



**Mission Statement**  
*To provide exemplary experiences, services & spaces that create opportunities for everyone to learn, engage and thrive.*

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## **YANKTON BOARD OF CITY COMMISSIONERS**

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

**Monday, September 23, 2019**

**City of Yankton Community Meeting Room**

Located at the Career Manufacturing Technical Education Academy formerly known as Technical Education Center • **1200 W. 21<sup>st</sup> Street • Room 114**

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

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### **I. ROUTINE BUSINESS**

1. **Roll Call**
2. **Approve Minutes of regular meeting of September 9, 2019** **Attachment I-2**
3. **Proclamation – Home Builders Association  
Manufacturing** **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. **Establishing public hearing for Transfer of Ownership & Location – Retail Malt Beverage License**  
Establish October 14, 2019, as the date for the public hearing on the request for a transfer of ownership and location for a Retail (on-off sale) Malt Beverage License for July 1, 2019, to June 30, 2020, from TST, Inc. (John Tuttle, Owner), d/b/a River City Harbor, Yankton Mall to Pump N Stuff Yankton Inc. (David Lockwood, President), d/b/a/ Pump N Stuff, Suite #II, 215 W. 2<sup>nd</sup> Street, Yankton, S.D. **Attachment II-1**

**2. Establishing public hearing for Transfer of Location – Retail Malt Beverage License**

Establish October 14, 2019, as the date for the public hearing on the request for a transfer of location of a Retail (on-off sale) Malt Beverage License for July 1, 2019, to June 30, 2020, from TST, Inc. (John Tuttle, Owner), d/b/a Phinney's Pub & Casino adding Rivercity Harbor Conference Room, Yankton Mall, Yankton, S.D.

**Attachment II-2**

**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 sale of alcoholic beverages**

Consideration of Memorandum #19-195 regarding the request for a Special Events Retail (on-sale) Liquor License for 1 day, October 4, 2019, from Dayhuff Enterprises, Inc. d/b/a O'Malley's Bar (Jeff Dayhuff, President), NFAA, 800 Archery Lane, Yankton, S.D.

**Attachment III-1**

*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. Bid Award for Sludge Removal**

Consideration of Memorandum #19-198 regarding bid award for annual supply of Sludge Removal for Wastewater & Water Treatment Plants

**Attachment IV-1**

**2. Planning Commission Recommendation – Plat Review**

Consideration of Memorandum #19-197 regarding Resolution #19-49, a plat of Lot 1A and Lot 5 of GAMCO'S Addition to the City of Yankton, South Dakota. Location, east side of the 3100 Block of Douglas Avenue. GAMCO, Inc., owner.

**Attachment IV-2**

**3. Sale of Remnant Parcel**

Consideration of Memorandum #19-196 regarding Resolution #19-48, the sale of a remnant parcel of City owned property for economic development purposes. Address, 330 Cedar Street.

**Attachment IV-3**

**4. DENR / City of Yankton – Solid Waste Management Program Fund Grant**

Consideration of Memorandum #19-199 and Resolution #19-50 recommending approval for the City of Yankton to apply for Solid Waste Management Program Fund Grant

**Attachment IV-4**

**5. March to the Meridian - Special Events Parking Request**

Consideration of Memorandum #19-201 and Resolution #19-52 regarding request by Yankton High School for Special Events Parking Ordinance #933 to be in place during March to the Meridian on October 12, 2019

**Attachment IV-5**

**6. No Parking Resolution – Entrance to Truxedo**

Consideration of Memorandum #19-200 regarding Resolution #19-51 regarding No Parking Resolution on the West Side of Kellen Gross drive, at the Entrances to Truxedo, Inc.

**Attachment IV-6**

**7. ADA Parking Resolution – Walnut Street**

Consideration of Memorandum #19-202 regarding Resolution #19-53 regarding ADA Parking Stalls on Walnut Street from 2<sup>nd</sup> Street to 4<sup>th</sup> Street

**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 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 SEPTEMBER 23, 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.*