



**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, January 23, 2023**

**City of Yankton Community Meeting Room**

Located at the Career Manufacturing Technical Education Academy formerly known as Technical Education Center • **1200 W. 21<sup>st</sup> 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 following meeting at 1:00 p.m. and Monday following meeting at 7:03 p.m. on Midco Channel 3 and Bluepeak Channel 98.

**I. ROUTINE BUSINESS**

**1. Roll Call**

**2. Approve Minutes of Regular Meeting of January 9, 2023**

**Attachment I-2**

**3. Schedule of Bills**

**Attachment I-3**

**4. City Manager’s Report**

**Attachment I-4**

**5. Public Appearance**

– Colton Griffin, follow-up on Eagle Scout Skate Park project.

*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. Establishing public hearing for sale of alcoholic beverages**

Establish February 13, 2023 as the date for the public hearing on the request for a New Retail (on-off sale) Malt Beverage & SD Farm Wine License for July 1, 2022 to June 30, 2023 from JoAnn D. Selves dba Selves Concessions, Sertoma Park, 15<sup>th</sup> & Ferdig Street, Yankton, SD.

**Attachment II-1**

### **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 transfer of ownership of retail liquor license**  
Consideration of Memorandum #23-12 regarding the request for transfer of ownership of a Retail (on-sale) Liquor License for January 1, 2023 to December 31, 2023 from W R Capital, LLC (Don Anderson, President), dba Minerva's Grill & Bar to LLTD1, LLC (Kimberly Ocampo, Owner), dba Boss' Pizza & Chicken Sports Bar, 1607 E. Hwy 50, Suite 1, PO Box 146, Yankton, SD.

**Attachment III-1**
- 2. Public Hearing for sale of alcoholic beverages**  
Consideration of Memorandum #23-13 regarding the request for a Special Events Retail (on-sale) Liquor License for 1 day, February 4, 2023, from BPO Elks Lodge 994 (Lindsay Stotz, Secretary), 504 W 27<sup>th</sup> Street, NFAA, 800 Archery Lane, Yankton, SD.

**Attachment III-2**
- 3. Public Hearing for sale of alcoholic beverages**  
Consideration of Memorandum #23-14 regarding the request for a Special Events Retail (on-sale) Liquor License for 2 days, February 10 and 11, 2023, from BPO Elks Lodge 994 (Lindsay Stotz, Secretary), 504 W 27<sup>th</sup> Street, NFAA, 800 Archery Lane, Yankton, SD.

**Attachment III-3**
- 4. Public Hearing for sale of alcoholic beverages**  
Consideration of Memorandum #23-15 regarding the request for a Special Events Retail (on-sale) Liquor License and a Special (on-sale) Wine Retailers License for 1 day, February 16, 2023, from The Center (Kriss Thury, Executive Director), 900 Whiting Drive, Yankton, SD.

**Attachment III-4**
- 5. Public Hearing for sale of alcoholic beverages**  
Consideration of Memorandum #23-18 regarding the request for a Special Events (on-sale) Liquor License for February 18, 2023 from Hanten, Inc., (Ben Hanten, Owner) dba Ben's Brewing Company, 222 West 3<sup>rd</sup> Street, NFAA, 800 Archery Lane, Yankton, South Dakota.

**Attachment III-5**
- 6. Public Hearing and Second Reading - Camping Ordinance**  
Second reading of Memorandum #23-19 and Ordinance #1068 restricting camping within Yankton City Limits.

**Attachment III-6**

*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. **Salary Adjustments for City Manager, Finance Officer and City Attorney**  
Consideration of Memorandum #23-20 and Resolution #23-02 regarding recommending an adjustment to the salary of the City Manager, Resolution #23-03 regarding recommending an adjustment to the salary of the Finance Officer, and Resolution #23-04 regarding recommending an adjustment to the salary of the City Attorney.  
**Attachment IV-1**
2. **Introduction and First Reading – Budget Ordinance**  
Consideration of Memorandum #23-22 – Introduction and First Reading and Setting February 13, 2023 as the Second Reading and Public Hearing of Ordinance #1069, Supplement #1 to Ordinance #1064, the 2023 Annual Appropriation Ordinance.  
**Attachment IV-2**
3. **Conditional Use Permit for School / Early Childhood Development Center**  
Consideration of Memorandum #23-21 regarding Resolution #23-05, Conditional Use Permit for a school / early childhood development center on School Tract 1 of Ridgeway North Subdivision to the City of Yankton, South Dakota (a portion of the NW 1/4 of the NE 1/4 of Section 6, T93N, R55W of the 5th P.M., and Kuchta 3rd Addition, City and County of Yankton, South Dakota). Location, south side of the 600 - 800 Blocks of E. 31st Street. Yankton School District, applicant.  
**Attachment IV-3**
4. **Boomer’s Sidewalk Cafe**  
Consideration of Memorandum #23-23 regarding 2023 Sidewalk Cafe permit application at 100 East 3<sup>rd</sup> Street dba Boomer’s Lounge.  
**Attachment IV-4**
5. **Banner Associates, Inc. Professional Services Agreement Marne Creek Sanitary Sewer Crossing**  
Consideration of Memorandum #23-24 regarding the contract for professional services with Banner Associates, Inc. for the Marne Creek sanitary sewer crossing replacement.  
**Attachment IV-5**

## **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 JANUARY 23, 2023**

*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.*