



Mission Statement
To provide cost-effective public services as required by its citizens and to provide an environment so that both its citizens and the economy prosper.

YANKTON BOARD OF CITY COMMISSIONERS

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

Monday, August 28, 2017

City of Yankton Community Meeting Room

Located at the Technical Education Center • 1200 W. 21st Street • Room 114

Rebroadcast Schedule: Tuesday @ 7:30pm, Thursday @ 6:30 pm, on channels 3 & 45

I. ROUTINE BUSINESS

1. Roll Call

2. Approve Minutes of regular meeting of August 14, 2017 and the Special Meeting of August 8, 2017

Attachment I-2

3. City Manager's Report

Attachment I-3

5. Public Appearances – Todd Van Maanen

Public appearances is a time for persons to address the City Commission on items not listed on the agenda.

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. Establishing public hearing for sale of alcoholic beverages

Establish September 11, 2017, as the date for the public hearing on the request for a Special Events (on-sale) Liquor License for September 12, 2017 from Chamber of Commerce, (Carmen Schramm, Director) d/b/a Chamber of Commerce, Avera Professional Pavilion, 409 Summit, Street, Yankton, SD.

Attachment II-1

2. Establishing public hearing for sale of alcoholic beverages

Establish September 11, 2017, as the date for the public hearing on the request for a Special Events (on-sale) Liquor License for October 10, 2017 from Chamber of Commerce, (Carmen Schramm, Director) d/b/a Chamber of Commerce, Lewis & Clark Theatre Company, 328 Walnut Street, Yankton, SD.

Attachment II-2

- 3. Establishing public hearing for sale of alcoholic beverages**
Establish September 11, 2017, as the date for the public hearing on the request for a Special Events (on-sale) Liquor License for November 14, 2017 from Chamber of Commerce, (Carmen Schramm, Director) d/b/a Chamber of Commerce, Broadway Chrysler, 2720 Broadway Avenue, Yankton, SD.

Attachment II-3
- 4. Establishing public hearing for sale of alcoholic beverages**
Establish September 11, 2017, as the date for the public hearing on the request for a Special Events (on-sale) Liquor License for December 12, 2017 from Chamber of Commerce, (Carmen Schramm, Director) d/b/a Chamber of Commerce, First National Bank, 332 Broadway Avenue, Yankton, SD.

Attachment II-4
- 5. Special Events Dance License**
Consideration of Memorandum #17-183 recommending approval of the application from the VFW for:
A) Special Events Dance License for September 30, 2017

Attachment II-5
- 6. Possible Quorum Event**
September 28, 2017, for Chamber event, no official commission action
- 7. Possible Quorum Event**
September 29, 2017, for Chamber event, no official commission action
- 8. Approving Current Volunteer Firefighter List**
Consideration of Memorandum #17-186 regarding approving the current list of Volunteer Firefighters per Workers' Compensation and SDCL requirements

Attachment II-8
- 9. Establishing public hearing for sale of alcoholic beverages**
Establish September 11, 2017, as the date for the public hearing on the request for a Special Events (on-sale) Liquor License for 1 day, October 7, 2017, from Drotzmann & Portillo, LLC (Steve Drotzmann, Partner), d/b/a Rounding 3rd Bar and Casino, NFAA, 800 Archery Lane, Yankton, S.D.

Attachment II-9
- 10. Establishing public hearing for sale of alcoholic beverages**
Establish September 11, 2017, as the date for the public hearing on the request for a Special Events Malt Beverage (on-sale) Retailers License for one day, September 28, 2017, from the Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota.

Attachment II-10

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. **Assessment Project, Pave the North-South Alley from 13th Street to 14th Street, between Pearl Street and Picotte Street, public hearing**
Public hearing on the special assessment roll for the Assessment Project to Pave the North-South Alley from 13th Street to 14th Street, between Pearl Street and Picotte Street
Attachment III-1

2. **Building, Plumbing & Electrical Codes Ordinance Amendment – public hearing**
Public hearing to consider Ordinances #996, #997, #998 and #999, repealing the 2003 Building, Plumbing and Electrical Codes and adopting the 2015 Building and Plumbing Codes, and 2017 Electrical Code
Attachment III-2

3. **Fire Code Ordinance Amendment – public hearing**
Public hearing to consider Ordinances #1000, amending the 2015 Fire Code
Attachment III-3

4. **Public hearing for sale of alcoholic beverages**
Consideration of Memorandum #17-182 regarding the request for a Special Events (on-sale) Liquor License for September 30, 2017 from VFW (Colin Reisner, Quartermaster), 209 Cedar Street including the parking lot and Cedar Street from the North side of the building to 2nd Street, Yankton, S.D.
Attachment III-4

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. **Planning Commission Recommendation – Tax Incremental District**
Consideration of Memorandum #17-179 recommending approval of Resolution #17-33, the creation of Tax Incremental District Number Nine to be located on the following described property:

Lot 1A, Block 1 less Parcel 5, Slaughter's Subdivision, Lot 3A, Block 1, Section 12 less Parcel 4 and less part Parcel 5, Slaughter's Subdivision, Lots 5A, Block 1, Section 12, Slaughter's Subdivision, Lot 6 except Parcels 1, 2 and 3, Block 1, Slaughter's Subdivision all in the City of Yankton, South Dakota. Address 2101 Broadway Ave. Yankton – Omaha Partnership c/o Dial Enterprises, owner.

Attachment IV-1

- 2. Ordinance Pertaining to Proposed 2018 Budget – Set Public Hearing**
Introduction, first reading and establish September 11, 2017 as the second reading, 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, 2018, and ending December 31, 2018, and providing for the levy of annual taxes for all funds created by ordinance within said City

Attachment IV-2
- 3. Contract Award, Sludge Removal Water & Wastewater Plant**
Consideration of Memorandum #17-184 regarding Sludge Removal for Water and Wastewater Plant

Attachment IV-3
- 4. Memorandum of Understanding – State of South Dakota**
Consideration of Memorandum #17-173 in support of Resolution #17-29 regarding Memorandum of Understanding between the South Dakota Attorney General’s Office and the Yankton Police Department in regards to expanded jurisdiction for illegal narcotics

Attachment IV-4
- 5. Planning Commission – Plat Review**
Consideration of Memorandum #17-180 regarding Resolution #17-34, a Replat of Tract A in Lot 1 of W. G. & A. Addition to the City and County of Yankton, South Dakota. Addresses, 2216 Broadway Avenue. Fifth Generation Investments LLC, owner

Attachment IV-5
- 6. Planning Commission – Position Statement**
Consideration of Memorandum #17-181, a position statement regarding the possible vacation of the Timberland Drive section line right-of-way between W. 8th Street and W. 11th Street.

Attachment IV-6
- 7. VFW – Special Events Parking Request**
Consideration of Memorandum #17-187 and Resolution #17-35 regarding request by VFW for Special Events Parking Ordinance #933 to be in place during VFW event on September 30, 2017

Attachment IV-7
- 8. Chamber Event – Special Events Parking Request**
Consideration of Memorandum #17-188 and Resolution #17-36 regarding request by Chamber of Commerce for Special Events Parking Ordinance #933 to be in place during their event on September 29, 2017

Attachment IV-8
- 9. Request to Close Meridian Bridge for Chamber Event**
Consideration of Memorandum #17-189 regarding request to close Meridian Bridge for Chamber Event on September 29, 2017

Attachment IV-9

10. **Memorandum of Understanding between City of Yankton and CVB**
Consideration of Memorandum #17-190 regarding Memorandum of Understanding
between City of Yankton and Convention and Visitors Bureau

Attachment IV-10

11. **Amendment #2 to Agreement with SDDOT & City of Yankton**
Consideration of Memorandum #17-185, regarding Amendment #2 for NH0050(99)381
PCN 6926 South Dakota Highway 50

Attachment IV-11

V. **ADJOURN INTO EXECUTIVE SESSION TO DISCUSS
PERSONNEL, CONTRACTUAL AND LITIGATION 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.

VI. **RECONVENE AS BOARD OF CITY COMMISSIONERS**

1. Roll Call

VII. **ADJOURN THE MEETING OF AUGUST 28, 2017**

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.