



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, July 11, 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 Work Session Meeting of June 27, 2022, and regular meeting of June 27, 2022** **Attachment I-2**
3. **Schedule of Bills** **Attachment I-3**
4. **City Manager's Report** **Attachment I-4**
5. **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. **Possible Work Session**
Setting date of July 25, 2022, at 6:00 pm in Room #114 of the Career Manufacturing Technical Education Academy for the next work session of the Yankton City Commission

2. **Establish public hearing for sale of alcoholic beverages**
Establish July 25, 2022, as the date for the public hearing on the request for a Special Malt Beverage (on-off sale) Retailers License for 2 days, September 17, and October 29, 2022, from Backspace Brewing Company LLC d/b/a Backspace Brewing Company (Chris Allington, Partner), Memorial Park, 2000 Douglas, Yankton, S.D.
Attachment II-2
3. **Transient Merchant License**
Consideration of Memorandum #22-139 recommending approval of the application from Yankton Antique Mall for July 23, 2022
Attachment II-3
4. **Budget Workshop Meeting Dates**
Setting date of August 8, 2022, at 5:30 pm in Room #114 of the Career Manufacturing Technical Education Academy for the next budget workshop meeting date
5. **Peddler's License**
Consideration of Memorandum #22-140 recommending approval of a Peddler's License from Working with People for four (4) individuals to go house to house selling cleaner from July 12, 2022 – August 12, 2022
Attachment II-5
6. **Establishing public hearing for transfer of ownership & location**
Establish July 25, 2022, as the date for the public hearing on the request for a transfer of ownership and location of a Retail (on-off-sale) Malt Beverage & SD Farm Wine for July 1, 2022, to June 30, 2023, from Annis Properties, Inc. d/b/a Patriot Express 02, 104 E 4th Street, Suite A (Kevin Annis, President), to Phinney's Casino, LLC d/b/a Phinney's Casino (Deb Palmer, President), 2101 Broadway, Yankton, S.D. (See attached Exhibit A).
Attachment II-6
7. **Establishing public hearing for transfer of ownership & location**
Establish July 25, 2022, as the date for the public hearing on the request for a transfer of ownership and location of a Retail (on-sale) Liquor License for January 1, 2022, to December 31, 2022, from YC Library, LLC (Garrett Horn, President), dba Capitol Street Pub, 401 Capitol Street, to Shree, LLC d/b/a Shree, Suite 3 (Dipan Patel, Manager), 821 Broadway, Suite 3, Yankton, S.D.
Attachment II-7

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 – ROW Vacation**
Consideration of Memorandum #22-135, regarding a public hearing to consider Resolution #22-29 to vacate right of way on the south 4.3 feet of the west 143 feet of 7th Street right of way adjacent to Lot 1, Block 6, Lower Yankton Addition to the City of Yankton. Address 618 Douglas Avenue. City of Yankton, applicant.
Attachment III-1

2. Public hearing for sale of alcoholic beverages

Consideration of Memorandum #22-133 regarding the request for a Special Events Retail (on-sale) Liquor License for 3 days, October 7th, October 22nd and November 12, 2022, from Ben's Brewing Co. (Ben Hanten, Owner), 222 West 3rd Street, Mount Marty University Tailgating, Memorial Park, 2000 Douglas, Yankton, S.D.

Attachment III-2

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. Planning Commission Recommendation - TID #11

Consideration of Memorandum #22-134 recommending approval of Resolution #22-33, the creation of Tax Incremental District Number Eleven to be located on the following described property: Blocks 1 and 2 of Tyler's Addition except Lot H1 and except H2; and Lot 4 except Lot A, Lot 5 except Lots 1, 2, and 3 of Grace Estates, and Lot 6, and part of Lot 13 of Whiting's Subdivision; and Lots 2 and 12 of Tucker's Addition; and East Side Industrial Park except Lots 3-5; and Doris Schenk Addition except Lot 1, and except that portion lying south of the railroad; as shown on the associated City of Yankton TID #11 Map, all in the City of Yankton, Yankton County, South Dakota.

Attachment IV-1

2. Bid Award –2022-2023 Annual Supply of Transport/Tank wagon Petroleum Products

Consideration of Memorandum #22-109 regarding Bid Award for 2022-2023 Annual Supply of Transport/Tankwagon Petroleum

Attachment IV-2

3. Appointment to Housing & Redevelopment Board

Consideration of Memorandum #22-137 recommending approval of the Mayor's Appointment to the Housing & Redevelopment Board

Attachment IV-3

4. Funding Request – Heartland Humane Society

Consideration of Memorandum #22-121 regarding funding request from Heartland Humane Society

Attachment IV-4

5. FOP Union Agreement

Consideration of Memorandum #22-136 and Resolution #22-34 regarding Agreement between Fraternal Order of Police Union and City of Yankton

Attachment IV-5

6. **Brownfields Program Applications**
Consideration of Memorandum #22-117 regarding Brownfields Program Applications
Attachment IV-6

7. **Meridian Bridge Underwater Inspection**
Consideration of Memorandum #22-138 and Resolution #22-35 regarding Meridian
Bridge Underwater Inspection
Attachment IV-7

8. **Fireworks Public Display**
Consideration of Memorandum #22-141 regarding Request by Riverboat Days for a
Fireworks Public Display on August 19, 2022
Attachment IV-8

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

VIII. **ADJOURN THE MEETING OF JULY 11, 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.