



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, November 14, 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 October 24, 2022 and regular meeting of October 24, 2022**

Attachment I-2
3. **Schedule of Bills**

Attachment I-3
4. **Proclamation – Giving Tuesday**

Attachment I-4
5. **City Manager’s Report**

Attachment I-5
6. **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 Quorum Event**
November 30, 2022 at 1:30 pm, Drug/DUI Court graduation at the Yankton County Safety Center, Courtroom A; no official commission action.
2. **Possible Quorum Event**
December 2, 2022 for City of Yankton Christmas party; no official commission action.

3. **Establish Public Hearing for sale of alcoholic beverages**
 Establish November 28, 2022 as the date for the public hearing on the request for a Special Events Retail (on-sale) Liquor License for 1 day, December 2, 2022 from Stripes, Inc. d/b/a Mojo's 3rd Street, 106 E 3rd St, Yankton, SD at The Meridian Venue, 101 E. 3rd Street, Yankton, South Dakota.
Attachment II-3
4. **Establish Public Hearing for sale of alcoholic beverages**
 Establish November 28, 2022 as the date for the public hearing on the request for a Special Events Retail (on-sale) Liquor License for 1 day, December 10, 2022 from VFW, 209 Cedar Street, Yankton, SD at The Meridian Venue, 101 E. 3rd Street, Yankton, SD.
Attachment II-4
5. **Possible Work Session**
 Setting date of November 28, 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.

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. **Second Reading & Public Hearing**
 Consideration of Memorandum #22-222 and Resolution #22-54 regarding the second reading and public hearing to consider Dakota Street Assessment.
Attachment III-1
2. **Public Hearing for sale of alcoholic beverages**
 Consideration of Memorandum #22-211 regarding the request for a Special Events Malt Beverage (on-sale) Retailers License for 1 day, December 17, 2022 from The Center (Kriss Thury, Executive Director), 900 Whiting Drive, Yankton, South Dakota.
Attachment III-2
3. **Public Hearing for sale of alcoholic beverages**
 Consideration of Memorandum #22-212 regarding the request for a Special Events Malt Beverage (on-sale) Retailers License for 1 day, December 31, 2022 from The Center (Kriss Thury, Executive Director), 900 Whiting Drive, Yankton, South Dakota.
Attachment III-3
4. **Public Hearing for renewal of alcoholic beverage licenses**
 Consideration of Memorandum #22-213 regarding the request for public hearing and renewal of Alcoholic Beverage Licenses for the 2023 (January 1, 2023, to December 31, 2023) licensing period.
Attachment III-4

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. **Jacqueline Drive and Jo Lane Project Close Out**
 Consideration of Memorandum #22-223 regarding final project acceptance and final payment for the Jacqueline Drive and Jo Lane water main replacement project.
Attachment IV-1

2. **Lease Agreement Renewal – Senior Citizens Center**
Consideration of Memorandum #22-208 regarding Agreement between the City and Yankton Area Senior Citizens Center.

Attachment IV-2
3. **Purchase Mower for 2023 – Parks & Recreation Department**
Consideration of Memorandum #22-206 regarding the mower purchase for the Parks and Recreation Department

Attachment IV-3
4. **Contract for Legal Services for CMAR**
Consideration of Memorandum #22-209 regarding legal services with BBG Construction Law for the Wastewater Treatment Plant CMAR Project.

Attachment IV-4
5. **Contract Application for TEGRA Consulting for CMAR**
Consideration of Memorandum #22-210 regarding Contract Application with TEGRA Consulting for Owner Representation for CMAR.

Attachment IV-5
6. **Mead’s Addition Area Easements**
Consideration Memorandum #22-214 recommending approval of Resolution #22-59 confirming the acceptance of a Permanent Right of Way and Utility Easement, and a Storm Water Drainage and Management Easement from the State of South Dakota associated with the Mead’s Addition and Soccer Complex area.

Attachment IV-6
7. **Airport Engineering Consultant Selection**
Consideration of Memorandum #22-218 regarding the consultant for engineering services at the Chan Gurney Municipal Airport.

Attachment IV-7
8. **Bid Award – Marne Creek**
Consideration of Memorandum #22-219 regarding Bid Award for Marne Creek

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 NOVEMBER 14, 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.