

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS  
YANKTON, SOUTH DAKOTA  
JULY 26<sup>TH</sup>, 2021**

Board of City Commissioners of the City of Yankton was called to order by Mayor Moser.

**Roll Call:** Present: Commissioners Benson, Brunick, Johnson, Maibaum, Miner, Schramm, Webber and Villanueva. City Attorney Den Herder and City Manager Leon were also present.

Quorum present.

Action 21-195

Moved by Commissioner Webber, seconded by Commissioner Schramm, to approve Minutes of regular meeting of July 12, 2021.

**Roll Call:** All members present voting “Aye;” voting “Nay:” None.

Motion adopted.

City Manager Leon submitted a written report giving an update on community projects and items of interest.

There were no public appearances at that time.

Action 21-196

Moved by Commissioner Miner, seconded by Commissioner Webber, to approve the following consent agenda items:

**1. Transient Merchant License and Special Events Dance License**

Consideration of Memorandum #21-157 recommending approval of the application from Martha’s Crafts for Transient Merchant License for Martha’s Crafts from July 27, 2021 – August 27, 2021

**2. Establishing public hearing for sale of alcoholic beverages**

Establish August 9, 2021, as the date for the public hearing on the request for a Special Events Malt Beverage (on-sale) Liquor License for September 24-26, 2021 from Stripes, Inc. dba Mojo’s 3<sup>rd</sup> Street Pizza (Jeff Dayhuff, Owner), Riverside Park, Yankton, South Dakota.

**3. Establishing public hearing for sale of alcoholic beverages**

Establish August 9, 2021, as the date for the public hearing on the request for a Special Events RETAIL (on-sale) Liquor License for 1 day, August 15, 2021 from Boomer’s Inc., (Gary W. Boom, President) d/b/a Boomer’s Lounge, Zombie’s Realm, 109 E 3<sup>rd</sup> St., Yankton, South Dakota.

**Roll Call:** All members present voting “Aye;” voting “Nay:” None.

Motion adopted.

Action 21-197

Moved by Commissioner Webber, seconded by Commissioner Johnson, to approve Resolution 21-60. (Memorandum 21-153)

**RESOLUTION 21-60**

Conditional Use Permit

WHEREAS, The Center is an applicant requesting a Conditional Use Permit for property legally described as Lot 11 and 12, Out Lot 130 in the City of Yankton, Yankton County, South Dakota, 900 Whiting Drive, and

WHEREAS, the above described property is zoned R-4 Multiple Family Residential which allows conditional uses under the City of Yankton's Zoning Ordinance No. 711 as amended, and

WHEREAS, a Conditional Use Permit is necessary for the construction and occupancy of an outdoor event shelter and the associated plans have been reviewed and recommended for approval by a vote of the City Planning Commission.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Yankton, South Dakota hereby approves a Conditional Use Permit for an outdoor event shelter as depicted in the associated documentation, on the above described property.

**Roll Call:** All members present voting “Aye;” voting “Nay:” None.  
Motion adopted.

Action 21-198

Moved by Commissioner Schramm, seconded by Commissioner Webber, to approve Resolution 21-61. (Memorandum 21-154)

**RESOLUTION 21-61**

WHEREAS, the Lots A and B of Lot 5, Flake’s Subdivision, City and County of Yankton, South Dakota has been prepared by Brett R. Kennedy, a registered land surveyor in the state of South Dakota, and

WHEREAS, such plat has been prepared according to law and is consistent with the City’s overall Comprehensive Development Plan, and

WHEREAS, said property located in Lot B shall hereafter continue to be included in all development calculations associated with Lot A in the future. Specifically, the entire square footage of Lot 5 shall be considered when calculating allowable densities and coverage areas on Lot A.

NOW, THEREFORE BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota, that the plat for the above described property is hereby approved.

**Roll Call:** All members present voting “Aye;” voting “Nay:” None.  
Motion adopted.

Action 21-199

Moved by Commissioner Johnson, seconded by Commissioner Miner, to approve the inclusion of the identified hazard mitigation actions and projects in the revision to Yankton County Pre-Disaster Mitigation Plan. (Memorandum 21-156)

**Roll Call:** All members present voting “Aye;” voting “Nay:” None.  
Motion adopted.

Action 21-200

Moved by Commissioner Webber, seconded by Commissioner Brunick, to approve and authorize Mayor Moser to sign the Addendum to Collective Bargaining Agreement between the City of Yankton and the American Federation of State, County, and Municipal Employees, AFL-CIO Local 3968 for wages effective January 1, 2022 and January 1, 2023. (Memorandum 21-158)

**Roll Call:** All members present voting “Aye;” voting “Nay:” None.  
Motion adopted.

Action 21-201

Rylend Brunick, Eagle Scout, was present to answer questions and request support for this proposed Eagle Scout Bike Repair Station Project in Memorial Park.

Moved by Commissioner Miner, seconded by Commissioner Webber, to approve the funding to purchase the bike repair station and air pump for Memorial Park. (Memorandum 21-159)

**Roll Call:** Commissioners voting “Aye” were Benson, Maibaum, Miner, Johnson, Schramm, Webber, Villanueva and Mayor Moser.; voting “Nay:” None. Abstain: Commissioner Brunick.  
Motion adopted.

Action 21-202

Moved by Commissioner Johnson, seconded by Commissioner Schramm, to approve Resolution 21-63. (Memorandum 21-162)

**RESOLUTION 21-63**

Special Events Parking Request

WHEREAS, the City Commission adopted an Ordinance allowing for no parking designation for special events within the City of Yankton; and

WHEREAS, this Resolution would authorize the City of Yankton to tow vehicles that are parked in the defined are or areas and times specified for Special Events; and

WHEREAS, Yankton High School has made a request to enact this no parking zone for their event on October 9, 2021.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Yankton, South Dakota hereby approves the Special Event Parking Request on Walnut Street from 2<sup>nd</sup> to 3<sup>rd</sup> Street, including the 2<sup>nd</sup> street intersection, 3<sup>rd</sup> Street from Walnut to Mulberry and from 6:00 AM to 2:00 PM on October 9, 2021.

**Roll Call:** All members present voting “Aye;” voting “Nay:” None.  
Motion adopted.

Action 21-203

Moved by Commissioner Villanueva, seconded by Commissioner Miner, to adjourn into Executive Session at 7:33 p.m. to discuss **contractual, litigation and personnel matters** under SDCL 1-25-2.

**Roll Call:** All members present voting “Aye;” voting “Nay:” None.

Motion adopted.

Regular meeting of the Board of City Commissioners of the City of Yankton was reconvened by Mayor Moser.

**Roll Call:** Present: Commissioners Brunick, Johnson, Miner, Schramm, Webber and Villanueva. City Attorney Den Herder and City Manager Leon were also present. Absent: Commissioners Benson and Maibaum.

Quorum present.

Action 21-204

Moved by Commissioner Johnson, seconded by Commissioner Schramm, to adjourn at 8:17 p.m.

**Roll Call:** All members present voting "Aye;" voting "Nay:" None.

Motion adopted.

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Stephanie Moser  
Mayor

ATTEST:

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Al Viereck  
Finance Officer