



**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, December 13, 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

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### **I. ROUTINE BUSINESS**

**1. Roll Call**

**2. Approve Minutes of work session meeting of November 22, 2021 and regular meeting of November 22, 2021.**

**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. Renewal of Mobile Home Park Licenses**

Consideration of Memorandum #21-243 recommending approval of the renewal of Mobile Home Park licenses for the 2022 licensing period

**Attachment II-1**

**2. Pawn Brokers Licenses for 2022**

Consideration of Memorandum #21-248 recommending approval of the application for Pawn Brokers License, A+ Loan Service d/b/a A-1 Pawn

**Attachment II-2**

**3. Renewal of Private Collector of Refuse License for 2022**

Consideration of Memorandum #21-249 recommending approval of the renewal of applications for Private Collector of Refuse Licenses for the year 2022 (January 1, 2022– December 31, 2022) licensing period

**Attachment II-3**

**4. Renewal of 2022 City Dance License Applications**

Consideration of Memorandum #21-250 recommending approval of the renewal of applications for 2022 City Dance Licenses

**Attachment II-4**

**5. Establish public hearing for sale of alcoholic beverages**

Establish December 23, 2021, as the date for the public hearing on the request for a Special Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for 1 day, December 31, 2021 from The Center (Kriss Thury, Executive Director), 900 Whiting Drive, Yankton, South Dakota.

**Attachment II-5**

**6. Establish public hearing for sale of alcoholic beverages**

Establish January 10, 2022, as the date for the public hearing on the request for a Special Events Retail (on-sale) Liquor License for 1 day, January 24, 2022, from Ben's Brewing Co. (Ben Hanten, Owner), 222 West 3<sup>rd</sup> Street, NFAA, 800 Archery Lane, Yankton, S.D.

**Attachment II-6**

**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. Budget Supplement – Public Hearing**

Memorandum #21-237 supporting Ordinance #1057 the second supplement to the 2021 Annual appropriation Ordinance #1038 and second reading and public hearing of said Ordinance

**Attachment III-1**

**2. SRF Wastewater / Water – Public Hearing Wastewater Treatment Plan Facility Plan**

Consideration of Memorandum #21-247 regarding the public hearing on the SRF Application for Wastewater Improvements

(a) Resolution #21-104 regarding Option 1 to rehabilitate the existing facility in the amount of \$44,500,000.00 or to relocate the existing facility to a new location east of town in the amount of \$80,000,000.00 - \$90,000,000.00 depending on the location;

(b) Resolution #21-105 regarding Wastewater Collection System Project in the amount of \$7,200,000.00;

(c) Resolution #21-106 regarding Water Distribution System Project in the amount of \$8,202,000.00

**Attachment III-2**

*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. Purchase Agreement for the Acquisition of Property on East 2nd Street**

Consideration of Memorandum #21-252 recommending approval of Resolution #21-102, the purchase of property from Yankton Thrive. Said property located at 605 East 2nd Street in Block 70 and Block A of Lower Yankton Addition to the City of Yankton.

**Attachment IV-1**

**2. Request for Purchase of City-Owned Property North of 31st Street**

Consideration of Memorandum #21-251 of a request to provide City-owned property north of 31st Street, at the intersection of Shirley Bridge Avenue, for the purposes of transfer to Lewis & Clark Behavioral Health Services.

- A. Resolution #21-99 authorizing the Mayor to execute the Owner's Certificate on the plat of Shirley Bridge Addition Lots 1 and 2.
- B. Resolution #21-100, authorizing the City Manager to execute the Purchase Agreement, and all subsequent documents providing for the transfer of the described 4.77 acres to Yankton Thrive for the purposes of transfer to Lewis & Clark Behavioral Health Services.
- C. Authorize the Mayor to sign a letter of support for the Lewis & Clark Behavioral Health Services' application for a United States Department of Agriculture (USDA) Rural Development loan / grant.

**Attachment IV-2**

- 3. Introduction of 2021 Assessment Roll–First Reading – Noxious Vegetation & Tree Trimming – set public hearing**  
Introduction of 2021 Assessment Roll–First Reading –Noxious Vegetation & Tree Trimming, Consideration of Memorandum #21-242 and Resolution #21-97, recommending that January 24, 2022, be established as the date for a public hearing on the special assessment roll for Noxious Vegetation and Tree Trimming  
**Attachment IV-3**
- 4. Cemetery Land Determination**  
Consideration of Memorandum #21-253 and Resolution #21-109 regarding determining land not needed for Yankton Municipal Cemetery interment purposes for greater than twenty years  
**Attachment IV-4**
- 5. Radar Purchase – Police Department**  
Consideration of Memorandum #21-245 and Resolution #21-98 regarding purchase of radar units for Police Department  
**Attachment IV-5**
- 6. Vehicle Purchase – Police Department**  
Consideration of Memorandum #21-244 and Resolution #21-101 regarding purchase of one patrol vehicle and one unmarked vehicle for Police Department  
**Attachment IV-6**
- 7. Speed Limit Change**  
Consideration of Memorandum #21-254 and Resolution #21-103 regarding Speed Limit Recommendation on 31<sup>st</sup> Street, from a point 300’ east of Francis Street to the 31<sup>st</sup> & Peninah Street intersection and for Peninah Street from the 31<sup>st</sup> Street & Peninah Street intersection south to approximately 100’ north of Valley Road.  
**Attachment IV-7**
- 8. Stop Sign Request**  
Consideration of Memorandum #21-256 and Resolution #21-107 regarding Stop Sign Request at 19<sup>th</sup> & Dakota and 19<sup>th</sup> & West  
**Attachment IV-8**
- 9. Stop Sign Request**  
Consideration of Memorandum #21-257 and Resolution #21-108 regarding Stop Sign Request at 29<sup>th</sup> & Peninah  
**Attachment IV-9**
- 10. Change Order and Close-out of Active Transportation Project**  
Consideration of Memorandum #21-255 regarding Change Order Number 1, Final Project Acceptance and Final Payment for Active Transport Project – Yankton Middle School (YMS) Sidewalk  
**Attachment IV-10**

**11. Mayor's Appointment to Park Advisory Board**

Consideration of Memorandum #21-246 recommending approval of the Mayor's appointment to Park Advisory Board due to resignation

**Attachment IV-11**

**12. Close Out and Acceptance of Settlement Agreement**

Consideration of Memorandum #21-258 regarding Close Out and Acceptance of Settlement Agreement for Gravity Sewer Main Project

**Attachment IV-12**

**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 DECEMBER 13, 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.*