



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, September 23, 2024

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 September 9, 2024**

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. Approve the recommendation of the Park Advisory Board for Garrett Haas' Eagle Scout project.

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.

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.

1. Second Reading and Public Hearing for Ordinance #1083

Consideration of Memorandum #24-197, the second reading and public hearing to consider Ordinance #1083, an ordinance to appropriate monies for defraying the necessary expenses and liabilities of the City of Yankton, South Dakota for the fiscal year beginning January 1, 2025 and ending December 31, 2025, and providing for the levy of annual taxes for all funds created by ordinance within said City.

Attachment III-1

2. Public Hearing for Sale of Alcoholic Beverages

Consideration of Memorandum #24-198 requesting the transfer ownership of a Retail (On-off sale) Malt Beverage & SD Farm Wine license from DBC LLC (Lauren Soukup, owner) to Nino Ventures LLC (Francisco Nino, owner) dba Bro Brgr Bar, 2101 Broadway Ave, Suite 40. This alcohol license is not endorsed with video lottery.

Attachment III-2

IV. NEW BUSINESS

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

1. Recommendations from Health Insurance Committee

Consideration of Memorandum #24-196, the recommendation from the Health Insurance Committee for the City of Yankton employees' 2025 group health insurance, dental insurance, vision insurance, life insurance, EAP coverage, flex spending and Employee Wellness Program.

Attachment IV-1

2. Fireworks Public Display Request

Consideration of Memorandum #24-199 requesting a public fireworks display on December 5, 2024. The fireworks will be launched from the top level of the Meridian Bridge, coinciding with the Holiday Festival of Lights tree lighting.

Attachment IV-2

3. Introduction, First Reading and Establish Public Hearing Date for Ordinance #1084

Consideration of Memorandum #24-200 introduction, first reading and establish October 15, 2024 as the date for a public hearing to consider Ordinance #1084, a rezoning from A-1 Agricultural to R-3 Two Family Residential on Tracts 2 and 3 of Law Addition in the N 1/2 of the SE 1/4 of Section 2, Township 93 North, Range 56 West of the 5th P.M., Yankton County, South Dakota containing 27.61 acres more or less. Location, northwest of the 1700 Block of West 25th Street. Yankton Thrive, Inc., owner.

Attachment IV-3

4. Body Camera and Associated Software for Yankton Police Department

Consideration of Memorandum #24-202 authorizing the purchase of body cameras and software from Motorola Solutions in the amount of \$81,501.00 for the Yankton Police Department Patrol Division.

Attachment IV-4

5. Amend Sales Tax Rebate

Consideration of Memorandum #24-203 regarding Resolution #24-43 amending the annual “Proofs of Payment” Developer submittal date for the Event Central Sales Tax Reimbursement.

Attachment IV-5

6. CMAR Contract Amendment

Consideration of Memorandum #24-201 recommending that the City Commission authorize the City Manager to execute the attached CMAR contract amendment with a Guaranteed Maximum Price of \$45,929,602.00 and owner’s contingency of \$1,102,200.00.

Attachment IV-6

7. Additional Deputy City Attorney and Contract Adjustments

Consideration of Memorandum #24-204 recommending that the City Commission appoint Mr. Tyler S. Lohr as a Deputy City Attorney and update other aspects of the City Attorney contract.

Attachment IV-7

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 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 SEPTEMBER 23, 2024

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.