

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
JUNE 24, 2024**

The regular meeting of the Yankton City Commission was called to order by Mayor Schramm at 7:00 p.m.

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

Action 24-189

Moved by Commissioner Webber, seconded by Commissioner Brunick, to approve Minutes of Work Session and Regular Meeting of June 10, 2024. All present voted aye; motion carried, 7-0.

Action 24-190

Moved by Commissioner Moser, seconded by Commissioner Hunhoff, that the Schedule of Bills be approved and warrants be issued as listed below. All present voted aye; motion carried, 7-0.

Active Network (Subscription) \$5,299.12; A-ox (Propane) \$140.13; Avera Heart Hospital (AED Battery & Pads) \$512.00; Bierschbach (Edger) \$57.32; Butler Machinery (Parts & Service) \$5,317.49; Carr/Todd (DJ Family Nights) \$1,200.00; Caseys (Refund) \$15.00; Cedar Knox Public Power (Electric) \$1,073.37; Centurylink (Phone) \$1,165.74; Chesterman (Concessions) \$590.95; City Of Vermillion (JT Powers) \$87,913.80; City Of Yankton-Parks (Landfill) \$423.65; Design Solutions (Labor & Repairs) \$2,610.00; Donut Department (Library Kids Event) \$247.50; Ferguson Enterprises (Water Meter Project) \$172,333.27; G & R Controls (Labor & Repairs) \$1,266.20; Gaskell/Sean (Library Summer Event) \$575.00; Gerstner Oil (Fuel) \$27,532.04; Girton Adams (Parts) \$402.81; Graymont (Lime) \$8,023.82; Hanson Briggs (Delinquent Notices) \$495.80; Hawkins (Chemicals) \$22,969.84; Huether Seamless Gutters (Gutters) \$1,040.00; Jebro Inc (Asphalt) \$17,683.91; JJ Benji's (Lifeguard Sweatshirts) \$3,057.50; Kaiser Refrigeration (Parts) \$42.49; Klein's Tree (Removal) \$4,700.00; KLJ Engineering (Design Services) \$7,000.00; Knife River (Concrete) \$4,123.00; Koletzky Implement (Mower) \$30,500.00; Loecker/Mary (Swimsuit) \$100.00; Mead Museum (Cemetery Walk) \$637.50; Meierhenry Sargent (Bond Counsel Fees) \$135,296.00; Midwest Petroleum (Service Fuel Pumps) \$1,076.50; Midwest Ready Mix (Clubhouse Repairs) \$3,770.00; Mini Melts (Concessions) \$3,332.00; Munn/George (Deposit Return) \$10.00; Noah Riemer Productions (Library Program) \$450.00; Northern Truck (Parts) \$111.35; Northwest Electric (Repairs) \$1,719.65; Northwestern Energy (Light Pole Repairs) \$7,568.99; Observer (Ads) \$60.00; Omaha Childrens Museum (Library Program) \$415.00; Power Source Electric (Repairs) \$2,277.82; Press & Dakotan (Notices/Ads) \$2,383.90; Sanitation Products (Black Carts) \$34,118.60; Shur-Co (Tarp & Labor) \$1,175.75; Sign Solutions (Signage) \$2,802.03; Spencer Quarries (Chips) \$22,574.36; Stanley Petroleum (Inspection) \$2,100.00; Stockwell Engineers (Plat) \$1,200.00; Sweeney Controls (Router Repairs) \$140.00; The Ice Company (Concessions) \$755.26; Titan Machinery (Repairs) \$1,218.59; Transource (Repairs) \$25,469.38; Truck Trailer (Actuator & Labor) \$5,849.77; Utility Equipment (Parts) \$796.80; Wholesale Supply (Concessions) \$3,344.70; Williams/Jay (Refund) \$10.00; Yankton Baseball (Special Appropriation) \$3,600.00; Yankton Community Library (Cemetery Walk) \$637.50.

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

There were no public appearances at that time.

Action 24-191

Moved by Commissioner Villanueva, seconded by Commissioner Moser, to approve the consent agenda items listed below. All present voted aye; motion carried, 7-0.

1. Approval of the application from Martha Huber, dba Rustic Designs & More/Martha's Crafts to engage in the business of Transient Merchant. To sell in the parking lot at 3010 Broadway Avenue (Yankton Bowl parking lot) from August 1, 2024 through August 31, 2024. (Memorandum 24-138)
2. Establish July 8, 2024 as the date for the public hearing on the application for a new Retail (On-off sale) Malt Beverage & SD Farm Wine license effective July 10, 2024 from Cedar Street Brews, Inc. dba @ The Bar / The Copper Room, 222 W 3rd Street.
3. Establish July 8, 2024 as the date for the public hearing on the application for the transfer of owner of a Retail (On-sale) Liquor license from Ben's Brewing Company to Cedar Street Brews, Inc. dba @ The Bar / The Copper Room, 222 West 3rd Street.
4. Establish July 8, 2024 as the date for the public hearing on the application for a new Retail (On-off sale) Malt Beverage & SD Farm Wine license from Riverfront Brewery Inc., 113, 117, & 121 West 3rd St.
5. Establish July 8, 2024 as the date for the public hearing on the application for a new Retail (On-off sale) Malt Beverage & SD Farm Wine license from Riverfront Brewery Inc. dba Brewery, 200 Walnut Street.
6. Approval of the application from TJ Stotz dba The Bonesetter Apothecary to engage in the business of Transient Merchant. The applicant is requesting a license to sell pre-packaged coffee, teas, and associated nutrition goods at 215 Mulberry Street (the Bonesetter Chiropractic parking lot) from July 1, 2024 through July 31, 2024. (Memorandum 24-144)

Action 24-192

This was the time and place for the public hearing on the application request for a new Retail (On-off sale) Malt Beverage & SD Farm Wine effective July 1, 2024 from Kourtney Erickson dba Korkykaybites LLC, 101 Douglas Avenue. (Memorandum 24-136) No one was present to speak for or against the application. Moved by Commissioner Moser, seconded by Commissioner Brunick to approve the license. All present voted aye; motion carried, 7-0.

Action 24-193

This was the time and place for the public hearing on the application for a Special On-sale Liquor Licenses from Ben's Brewing Co, 222 W 3rd St, for Music at the Meridian dates at Riverside Park: July 4 and July 5. (Memorandum 24-137) No one was present to speak for or against the application. Moved by Commissioner Webber, seconded by Commissioner Villanueva to approve the license. All present voted aye; motion carried, 7-0.

Action 24-194

Moved by Commissioner Webber, seconded by Commissioner Carda to approve Resolution #24-31. (Memorandum 24-139) Chad Peters with Stockton Towing was present and discussed company background and operations. All present voted aye; motion carried, 7-0.

**RESOLUTION #24-31
A RESOLUTION TO ESTABLISH REMOVAL AGENCIES**

WHEREAS SDCL Chap. 32-36 and numerous local Ordinances allow vehicles to be towed by designated “removal agencies” when they constitute public nuisances, or when they are otherwise parked in a manner which violates the law; and

WHEREAS the Yankton Board of City Commissioner may, by resolution, designate certain towing companies to serve as “removal agencies” as defined by SDCL 32-36-2(5) and Section 15-19 of the Yankton Code of Municipal Ordinances to tow vehicles at the request of the City of Yankton or its various Departments;

NOW, THEREFORE, BE IT RESOLVED by the Yankton Board of City Commissioners that in accordance with SDCL 32-36-2(5) and Section 15-19 of the Yankton Code of Municipal Ordinances the following towing companies are hereby designated as “removal agencies” within the jurisdictional limits of the City of Yankton:

MW Towing
30653 SD Hwy 81
Yankton, SD 57078
(605) 260-6869

Gary’s Repair & Wrecker Service
2100 SD Hwy 314
Yankton, SD 57078
(605) 665-4351

Redi Towing
1016 W. Cherry St.
Vermillion, SD 57069
(605) 624-2424

Pro Auto
2511 E Hwy 50
Yankton, SD 57078
(605) 665-4142

Stockton Towing Inc.
915 E. Hwy 50.
Yankton, SD 57078
(605) 660-9423

Commissioner Moser introduced and Mayor Schramm read the title of Ordinance No. 1081, AN ORDINANCE TO REZONE PROPERTY FROM AN EXISTING ZONING OF I-1 INDUSTRIAL TO B-3 CENTRAL BUSINESS, LOTS 1-4, AND PART OF LOT 5; AND PART OF LOTS 16-18 LYING WEST OF THE RR, ALL IN BLOCK 49, LOWER YANKTON ADDITION and set the date of the second reading and public hearing as July 8th, 2024.

Commissioner Webber introduced and Mayor Schramm read the title of Ordinance No. 1082, AN ORDINANCE TO REZONE PROPERTY FROM AN EXISTING ZONING OF I-1 INDUSTRIAL TO B-2 HIGHWAY BUSINESS ON PARCEL D OF POLLY’S SUBDIVISION and set the date of the second reading and public hearing as July 8th, 2024.

Action 24-195

Moved by Commissioner Villanueva, seconded by Commissioner Webber to approve Resolution #24-32. (Memorandum 24-142) All present voted aye; motion carried, 7-0.

RESOLUTION #24-32

WHEREAS, Dan Johanneson, representing JC Ventures is the owner of land adjacent to the City of Yankton’s Municipal Corporate Limits, and has requested the City, pursuant to SDCL 9-4-1, to annex certain real property into the corporate limits of the City of Yankton, and

WHEREAS, there are no registered voters residing on said property.

NOW, THEREFORE, BE IT RESOLVED by The Board of City Commissioners of the City of Yankton, South Dakota, that the following described real property is hereby annexed into the corporate limits of the City of Yankton, South Dakota:

DESCRIPTION OF LAND TO BE ANNEXED

Lot H-1 in the Southwest Quarter of the Southeast Quarter of Section 2, Township 93 North, Range 56 West of the 5th P.M., Yankton County, South Dakota containing 0.08 acres.

As shown on the attached Plat and Annexation Location Map.

Action 24-196

Moved by Commissioner Brunick, seconded by Commissioner Carda to authorize the purchase of 60 LED post-top lantern fixture replacements for the historic lights on 4th Street from Holophane for the amount of \$97,764.00. (Memorandum 24-143) All present voted aye; motion carried, 7-0.

Action 24-197

Moved by Commissioner Moser, seconded by Commissioner Webber, to adjourn into Executive Session at 7:26 p.m. to discuss potential litigation under SDCL 1-25-2. All present voted aye; motion carried, 7-0.

Regular meeting of the Board of City Commissioners of the City of Yankton was reconvened by Mayor Schramm at 8:20 p.m.

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

Action 24-198

Moved by Commissioner Villanueva, seconded by Commissioner Hunhoff, to adjourn at 8:20 p.m. All present voted aye; motion carried, 7-0.

Mason Schramm, Mayor

ATTEST:

Lisa Yardley, Finance Officer