



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, January 28, 2019

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**

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 January 14, 2019** **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. **Appointment to Planning Commission Board**
Consideration of Memorandum #19-22 recommending approval of the Mayor’s Appointment to the Planning Commission Board **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.

1. **Public Hearing for Ordinance Change – Garbage**
Public hearing - Second reading and public hearing regarding Ordinance #1015, amending the Garbage Ordinance Chapter 10 and setting January 28, 2019 as second reading and public hearing of said Ordinance

Attachment III-1
2. **Public Hearing for Ordinance Change – Jake Braking**
Public hearing - Second reading and public hearing regarding Ordinance #1016, amending the Jake Braking Chapter 14 Article 213

Attachment III-2
3. **Public Hearing for Ordinance Change – Snow Emergency Route**
Public hearing - Second reading and public hearing regarding Ordinance #1017, amending the Snow Emergency Route Ordinance Chapter 21

Attachment III-3
4. **Public hearing for sale of alcoholic beverages**
Consideration of Memorandum #19-10 regarding the public hearing on the request for a Special Events Malt Beverage (on-sale) Retailers License and a Special RETAIL (on-sale) Wine dealers License for 1 day, February 2, 2019, from 6th Meridian LLC dba Counterfeit Catering, (Michelle Donner, Owner), NFAA, 800 Archery Lane, Yankton, SD 57078.

Attachment III-4
5. **Public hearing for sale of alcoholic beverages**
Consideration of Memorandum #19-11 regarding the public hearing on the request for a Special Events Malt Beverage (on-sale) Retailers License and a Special RETAIL (on-sale) Wine dealers License for 1 day, February 23, 2019, from 6th Meridian LLC dba Counterfeit Catering, (Michelle Donner, Owner), NFAA, 800 Archery Lane, Yankton, SD 57078.

Attachment III-5
6. **Public hearing for new Retail (on-off Sale) Malt Beverage**
Consideration of Memorandum #19-12 regarding the public hearing on the request for a New Retail (on-off sale) Malt Beverage License for July 1, 2018, to June 30, 2019, from BPO Elks Lodge 994 dba Elks Lodge 994, 504 W. 27th Street, Yankton, SD 57078.

Attachment III-6
7. **Public hearing for transfer of ownership of Retail (on-off Sale) Malt Beverage License**
Consideration of Memorandum #19-13 regarding the public hearing on the transfer of ownership and location of a Retail (on-off sale) Malt Beverage License for July 1, 2018, to June 30, 2019, from To Be Free, LLC (Courtney Villalobos, President), dba RB Beer & Burgers, 2901 Broadway Avenue, Suite C, to Diggers, Inc. (Larry Olson, President), d/b/a Gold Rush, 2020 Elm Street Suite 7B, Yankton, S.D.

Attachment III-7

8. **Public hearing for new Retail (on-off Sale) Malt Beverage**

Consideration of Memorandum #19-14 regarding the public hearing on the request for a New Retail (on-off sale) Malt Beverage License for July 1, 2018, to June 30, 2019, from To Be Free, LLC (Courtney Villalobos, President), RB Beer & Burgers, 2901 Broadway, Suite C, Yankton, SD 57078.

Attachment III-8

9. **Public hearing for sale of alcoholic beverages**

Consideration of Memorandum #19-15 regarding the public hearing on the request for a Special Events RETAIL (on-sale) Liquor License for 1 day, February 16, 2019 with March 2, 2019 as a rain date, from Boomer's Inc., (Gary W. Boom, President) d/b/a Boomer's Lounge, NFAA, 800 Archery Lane, Yankton, South Dakota.

Attachment III-9

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 – Plat Review**

Consideration of Memorandum #19-17 regarding Resolution #19-04, a Replat of the North One Quarter of Lot 13, Lot 14 except for the West 1/6 of the North Eight Feet thereof and the South Five Feet of the East 5/6 of Lot 15, all in Block 12, in that part of the City of Yankton platted and known as “Todd’s Yankton”, Hereafter to be known as: Lot 14A, Block 12, in that part of the City of Yankton platted and known as “Todd’s Yankton”. Address, 207 Walnut Street. Riverfront Partners, LLC., owner.

Attachment IV-1

2. **Rural Electric Cooperatives**

Consideration of Memorandum #19-18 in support of Resolution #19-05 regarding Rural Electric Cooperatives

Attachment IV-2

3. **Introduction and First Reading – Budget Ordinance**

Introduction, first reading of Ordinance #1018, the first reading and establishing February 11, 2019, as the date for the second reading and public hearing regarding the first supplement to the 2019 annual appropriation Ordinance #1011

Attachment IV-3

4. **Request for camping to be held in Riverside Park**

Consideration of Memorandum #19-20, regarding Camping in Riverside Park during RASDAK Event on May 31, 2019 and June 8, 2019

Attachment IV-4

5. **Request to apply for Grant**

Consideration of Memorandum #19-21 and Resolution #19-07 regarding request to apply for a grant from the SD Arts Council on behalf of the Meridian District Art Project

Attachment IV-5

6. **Salary Correction for City Attorney**

Consideration of Memorandum #19-23 and Resolution #19-06 regarding salary correction for the City Attorney

Attachment IV-6

V. OTHER BUSINESS

Other business is a time for City Commissioners to address the commission regarding matters not on the agenda. These items will 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 JANUARY 28, 2019

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.