

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
JANUARY 22ND, 2024**

Board of City Commissioners of the City of Yankton was called to order by Mayor Moser.

Roll Call: Present: Commissioners Benson, Brunick, Hunhoff, Johnson, Miner, Schramm, and Villanueva. City Manager Leon, City Attorney Den Herder and City Finance Officer Yardley were also present. Absent: Commissioner Webber. Quorum present.

Action 24-16

Moved by Commissioner Villanueva, seconded by Commissioner Miner, to approve Minutes of Regular Meeting of January 8, 2024.

Roll Call: All members present voting “Aye;” voting “Nay:” None.

Motion adopted.

Action 24-17

Moved by Commissioner Johnson, seconded by Commissioner Benson, that the Schedule of Bills be approved and warrants be issued.

A & B Business Equipment (Service Contract) \$753.76; ASCAP (2024 License Fee) \$434.00; Binder/Tim (Travel Reimbursement) \$115.54; Brightway Electric (Light Fixtures) \$1,722.35; C & C Hauling & Construction (Concrete Pad) \$510.21; Central Square Tech (Annual Subscription Fee) \$120.00; CenturyLink (Phone) \$1,275.77; City Of Yankton-Parks (Landfill Charges) \$114.29; Combined Building Specialties (Materials) \$256.00; Connecting Cultures (2024 Outreach Services) \$2,500.00; Dept Of Health (Lab Testing) \$533.00; Design Solutions & Integration (Scada Pump Controls) \$580.00; Fejfar Plumbing (Water Heater) \$7,469.41; Frick/Brian (Travel Reimbursement) \$381.96; Geotek (Mead Prop Testing) \$3,874.00; Hawkins Inc (Pool Chemicals) \$1,072.60; HDR Engineering (Wastewater Project) \$94,515.65; Heiman Fire Equipment (Decon Cloth) \$77.87; James Dean Acoustic (Entertainment Centennial) \$300.00; JEO Consulting Group (Bridge Column Repair) \$8,696.25; JJ Benji's (Staff Shirts) \$2,696.80; JMN Construction (Bridge Column Repair) \$272,738.83; John T Jones Construction (Wastewater Project) \$218,754.24; Kaiser Heating & Cooling (Dehumidifier Repair) \$450.00; KYHT Radio Station (Centennial Package Ads) \$1,000.00; Locality Media (Software Annual Fee) \$9,975.00; Masonry Components (Construction-3rd St) \$28,112.80; Merkel Electric (Surge Suppressor) \$528.94; MidAmerican Energy (Fuel) \$9,927.26; Midwest Tape (AV) \$166.20; Observer (Advertisement) \$72.00; O'Connor Concrete Construction (4th Street Project) \$2,142.00; Overhead Door Co (Garage Remote) \$100.00; Plan & Development Dist. 3 (Cemetery Maintenance) \$1,500.00; Powerphone (Recertification) \$329.00; Press & Dakotan (Minutes Publication) \$751.66; Ron's Auto Glass (Lexan Installation) \$76.50; Royal Sports Shop (Meridian Bridge Pins) \$1,965.00; Smith Insurance (Airport Liability Insurance) \$15,682.00; South Dakota 811 (Message Fees) \$163.80; Transportation Dept/S.D. (Bridge Inspections) \$580.55; Villanueva/Mike (Travel Reimbursement) \$204.06; Well365 (2024 Wellness Links) \$3,600.00; Williams & Company (Audit) \$19,605.00; Xtreme Car Wash (Car Washes) \$337.20; Yankton County (Paging System) \$300.00; Yankton Police Department (Gas Reimbursement) \$108.40.

City Manager Leon submitted a written report giving an update on community projects and items of interest.

Thomas Bixler announced he will be collecting signatures now for Yankton County Treasurer and starting Friday for Yankton City Commissioner.

Ryan Heine reminded the Commission that for the last two months there has been no public hearing for his package off-sale liquor license application. As a local food business, they are still interested.

Action 24-18

Moved by Commissioner Hunhoff, seconded by Commissioner Miner, to approve the following consent agenda items:

- 1) Consent Item II-1 was moved to New Business Item IV-7.
- 2) Establish a public hearing for a Special (On-sale) Malt Beverage Retailers License and Special (On-Sale) Wine Retailer License for one day, February 24, 2024 from The Center at 900 Whiting Drive.
- 3) Establish a public hearing for a Special (On-sale) Liquor License for one day, February 14, 2024 from Flusswerks, LLC dba 1872 Saloon/Levee Street Steakhouse at 100 Douglas, Suite 101.
- 4) A possible quorum at the events; Thrive Annual Meeting, Meridian Bridge Centennial Kickoff, and The Lawn and River Corridor Events Spaces Master Planning Meeting; may occur, and no commission action will take place if a quorum is present.

Roll Call: All members present voting “Aye;” voting “Nay:” None.
Motion adopted.

Action 24-19

This was the time and place for the second reading and public hearing for Ordinance No. 1077, AN ORDINANCE CLARIFYING THE FEE STRUCTURE FOR ALCOHOL LICENSE RENEWAL AND THE METHOD FOR ISSUANCE OF ON-SALE AND OFF-SALE LIQUOR LICENSES ISSUED BY THE CITY OF YANKTON (Memorandum 24-22) Ryan Heine was present to speak against the adoption of the ordinance. Moved by Commissioner Brunick, seconded by Commissioner Johnson, to adopt Ordinance No. 1077.

Roll Call: All members present voting “Aye;” voting “Nay:” None.
Motion adopted.

Action 24-20

This was the time and place for the public hearing on the application for a Special Events Alcoholic Beverage License Application for a Special (On-sale) Liquor License for one day, January 26, 2024 from Boomer’s, Inc., (Kim Braunesreither, Owner/Vice-President) d/b/a Boomer’s Lounge, 100 E. 3rd Street, at the Meridian Venue, 101 E. 3rd Street. (Memorandum 24-17) No one was present to speak for or against the application. Moved by Commissioner Johnson, seconded by Commissioner Miner, to approve the license.

Roll Call: All members present voting “Aye;” voting “Nay:” None.
Motion adopted.

Action 24-21

This was the time and place for the public hearing on the application for a Special Events Alcoholic Beverage License Application for a Special (On-sale) Liquor License for one day, April 6, 2024, from Hanten, Inc., (Ben Hanten, President), d/b/a Ben's Brewing Co., 222 West 3rd Street. The event will take place at the St. Benedict Dining Room, 1500 St. Benedict Drive. (Memorandum 24-18) No one was present to speak for or against the application. Moved by Commissioner Benson, seconded by Commission Schramm, to approve the license.

Roll Call: All members present voting "Aye:" Benson, Brunick, Hunhoff, Johnson, Miner, Schramm and Mayor Moser; voting "Nay:" None. "Abstain:" Commissioner Villanueva.
Motion adopted.

Action 24-22

This was the time and place for the public hearing on the application for a Special Events Alcoholic Beverage License Application for a Special (On-sale) Liquor License for one day, February 3, 2024, from Yankton Elks Lodge #994, (Joe Sparks, Exalted Ruler), 504 West 27th Street. The event will take place at the NFAA Archery Center, 800 Archery Lane. (Memorandum 24-19) No one was present to speak for or against the application. Moved by Commissioner Brunick, seconded by Commissioner Miner, to approve the license.

Roll Call: All members present voting "Aye:" Benson, Brunick, Hunhoff, Johnson, Miner, Schramm and Mayor Moser; voting "Nay:" None. "Abstain:" Commissioner Villanueva.
Motion adopted.

Action 24-23

This was the time and place for the public hearing on the application for a Special Events Alcoholic Beverage License Application for a Special (On-sale) Liquor License for one day, February 10, 2024 from Boomer's, Inc., (Kim Braunesreither, Owner/Vice-President), d/b/a Boomer's Lounge, 100 E. 3rd Street. The event will take place at the Meridian Venue, 101 E. 3rd Street. (Memorandum 24-20). No one was present to speak for or against the application. Moved by Commissioner Hunhoff, seconded by Commissioner Johnson, to approve the license.

Roll Call: All members present voting "Aye;" voting "Nay:" None.
Motion adopted.

Commissioner Johnson introduced and Mayor Moser read the title of Ordinance No. 1078, AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE #1074, THE 2024 ANNUAL APPROPRIATION ORDINANCE, and set the date of the second reading and public hearing as February 12, 2024.

Action 24-24

Moved by Commissioner Miner, seconded by Commissioner Brunick, to approve Resolution #24-04 and approve the purchases of a John Deer gator for \$30,348.39 and a snow blade for \$6,000.00. (Memorandum 24-14)

RESOLUTION #24-04

WHEREAS, SDCL 6-13-1 requires a municipality owning personal property which is no longer necessary, useable or suitable for municipal purposes shall, by resolution, declare it surplus and may, by resolution, order the sale, trade-in, destruction or other disposal of said personal property.

NOW, THEREFORE, BE IT RESOLVED that the following personal property be declared no longer necessary or suitable for municipal purposes and said property shall be disposed of in accordance with SDCL 6-13-1, et sequential:

SURPLUS PROPERTY TO BE TRADE-IN

Year	Description	Division
2002	Toro UTV serial number ending:0243	Cemetery
1997	Cushman UTV serial number ending: 1429	Golf Course

Roll Call: All members present voting “Aye;” voting “Nay:” None.
Motion adopted.

Action 24-25

Moved by Commissioner Benson, seconded by Commissioner Schramm, to approve Resolution #24-03 and approve the purchase of a 2019 Jacobsen GP400 mower from TurfWerks resulting in a net price of \$18,500.00. (Memorandum 24-08)

RESOLUTION #24-03

WHEREAS, SDCL 6-13-1 requires a municipality owning personal property which is no longer necessary, useable or suitable for municipal purposes shall, by resolution, declare it surplus and may, by resolution, order the sale, trade-in, destruction or other disposal of said personal property.

NOW, THEREFORE, BE IT RESOLVED that the following personal property be declared no longer necessary or suitable for municipal purposes and said property shall be disposed of in accordance with SDCL 6-13-1, et sequential:

SURPLUS PROPERTY TO BE TRADE-IN

Year	Description	Division
2006	Jacobsen Greensking 4 serial number ending: 622	Golf Course
2015	Jacobsen Greensking 4 serial number ending: 2664	Golf Course

Roll Call: All members present voting “Aye;” voting “Nay:” None.
Motion adopted.

Action 24-26

Moved by Commissioner Johnson, seconded by Commissioner Schramm, to grant a sidewalk cafe permit to 100 East 3rd Street d/b/a Boomer’s Lounge. (Memorandum 24-11)

Roll Call: All members present voting “Aye;” voting “Nay:” None.
Motion adopted.

Action 23-27

Moved by Commissioner Miner, seconded by Commissioner Villanueva, to approve Resolution #24-02 and grant a sidewalk café permit to 102 and 104 East 3rd Street d/b/a Mojo’s Third Street Pizza. (Memorandum 24-12)

RESOLUTION 24-02

RESOLUTION OF SIDEWALK EXTENSION

WHEREAS, the City of Yankton, permits sidewalk cafes to operate on public sidewalks in the B-3 Central Business District, and

WHEREAS, the owner/operator of 102 & 104 East 3rd Street has requested a sidewalk cafe permit in a boardwalk extension to the existing public sidewalk, and

WHEREAS, the applicant has provided a detailed set of plans for a boardwalk extension to the public sidewalk, and

WHEREAS, the City of Yankton, South Dakota, after due review and consideration, has determined that applicant has met the minimum sidewalk cafe requirements, and

WHEREAS, the design: SD planning process and other redevelopment efforts in the Meridian District emphasize the creative use of public spaces, and

WHEREAS, the applicant has requested the boardwalk extension be formally recognized by the City Commission as a portion of the public sidewalk.

NOW THEREFORE BE IT RESOLVED, that boardwalk extension as shown in the 2024 sidewalk cafe application of 102 & 104 East 3rd Street be recognized as a portion of the public sidewalk during the time period during which it is installed.

Roll Call: All members present voting “Aye;” voting “Nay:” None.
Motion adopted.

Action 24-28

Moved by Commissioner Villanueva, seconded by the Miner, to award the bid for three new Heavy Duty Ten Yard Dump Box Bodies with Hydraulic Hoist, and one Under Body Scraper to Northern Truck and Equipment, Sioux Falls, South Dakota in the amount of \$191,122.00 for the Department of Public Works. (Memorandum 24-21)

Roll Call: All members present voting “Aye;” voting “Nay:” None.
Motion adopted.

Action 24-29

Moved by Commissioner Johnson, seconded by Commissioner Villanueva, to establish a public hearing on February 26, 2024 for a transfer of location of a Retail (on-off sale) Malt Beverage and SD Farm Wine License from Chuck Stop LLC d/b/a Chuck Stop to Diggers, Inc. d/b/a The Fox Den.

Roll Call: All members present voting “Aye;” voting “Nay:” None.
Motion adopted.

Action 24-30

Moved by Commissioner Villanueva, seconded by Commissioner Benson, to adjourn into Executive Session at 7:48 to discuss **contractual and personnel matters** under SDCL 1-25-2.

Roll Call: All members present voting “Aye;” voting “Nay:” None.
Motion adopted.

Regular meeting of the Board of City Commissioners of the City of Yankton was reconvened by Mayor Moser.

Roll Call: Present: Commissioners Benson, Brunick, Hunhoff, Johnson, Miner, Schramm, and Villanueva. City Manager Leon, City Attorney Den Herder, and City Finance Officer Yardley were also present. Absent: Commissioner Webber.

Quorum present.

Action 24-31

Moved by Commissioner Johnson, seconded by Commissioner Miner, to adjourn at 10:33 p.m.

Roll Call: All members present voting “Aye;” voting “Nay:” None.
Motion adopted.

Stephanie Moser
Mayor

ATTEST:

Lisa Yardley
Finance Officer

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