims it may have related to PFAS in Aqueous Film-Forming Foams (AFFF) Litigation MDL No. 2873; and

WHEREAS, the City desires to authorize the execution of the as Exhibit “A”; and

NOW THEREFORE BE IT RESOLVED by the Board of City Commissioners that the Manager of the City is hereby authorized to execute the Legal Services Agreement with the Firm based upon the terms and conditions set forth herein and, in a manner, substantially similar to the Agreement attached hereto as Exhibit “A.”

City Manager Leon led a discussion on the 2025 Recycling Overview Report and City’s operations. General commission discussion ensued with a request to revisit at a 2026 meeting. No action was officially taken at this time.

Action 25-296

Moved by Commissioner Conkling, seconded by Commissioner Bertsch, to approve Resolution #25-59 and Resolution #25-60. (Memorandum 25-219) All present voted aye; motion carried, 9-0.

RESOLUTION #25-59

A Resolution Establishing Base Salary Adjustments at 0.60%, and a one-step increase on the pay plan for all FOP represented Certified Law Enforcement Eligible City Employees of the City of Yankton, South Dakota.

WHEREAS, adequate monies have been provided for in the adopted 2026 budget for the remuneration of services rendered by City of Yankton employees; and

WHEREAS, the City Commission wishes to provide a base adjustment for all FOP represented Certified Law Enforcement eligible City employees of 0.60% and a one-step increase on the pay plan;

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners that starting with hours worked on January 1, 2026, the City Manager shall implement a base adjustment of 0.60 % for all FOP represented Certified Law Enforcement eligible regular full-time employees that are at or below the maximum of their respective pay range, and a one-step increase on the pay plan for all represented Certified Law Enforcement eligible regular full-time employees that are below the maximum of their respective pay range.

RESOLUTION #25-60

A Resolution Establishing 120 hours of paid parental leave for all Certified Law Enforcement Eligible City Employees of the City of Yankton, South Dakota

WHEREAS, adequate monies have been provided for in the adopted 2026 budget for the remuneration of services rendered by City of Yankton employees; and

WHEREAS, the City Commission wishes to provide 120 hours of paid leave at the time of birth or placement of a child for adoption and must be used first and not intermittently;

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners that effective upon approval, the City Manager shall implement a paid parental leave of 120 hours for all FOP represented Certified Law Enforcement regular full-time employees.

Action 25-297

Moved by Commissioner Benson, seconded by Commissioner Hunhoff, to approve Resolution #25-61 and Resolution #25-62. (Memorandum 25-220) All present voted aye; motion carried, 9-0.

RESOLUTION #25-61

A Resolution Establishing Base Salary Adjustments at 0.60%, and a one-step increase on the pay plan for all non-represented Certified Law Enforcement Eligible City Employees of the City of Yankton, South Dakota

WHEREAS, adequate monies have been provided for in the adopted 2026 budget for the remuneration of services rendered by City of Yankton employees; and

WHEREAS, the City Commission wishes to provide a base adjustment for all represented Certified Law Enforcement eligible City employees of 0.60% and a one-step increase on the pay plan;

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners that starting with hours worked on January 1, 2026, the City Manager shall implement a base adjustment of 0.60 % for all non-represented Certified Law Enforcement eligible regular full-time employees that are at or below the maximum of their respective pay range, and a one-step increase on the pay plan for all non-represented Certified Law Enforcement eligible regular full-time employees that are below the maximum of their respective pay range.

RESOLUTION #25-62

A Resolution Establishing 120 hours of paid parental leave for all non-represented Certified Law Enforcement Eligible City Employees of the City of Yankton, South Dakota

WHEREAS, adequate monies have been provided for in the adopted 2026 budget for the remuneration of services rendered by City of Yankton employees; and

WHEREAS, the City Commission wishes to provide 120 hours of paid leave at the time of birth or placement of a child for adoption and must be used first and not intermittently;

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners that effective upon approval, the City Manager shall implement a paid parental leave of 120 hours for all non-represented Certified Law Enforcement regular full-time employees.

Action 25-298

This was the time and place for the bid opening of the for the City's 2026 Annual Supply Petroleum Products for the Chan Gurney Airport. The following bids were received and opened on November 25, 2025 at 3:00 p.m. One bid was received from Gerstner Oil, Yankton, SD for the following: Aviation Gas – 100 low lead Transport \$0.3462 per gal; Aviation Gas – 100 low lead tankwagon \$0.5728 per gal; Jet A Fuel transport \$0.1627 per gal; Jet A Fuel tankwagon \$0.3787 per gal. (Memorandum #25-221) Moved by Commissioner Conkling, seconded by Commissioner Brunick, to award the bid to Gerstner Oil. All present voted aye; motion carried, 9-0.

Action 25-299

Moved by Commissioner Carda, seconded by Commissioner Benson, to approve the Adult Oriented Business license application from Zebra Club & Cockatoo Bar for the 2026 annual licensing period. (Memorandum 25-224) Commissioners Benson, Bertsch, Brunick, Carda, Moser, Spencer and Mayor Villanueva voted aye; Commissioners Conkling and Hunhoff voted nay; motion carried, 7-2.

Action 25-300

Moved by Commissioner Moser, seconded by Commissioner Brunick, to approve a Special On-Sale Liquor License for one day, December 13, 2025, from Mojo's 3rd Street Pizza, 104 E. 3rd St. at the NFAA Archery Center, 800 Archery Ln, Yankton, SD. (Memorandum 25-227) All present voted aye; motion carried, 9-0.

Action 25-301

Moved by Commissioner Conkling, seconded by Commissioner Spencer, to approve the renewal of Mobile Home Park Licenses for 2026. (Memorandum 25-214) All present voted aye; motion carried, 9-0.

Action 25-302

Moved by Commissioner Benson, seconded by Commissioner Carda, to adjourn into Executive Session at 7:55 p.m. to discuss contractual, litigation, and personnel matters under SDCL 1-25-2. All present voted aye; motion carried, 9-0.

Regular meeting of the Board of City Commissioners of the City of Yankton was reconvened by Mayor Villanueva at 8:41 p.m.

Roll Call: Present: Commissioners Benson, Bertsch, Brunick, Carda, Conkling, Hunhoff, Moser, Spencer and Mayor Pro Tem Benson. Absent: Mayor Villanueva. City Attorney Den Herder, City Manager Leon, and Finance Officer Yardley were also present. Quorum present.

Action 25-303

Moved by Commissioner Hunhoff, seconded by Commissioner Bertsch, to adjourn at 8:41 p.m. All present voted aye; motion carried, 9-0.

Michael Villanueva, Mayor

ATTEST: _____
Lisa Yardley, Finance Officer

Published on December 17, 2025