



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, December 12, 2022

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**

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>

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

I. ROUTINE BUSINESS

1. **Roll Call**
2. **Approve Minutes of regular meeting of November 28, 2022** **Attachment I-2**
3. **Schedule of Bills** **Attachment I-3**
4. **City Manager's Report** **Attachment I-4**
5. **Public Appearance - Bridge Inspection Report by Banner Associates, Inc.** **Attachment I-5**

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.

NONE

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 #22-238 regarding the request for a Special Events Retail (on-sale) Liquor License for 1 day, January 21, 2023 from Riverside Roadhouse, Inc. d/b/a Riverside Roadhouse, 44368 309th Street, Mission Hill, SD 57046 at The Meridian Venue, 101 E. 3rd Street, Yankton, South Dakota.

Attachment III-1

2. **Heartland Humane Society Renovation**

Consideration of Memorandum #22-242 regarding Heartland Humane Society update funding.

Attachment III-2

3. **Budget Supplement – Second Reading and Public Hearing**

Second Reading and Public Hearing of Ordinance #1067 amending Ordinance #1055, the 2022 Annual Appropriation Ordinance.

Attachment III-3

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. **Bid Award – 2022-2023 Annual Supply of Transport/Tankwagon Petroleum Products**

Consideration of Memorandum #22-221 regarding bid award for 2023 Annual Supply of Transport-Tankwagon Petroleum Products for Chan Gurney Municipal Airport.

Attachment IV-1

2. **HDR Contract for CMAR**

Consideration of Memorandum #22-239 regarding HDR Engineering, Inc. contract for Construction Manager at Risk (CMAR).

Attachment IV-2

3. **Vehicle Purchase from the State Bid List for the Environmental Services Water Department**

Consideration of Memorandum #22-241 regarding replacement pickup for the Environmental Services Water Department from the State Bid List.

Attachment IV-3

4. **Change Order #1 Wastewater EDA Project**

Consideration of Memorandum #22-243 regarding the Wastewater EDA Project Change Order #1.

Attachment IV-4

5. **Mobile Home Park License Renewal**

Consideration of Memorandum #22-237 recommending approval of the 2023 Mobile Home Park licenses in the City of Yankton.

Attachment IV-5

- 6. Planning Commission Recommendation - CUP**
Consideration of Memorandum #22-244 regarding Resolution #22-62, a Conditional Use Permit for a self-storage facility on the south 10' of the north 1/2 of Lot 9, except lots C and D, and the south half of Lot 9 except the south 20' and except Lot H1, Block 1 Airport Acres Addition in the City of Yankton, South Dakota. Barney Edwards LLC Applicant. Address, 3000 Piper Street.

Attachment IV-6
- 7. Planning Commission Recommendation - Plat**
Consideration of Memorandum #22-245 regarding Resolution #22-63, a plat of Tract 1, Little Addition, in the SW 1/4 of the SE 1/4 of Section 2, T93N, R56 W of the 5th P.M., Yankton County South Dakota. Craig and Danette Family Protection Trust, owner. Address, 1800 W. 23rd Street.

Attachment IV-7
- 8. Planning Commission Recommendation - Plat**
Consideration of Memorandum #22-246 regarding Resolution #22-64, a plat of Kuchta 3rd Addition in the NE 1/4 of the NE 1/4 of Section 6, Township 93 North, Range 55 West of the 5th P.M., City and County of Yankton, South Dakota. Kirby Hofer Construction Company, Inc., owner. Location, south side of the 700 - 900 Blocks of E. 31st Street.

Attachment IV-8
- 9. Annexation**
Consideration of Memorandum #22-248 regarding Resolution #22-66, the annexation of Kuchta 3rd Addition in the NE 1/4 of the NE 1/4 of Section 6, Township 93 North, Range 55 West of the 5th P.M., City and County of Yankton, South Dakota. Kirby Hofer Construction Company, Inc., owner. Location, south side of the 700 - 900 Blocks of E. 31st Street.

Attachment IV-9
- 10. Planning Commission Recommendation - Plat**
Consideration of Memorandum #22-247 regarding Resolution #22-65, a plat of School Tract 1 of Ridgeway North Subdivision to the City of Yankton, South Dakota. Kirby Hofer Construction Company, Inc., owner. Location, south side of the 600 - 800 Blocks of E. 31st Street.

Attachment IV-10
- 11. Introduction and First Reading**
The City Commission acting as the Zoning Board of Adjustment; Memorandum #22-249 establishing January 9, 2023 as the date for a public hearing to consider a variance from the City's maximum front yard fence height in a residential district on Lot 16, Block 2, Mayer's Addition to the City of Yankton, South Dakota. Address, 203 West 25th Street. Travis Arens and Kelly Arens, owners.

Attachment IV-11
- 12. Change Order, Final Project Acceptance and Final Payment for Airport Acres Site Grading and Storm Sewer Project**
Consideration of Memorandum #22-251 regarding Change Order Number 1, Final Project Acceptance and Final Payment for the Airport Acres Site Grading and Storm Sewer Project.

Attachment IV-12

13. Rifle Rated Ballistic Shields for YPD

Consideration of Memorandum #22-252 for the purchase of four (4) Rifle Rated Ballistic Shields for the Yankton Police Department, Patrol Division, from TAG Firearms LLC.

Attachment IV-13

14. Consideration of Collective Bargaining Agreement AFSCME 2023-2025

Consideration of Memorandum #22-254 and Resolution #22-67 regarding the revised agreement between the City of Yankton and the American Federation of State, County, and Municipal Employees, AFL-CIO Local 3968 effective January 1, 2023 through December 31, 2025.

Attachment IV-14

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 INTO EXECUTIVE SESSION TO DISCUSS CONTRACTUAL, LITIGATION AND PERSONNEL MATTERS UNDER SDCL 1-25-2

Executive or closed meetings may be held by a majority vote of the governing body for the sole purposes of:

- Discussing the qualifications, competence, performance, character or fitness of any public officer or employee.*
- Consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters.*
- Preparing for contract negotiations or negotiating with employees or employee representatives.*
- Discussing marketing or pricing strategies by a board or commission of a business owned by the City, when public discussion may be harmful to the competitive position of the business.*

Any official action concerning such matters shall be made at an open official meeting.

VII. RECONVENE AS BOARD OF CITY COMMISSIONERS

1. Roll Call

VI. ADJOURN THE MEETING OF DECEMBER 12, 2022

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.