



**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, May 10, 2021**

**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**

**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/channel/UCD1a1hf1dIkiLVSXnmdRQg/live>

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

---

---

**I. ROUTINE BUSINESS**

**1. Roll Call**

**2. Approve Minutes of Work Session meeting of April 26, 2021 and regular meeting of April 26, 2021**

**Attachment I-2**

**3. Schedule of Bills**

**Attachment I-3**

**4. Proclamation – Police Week**

Mental Wellness Conference Days

**Attachment I-4**

**5. City Manager’s Report**

**Attachment I-5**

**6. 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 sale of alcoholic beverages**  
Establish May 24, 2021, as the date for the public hearing on the request for a Special Events (on-sale) Liquor License for July 3, 2021 from Rock 'N' Rumble, Inc. (Michael Carda, President), d/b/a 3<sup>rd</sup> on 3<sup>rd</sup>, Block of 3<sup>rd</sup> Street between Douglas & Capitol, Yankton, S.D.  

**Attachment II-1**
2. **Establishing public hearing for sale of alcoholic beverages**  
Establish May 24, 2021, as the date for the public hearing on the request for a Special Events (on-sale) Liquor License for July 24, 2021 from Rock 'N' Rumble, Inc. (Michael Carda, President), d/b/a Rock 'N' Rumble, 3<sup>rd</sup> St. from Douglas to ½ block East on Capitol, plus intersecting Capitol Street, ¼ Block North to ½ Block South, Yankton, S.D.  

**Attachment II-2**
3. **Establish public hearing for renewal of Malt Beverage Licenses**  
Establish May 24, 2021, as the date for the public hearing on the applications for renewal of Malt Beverage Licenses for the 2021-22 licensing period  

**Attachment II-3**
4. **Establishing public hearing for sale of alcoholic beverages**  
Establish May 24, 2021, as the date for the public hearing on the request for a Special Malt Beverage (on-sale) Retailers License, a Special (on-sale) Wine Retailers License and a Special Events (off-sale) Package Wine & Malt Beverage Dealers License for 1 day, July 17, 2021 from Yankton Area Arts, (Julie Amsberry, Executive Director) Meridian Bridge, rain date set for City Hall Auditorium, 416 Walnut, Yankton, S.D.  

**Attachment II-4**
5. **Possible Quorum Event**  
May 10, 2021, at Ben's, no official commission action
6. **Transient Merchant License**  
Consideration of Memorandum #21-83 recommending approval of the application from Yankton Antique Mall for a Transient Merchant License on July 24, 2021  

**Attachment II-6**
7. **Establishing public hearing for sale of alcoholic beverages**  
Establish May 24, 2021, as the date for the public hearing on the request for a Special Events Retail (on-sale) Liquor License for 9 days, July 1, 8, 15, 22, 29, August 5, 12, 19, 26, 2021, from Ben's Brewing Co. (Ben Hanten, Owner), 222 West 3<sup>rd</sup> Street, Music at the Meridian, Parking Lot and Green Space Westside of Meridian Bridge & the enclosed area of Levee Street, Yankton, S.D.  

**Attachment II-7**
8. **Work Session**  
Setting date of May 24, 2021, at 6:00 pm in Room #114 of the Career Manufacturing Technical Education Academy for the next work session of the Yankton City Commission

9. **Possible Quorum Event**  
May 12, 2021, at Fire Station #2, Meet & Greet Police Chief Candidates, no official commission action

10. **Approving Summer Intern List**  
Consideration of Memorandum #21-84 regarding approving Peyton Mueller, as Summer Intern, to be included in Workers' Compensation

**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. **Public hearing for New Retail Wine & Cider License**  
Consideration of Memorandum #21-78 regarding the public hearing on the New Retail (on-off sale) Wine & Cider License for January 1, 2021, to December 31, 2021, from Hanten, Inc. d/b/a Ben's Brewing Co. (Ben Hanten, President), 719 Walnut Street, Yankton, S.D.

**Attachment III-1**

2. **Public hearing for New Retail Malt Beverage**  
Consideration of Memorandum #21-79 regarding the public hearing on the New Retail (on-off sale) Malt Beverage & SD Farm Wine License for July 1, 2021, to June 30, 2022, from Hanten, Inc. d/b/a Ben's Brewing Co. (Ben Hanten, President), 719 Walnut Street, Yankton, S.D.

**Attachment III-2**

3. **Public Hearing – Variance**  
The City Commission acting as the Board of Adjustment; Memorandum #21-80 consideration of a variance from the front yard setback requirements in a B-2 Highway Business District on Lot 4, Block 1, Walmart Addition in the City of Yankton, South Dakota. Address, 3007 Broadway Avenue. Jeff Koster, owner.

**Attachment III-3**

*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. **OTHER BUSINESS**

None

### V. **ADJOURN SINE DIE**

# **YANKTON BOARD OF CITY COMMISSIONERS**

-Regular City Commission Meeting beginning at 7:30 P.M.-

**Monday, May 10, 2021**

City of Yankton Community Meeting Room

Located at the Career Manufacturing Technical Education Academy

- I.** Oath of office administered to re-elected and newly-elected City Commissioners
- II.** Roll Call
- III.** Selection of Mayor for the 2021-22 Term

## **IV. NEW BUSINESS**

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

### **1. Chan Gurney Airport Hangar Lease Transfers**

Consideration of Memorandum #21-81 and Resolution #21-31 regarding Chan Gurney Airport Hangar Lease Transfers

**Attachment IV-1**

### **2. Surplus Equipment – Spring Online Auction**

Consideration of Memorandum #21-82 and Resolution #21-32 regarding Surplus equipment for Spring 2021 online auction

**Attachment IV-2**

*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 MAY 10, 2021**

*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.*