



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, October 23, 2023

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/c/cityofyankton/live>

TV Schedule: Mondays at 7:03 p.m. and Tuesday following meeting at 1:00 p.m. on Midco Channel 3 and Bluepeak Channel 98.

I. ROUTINE BUSINESS

1. **Roll Call**

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

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. **Establish Public Hearing for Sale of Alcoholic Beverages**

Establish November 13, 2023 as the date for the public hearing on the request for a Special Events (On Sale) Malt Beverage Retailers License and a Special Events (On Sale) Wine Retailers License for 1 day, December 9, 2023, from The Center (Kriss Thury, Executive Director), 900 Whiting Drive, Yankton, South Dakota.

Attachment II-1

2. Establish Public Hearing for Alcoholic Beverages License Location Transfer

Establish November 13, 2023 as the date for the public hearing on the request for the transfer of location of a Retail (on-off sale) Malt Beverage & SD Farm Wine License for July 1, 2023 to June 30, 2024 from Phinney's LLC d/b/a Phinneys Pub & Casino (James Palmer, Owner), 2101 Broadway Ave., Suite 40, Yankton, South Dakota to Shree LLC d/b/a Vape God (Dipan Patel, Owner), 821 Broadway Ave. Suite B, Yankton, South Dakota.

Attachment II-2

3. Establish Public Hearing for Alcoholic Beverages License Location Transfer

Establish November 13, 2023 as the date for the public hearing on the request for the transfer of location of a Retail (on-off sale) Malt Beverage & SD Farm Wine License for July 1, 2023 to June 30, 2024 from Phinneys Casino LLC d/b/a Phinneys Casino (James Palmer, Owner), 2101 Broadway Ave., Suite 50, Yankton, South Dakota to Phinneys Casino LLC d/b/a Pinups Casino & Gaming Lounge #6 (James Palmer, Owner), 3010 Broadway Ave., Yankton, South Dakota.

Attachment II-3

4. Establish public hearing for renewal of Alcoholic Beverage Licenses

Establish November 13, 2023 as the date for a public hearing and consideration of the applications for renewal of Alcoholic Beverage Licenses for the 2024 (January 1, 2024 to December 31, 2024) licensing period.

Attachment II-4

5. Establish Date and Time of December Commission Meeting

Establish Thursday, December 21, 2023 at 12:00 PM as the date and time for the second City Commission meeting in December.

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 #23-202 regarding the request for request for a Special Events Malt Beverage (on-sale) Retailers License and a Special Events (on-sale) Wine Retailers License for 1 day, October 28, 2023, from The Center (Kriss Thury, Executive Director), 900 Whiting Drive, Yankton, South Dakota.

Attachment III-1

2. Public Hearing for Sale of Alcoholic Beverages

Consideration of Memorandum #23-203 regarding the request for a Special Events Malt Beverage (on-sale) Retailers License and a Special Events (on-sale) Wine Retailers License for 1 day, November 11, 2023, from The Center (Kriss Thury, Executive Director), 900 Whiting Drive, Yankton, South Dakota.

Attachment III-2

IV. NEW BUSINESS

New business items are those that have not been discussed by the Commission previously.

1. **Sworn Law Enforcement Salary Adjustments**
Consideration of Memorandum #23-185 and Resolution #23-56 regarding Sworn Law Enforcement Salary Adjustments for 2024.
Attachment IV-1
2. **Fireworks Public Display Request**
Consideration of Memorandum #23-201 requesting a public fireworks display on November 30, 2023 to coincide with the Holiday Festival of Lights tree lighting.
Attachment IV-2
3. **Cap on Video Lottery Licenses**
Consideration of Memorandum #23-206 recommending the update of the current Yankton Ordinance Sec. 3-3 to properly align with State law. Any modification of the cap will require a change to the attached draft ordinance, requiring a first and second hearing.
Attachment IV-3
4. **Cold Applied Plastic Pavement Marking Installation Project Change Order and Acceptance**
Consideration of Memorandum #23-204 recommending the City Commission to approve Change Order #1, accept the project, and authorize the final payment request for the 2023 cold applied plastic pavement marking installation project directing the Finance Officer to issue a manual check in the amount of \$50,767.50 to Dakota Traffic Services, LLC of Tea, South Dakota.
Attachment IV-4
5. **Surplus Equipment and Vehicles**
Consideration of Memorandum #23-207 recommending the adoption of Resolution #23-62 authorizing the destruction, trade, donation or sale of surplus property by sealed bid.
Attachment IV-5
6. **Westside Park Pond Outside Engineering Consultant**
Consideration of Memorandum #23-212 recommending approval of the agreement to retain Mid-State Engineering and Testing for a peer review of the construction and testing of the Westside Park pond.
Attachment IV-6
7. **Dakota West Project Acceptance**
Consideration of Memorandum #23-208 recommending acceptance of the utility and street improvements for Dakota West Estates II Addition – Dakota Street.
Attachment IV-7
8. **Stop Signs within Mead Development**
Consideration of Memorandum #23-209 recommending the adoption of Resolution #23-63 authorizing the placement of stop signs within Mead Development.
Attachment IV-8

9. Mead Development Parking Restrictions

Consideration of Memorandum #23-210 recommending the adoption of Resolution #23-64 restricting parking along Spruce Street from 31st Street to 33rd Street.

Attachment IV-9

10. Contract Amendment for Marne Creek Bank Restoration and Maintenance Trail Reconstruction

Consideration of Memorandum #23-211 recommending approval of Amendment #2 to the contract between the City of Yankton and Banner Associates, Inc. for Marne Creek Bank Restoration and Maintenance Trail Reconstruction and authorize the City Manager to sign all documents regarding this project.

Attachment IV-10

11. Proposed 2024 Rate Adjustments for The Huether Family Aquatics Center

Consideration of Memorandum #23-213 recommending the adoption of the outdoor aquatics fees as proposed for 2024.

Attachment IV-11

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 OCTOBER 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.