



**Mission Statement**  
To provide exemplary experiences, services & spaces that create opportunities for everyone to learn, engage and thrive.

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## **YANKTON BOARD OF CITY COMMISSIONERS**

Regular City Commission Meeting beginning at 7:00 P.M.

**Monday, November 27, 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/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.

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### **I. ROUTINE BUSINESS**

- 1. **Roll Call**
- 2. **Approve Minutes of Regular Meeting of November 13, 2023** **Attachment I-2**
- 3. **Schedule of Bills** **Attachment I-3**
- 4. **City Manager’s Report** **Attachment I-4**
- 5. **Public Appearances**  
- Lucas Johnson (Banner Engineering) - Bridge Inspection Presentation **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 #23-233 regarding the request for a Special Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for 1 day, December 23, 2023 from The Center (Kriss Thury, Executive Director), 900 Whiting Drive, Yankton, South Dakota.

**Attachment III-1**

**2. Public Hearing for Transfer Location of Alcoholic Beverages License**

Consideration of Memorandum #23-227 transfer of location of a Retail (on-off sale) Wine & Cider License for January 1, 2023 to December 31, 2023 from Morgen, LLC d/b/a South Point Gaming Lounge (Kirby Muilenburg, Owner), 1101 Broadway Avenue, Suite 109, Yankton, South Dakota to 1101 Broadway Avenue, Suite 109A, Yankton, South Dakota.

**Attachment III-2**

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

Consideration of Memorandum #23-234 for a New Retail (on-off sale) Malt Beverage and SD Farm Wine License for July 1, 2023 to June 30, 2024 from 6<sup>th</sup> Meridian, LLC d/b/a Farm House Food Co. (Ryan Heine, Member), 2503 Fox Run Parkway, Suite 1, Yankton, South Dakota.

**Attachment III-3**

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

Consideration of Memorandum #23-235 for a New Retail (on-off sale) Wine and Cider License for January 1, 2024 to December 31, 2024 from 6<sup>th</sup> Meridian, LLC d/b/a Farm House Food Co. (Ryan Heine, Member), 2503 Fox Run Parkway, Suite 1, Yankton, South Dakota.

**Attachment III-4**

**5. Package Off-sale Liquor License**

Consideration of Memorandum #23-232 requesting Commission direction to staff on proceeding with the sale of the new 12<sup>th</sup> package off-sale liquor license.

**Attachment III-5**

**6. Video Lottery License Ordinance First Reading**

Introduction and first reading of Ordinance #1076 amending ordinance Sec. 3-3 and establishing December 11, 2023 as the date for public hearing and second reading of said ordinance.

**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. Budget Supplement

Memorandum supporting first reading of Memorandum #23-225 supporting Ordinance #1075, the second supplement to the 2023 annual appropriation Ordinance #1064 and setting December 11, 2023 as second reading and public hearing of said Ordinance.

**Attachment IV-1**

### 2. Uncollectible Utility Accounts

Consideration of Memorandum #23-231 recommending that the City write off uncollectible utility accounts.

**Attachment IV-2**

### 3. Library Agreement Renewal between City of Yankton and Yankton County

Consideration of Memorandum #23-236 and Resolution #23-69 regarding Library contract between City of Yankton and Yankton County.

**Attachment IV-3**

### 4. Video Lottery Endorsement Request with Attendant License Restriction Agreement

Consideration of Memorandum #23-240 considering approval of a video lottery license restriction agreement removing video lottery at Hanten, Inc. d/b/a Ben's Brewing Company, 222 W. 3<sup>rd</sup> Street, Yankton, South Dakota (Ben Hanten, President) combined with request for video lottery endorsement on malt beverage license #RB-27600 at Hanten, Inc., d/b/a Ben's Brew Station at 719 Walnut Street, Yankton, South Dakota.

**Attachment IV-4**

### 5. Video Lottery Endorsement on Request for Retail Wine License

Consideration of Memorandum #23-239 regarding an application for the endorsement of video lottery on a Retail (on-off sale) Wine License No. RW-23602 for Fox Stop Holdings, LLC (James Grotenhuis, Owner) d/b/a The Fox Stop located at 1316 W 30<sup>th</sup> Street, Yankton, South Dakota.

**Attachment IV-5**

### 6. Bid Award for Transfer Station Trailers

Consideration of Memorandum #23-228 recommending the bid for two new steel transfer station walking floor trailers be awarded to Northern Truck & Equipment of Sioux Falls, South Dakota in the amount of \$223,212.00.

**Attachment IV-6**

### 7. Engineering Services Agreement for Cedar Street Bridge

Consideration of Memorandum #23-221 recommending authorization of the City Manager to execute the Agreement for Engineering Services for the replacement of structure number 68-121-204 on Cedar Street with Banner Associates, Inc.

**Attachment IV-7**

### 8. 5<sup>th</sup> Street Final Acceptance and Close Out

Consideration of Memorandum #23-222 recommending the City Commission accept the completed reconstruction on 5<sup>th</sup> Street reconstruction project and authorize the Finance Officer to issue a manual check to Masonry Components, Inc. in the amount of \$1,000.00.

**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 not 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 27, 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.*