



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, February 24, 2020

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 February 10, 2020

Attachment I-2

3. City Manager's Report

Attachment I-3

4. 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. Establish public hearing for sale of alcoholic beverages

Establish March 9, 2020, as the date for the public hearing on the request for a Special Malt Beverage (on-sale) Retailers License for 1 day, August 22, 2020, from Yankton Rodeo Association (Douglas O Hevle, President), Rodeo Grounds, 404 Paddle Wheel Drive, Yankton, S.D.

Attachment II-1

2. Establish public hearing for new Liquor-Restaurant License

Establish March 9, 2020, as the date for the public hearing on the request for a New (on-sale) Liquor – Restaurant License for January 1, 2020, to December 31, 2020, from To Be Free, LLC (Courtney Opsahl, President), d/b/a R & B Beer & Burgers & River Rock, 2901 Broadway, Yankton, S.D.

Attachment II-2

3. Establish public hearing for sale of alcoholic beverages

Establish March 9, 2020, as the date for 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, March 21, 2020, from Ag-Farmers (Tara Pirak, Board Member), NFAA, 404 Paddle Wheel Drive, Yankton, SD.

Attachment II-3

4. Establish public hearing for transfer of ownership & location

Establish March 9, 2020, as the date for the public hearing on the request for a transfer of ownership and location of a Retail (on-off sale) Malt Beverage & SD Farm Wine License for July 1, 2019, to June 30, 2020, from I MART STORES, LLC (Muwafak Rizek, President), 301 Broadway Avenue to Shree, LLC (Dipan J. Patel, Landlord) d/b/a Shree, LLC, 821 Broadway Ave., Yankton, S.D.

Attachment II-4

5. Establish public hearing for transfer of ownership & reduction of location

Establish March 9, 2020, as the date for the public hearing on the request for a transfer of name and reduction of location of a Retail (on-off sale) Malt Beverage & SD Farm Wine License for July 1, 2019, to June 30, 2020, from Shree, LLC (Dipan J. Patel, Landlord) d/b/a Shree, LLC, 821 Broadway Ave., Yankton, S.D.

Attachment II-5

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 a new Wine & Cider License

Consideration of Memorandum #20-33 regarding the request for a New Retail (on-off sale) Wine and Cider License for January 1, 2020, to December 31, 2020, from YASO, LLC d/b/a Karibe Fusion (Yamlkis Rivero, Owner), 1208 Broadway Avenue, Yankton, S.D.

Attachment III-1

2. Public hearing for sale of alcoholic beverages

Consideration of Memorandum #20-34 regarding the request for a Special Events Malt Beverage (on-sale) Retailers License for one day, March 17, 2020, from the Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota.

Attachment III-2

3. Public hearing for a new Wine & Cider License

Consideration of Memorandum #20-35 regarding the request for a New Retail (on-off sale) Wine and Cider License for January 1, 2020, to December 31, 2020, from Bur Oak LLC d/b/a Bur Oak Diner (William Nooney, Owner) 304 W. 3rd Street, Yankton, S.D.

Attachment III-3

4. Public hearing for a new Malt Beverage & SD Farm Wine License

Consideration of Memorandum #20-36 regarding the request for a New Retail (on-off sale) Malt Beverage & SD Farm Wine License for July 1, 2019, to June 30, 2020, from Bur Oak LLC d/b/a Bur Oak Diner (William Nooney, Owner) 304 W. 3rd Street, Yankton, S.D.

Attachment III-4

5. Public hearing for a transfer of corporation of Malt Beverage & SD Farm Wine License

Consideration of Memorandum #20-37 regarding the request for a transfer of corporation of a Retail (on-off sale) Malt Beverage & SD Farm License for July 1, 2019, to June 30, 2020, from Dayhuff Enterprises, Inc. d/b/a Zebra Club & Cockatoo II & Safari Club (Jeff Dayhuff, Owner), to Lady Bird, Inc. d/b/a Zebra Club & Cockatoo Bar (Jeff Dayhuff, Owner), 106-112 E. 3rd Street, Yankton, S.D.

Attachment III-5

6. Public hearing for a transfer of corporation of Liquor License

Consideration of Memorandum #20-38 regarding the request for a transfer of corporation of a Retail (on-sale) Liquor License for January 1, 2020, to December 31, 2020, from Dayhuff Enterprises, Inc. d/b/a Mojos Pizza (Jeff Dayhuff, Owner), to Stripes, Inc. d/b/a Mojos Pizza (Jeff Dayhuff, Owner), 102-104 E. 3rd Street, Yankton, S.D.

Attachment III-6

7. Public hearing for a transfer of corporation of Liquor License

Consideration of Memorandum #20-39 regarding the request for a transfer of corporation of a Retail (on-sale) Liquor License for January 1, 2020, to December 31, 2020, from Dayhuff Enterprises, Inc. d/b/a Zebra Club & Cockatoo Bar (Jeff Dayhuff, Owner), to Lady Bird, Inc. d/b/a Zebra Club & Cockatoo Bar (Jeff Dayhuff, Owner), 106-112 E. 3rd Street, Yankton, S.D.

Attachment III-7

8. Public hearing for a transfer of corporation of Package off-sale Liquor License

Consideration of Memorandum #20-40 regarding the request for a transfer of corporation of a Package (off-sale) Liquor License for January 1, 2020, to December 31, 2020, from Dayhuff Enterprises, Inc. d/b/a Zebra Club & Cockatoo Bar (Jeff Dayhuff, Owner), to Lady Bird, Inc. d/b/a Zebra Club & Cockatoo Bar (Jeff Dayhuff, Owner), 106-112 E. 3rd Street, Yankton, S.D.

Attachment III-8

9. Public hearing for a transfer of corporation of Retail on-sale Liquor License

Consideration of Memorandum #20-41 regarding the request for a transfer of corporation of a Retail (on-sale) Liquor License for January 1, 2020, to December 31, 2020, from Dayhuff Enterprises, Inc. d/b/a O'Malleys Bar (Jeff Dayhuff, Owner), to Lucky Irish, Inc. d/b/a O'Malleys Bar, 204 W. 3rd Street, Yankton, S.D.

Attachment III-9

10. Public hearing for sale of alcoholic beverages

Consideration of Memorandum #20-42 regarding the request for a Special Events Malt Beverage (on-sale) Retailers License and a Special RETAIL (on-sale) Wine dealers License for 1 day, March 14, 2020, from Lewis & Clark Theatre Company, (Michael Schumacher, President) 328 Walnut, Yankton, SD 57078.

Attachment III-10

11. **Public hearing for Special Event (off-sale) Package Dealers License**
Consideration of Memorandum #20-43 regarding the request for a Special Events (off-sale) Package Dealers License for 1 day, March 27, 2020 from Yankton Area Chamber of Commerce, (Carmen Schramm, Executive Director) 803 E 4th Avenue, for a fund raising raffle, River Rock Events Center, 2901 Broadway Avenue, Yankton, S.D.

Attachment III-11

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 – CUP**
Consideration of Memorandum #20-44 regarding Resolution #20-12, a Conditional Use Permit for a self-storage facility on the South half of lot 10, Block 1, Airport Acres addition, City and County of Yankton. OK Properties, owner and WDM Properties, LLC, applicant. Address, 3010 Piper Street.
- Attachment IV-1**
2. **Planning Commission Recommendation – Plat Review**
Consideration of Memorandum #20-45 regarding Resolution #20-13, a plat of Lots 3, 4 and 5 of East Side Industrial Park, Yankton, South Dakota. Address, The south side of Whiting Drive, address range, 1701 – 1807 Whiting Drive. Yankton Area Progressive Growth, Daniel and Estell Bartos, Merrill and Sandy Van Gerpen, owners.
- Attachment IV-2**
3. **Planning Commission Recommendation – Plat Review**
Consideration of Memorandum #20-46 regarding Resolution #20-14, a plat of Lot 4, Chalk Stone Hill Addition in the SE ¼ of the NE ¼ of Section 14, T93N, R56W of the 5th P.M., Yankton County, South Dakota. Address, 1609 Woodland Loop (preliminary). Benedictine Convent of the Sacred Heart, of Yankton, South Dakota, A Non-Profit Corporation, owner.
- Attachment IV-3**
4. **Planning Commission Recommendation – Plat Review**
Consideration of Memorandum #20-47 regarding Resolution #20-15, a Plat of Lots 7A and &B, Block 3, Westbrook Estates being a Replat of Lot 7, Block 3, Westbrook Estates in the City of Yankton, Yankton County, South Dakota. Address, 2501 and 2503 Dorian Drive. Johanneson Contracting, Inc., owner.
- Attachment IV-4**
5. **Duty Weapon Purchase – Police Department**
Consideration of Memorandum #20-51 and Resolution #20-16 regarding purchase of duty weapons purchase for Police Department
- Attachment IV-5**

6. Personnel Handbook

Consideration of Memorandum #20-52 and Resolution #20-17 regarding Personnel Handbook

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 THE MEETING OF FEBRUARY 24, 2020

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.