



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 9, 2022

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**

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 regular meeting of April 25, 2022 and Work Session meeting of April 25, 2022

Attachment I-2

3. Schedule of Bills

Attachment I-3

4. Proclamation – Police Week

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 transfer of ownership

Establish May 23, 2022, as the date for the public hearing on the request for a transfer of ownership of a Retail (on-off-sale) Wine & Cider for January 1, 2022 to December 31, 2022, from TST, Inc. d/b/a Phinneys Pub & Casino (John Tuttle, President), to Phinney's, LLC., d/b/a Phinney's Pub & Casino (Deb Palmer, President), 2101 Broadway Tenancy Location 40 & 50, Yankton, S.D.

Attachment II-1

2. Establishing public hearing for transfer of ownership

Establish May 23, 2022, as the date for the public hearing on the request for a transfer of ownership of a Retail (on-off-sale) Malt Beverage & SD Farm Wine for July 1, 2022, to June 30, 2023, from TST, Inc. d/b/a Phinneys Pub & Casino (John Tuttle, President), to Phinney's, LLC., d/b/a Phinney's Pub & Casino (Deb Palmer, President), 2101 Broadway Tenancy Location 40 & 50, Yankton, S.D.

Attachment II-2

3. Budget Meeting Date

Setting date of June 13, 2022, with a second date of June 14, 2022 (to be used if necessary) at 5:30 pm in CMTEA Room #114 for Budget Meetings to discuss CIP

4. Work Session

Setting date of May 23, 2022, at 6:00 pm in Room #114 of the Career Manufacturing Technical Education Academy for the next work session of the Yankton City Commission

5. Establish public hearing for sale of alcoholic beverages

Establish May 23, 2022, as the date for the public hearing on the request for a Special Events Retail (on-sale) Liquor License for 1 day, June 4, 2022, from Stripes, Inc d/b/a Mojo's 3rd Street, 106 E 3rd St, Yankton, SD at The Meridian Venue, 101 E. 3rd Street, Yankton, SD.

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.

NONE

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

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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 2022-23 Term

IV. **NEW BUSINESS**

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

1. **Renewal of Malt Beverage Licenses**

Consideration of Memorandum #22-73 regarding the renewal of Malt Beverage Licenses for the 2022-23 licensing period

Attachment IV-1

2. **Purchase Agreement**

Consideration of Memorandum #22-85 regarding Resolution #22-17, an offer to purchase approximately 8 acres of city-owned land northwest of the intersection of Broadway Avenue and 31st Street.

Attachment IV-2

3. **Agreement with Stockwell for Westside Park Meditative Garden**

Consideration of Memorandum #22-75 regarding Agreement with Stockwell for Westside Park Meditative Garden

Attachment IV-3

4. **Funding Agreements for Westside Park Meditative Garden, Sundial & Labyrinth**

Consideration of Memorandum #22-76 regarding Funding Agreement for Westside Park Meditative Garden, Sundial & Labyrinth

- (a) Meditative Garden; and
- (b) Sundial & Labyrinth

Attachment IV-4

5. **Funding Request for Riverside Baseball Stadium Turf Replacement**

Consideration of Memorandum #22-77 regarding request for funding for Riverside Baseball Stadium Turf Replacement

Attachment IV-5

6. **Funding Request for Skate Park Equipment**

Consideration of Memorandum #22-78 regarding request for funding for Skate Park Equipment

Attachment IV-6

- 7. Tractor Backhoe Equipment Purchase**
Consideration of Memorandum #22-74 and Resolution #22-16 regarding equipment purchase from Sourcewell Contract for new Tractor Backhoe to be shared with Water, Wastewater and Street Departments
Attachment IV-7
- 8. Contract Award – Yankton Geographic Information System Mapping Project**
Consideration of Memorandum #22-79 regarding Contract Award for Yankton Geographic Information System Mapping Project
Attachment IV-8
- 9. Sidewalk Café License**
Consideration of Memorandum #22-80 regarding Sidewalk Cafe Permit Application-100 East 3rd Street d/b/a Walnut Tavern
Attachment IV-9
- 10. Music at the Meridian Concert Series**
Consideration of Memorandum #22-82 regarding Music at the Meridian Concert Series
Attachment IV-10
- 11. Kids in the Park**
Consideration of Memorandum #22-83 regarding Music at the Meridian Concert Series
Attachment IV-11
- 12. Fireworks Public Display**
Consideration of Memorandum #22-81 regarding Request by the City of Yankton Parks and Recreation Department for a Fireworks Public Display on July 4, 2022
Attachment IV-12
- 13. Resolution – Bond Issuance CW (Clean Water)**
Consideration of Memorandum #22-84 and Resolution #22-18 giving approval to certain sewer facilities improvements; giving approval to the issuance and sale of a revenue bond to finance, directly or indirectly, the improvements to the facilities; approving the form of the loan agreement and the revenue bond and pledging revenues and collateral to secure the payment of the revenue bond; and creating special funds and accounts for the administration of funds for operation of the system and retirement of the revenue bond
Attachment IV-13
- 14. Resolution – Bond Issuance CW (Clean Water)**
Consideration of Memorandum #22-86 and Resolution #22-19 giving approval to certain sewer facilities improvements; giving approval to the issuance and sale of a revenue bond to finance, directly or indirectly, the improvements to the facilities; approving the form of the loan agreement and the revenue bond and pledging revenues and collateral to secure the payment of the revenue bond; and creating special funds and accounts for the administration of funds for operation of the system and retirement of the revenue bond
Attachment IV-14

15. Resolution – Bond Issuance (DW) Drinking Water)

Consideration of Memorandum #22-87 and Resolution #22-20 giving approval to certain sewer facilities improvements; giving approval to the issuance and sale of a revenue bond to finance, directly or indirectly, the improvements to the facilities; approving the form of the loan agreement and the revenue bond and pledging revenues and collateral to secure the payment of the revenue bond; and creating special funds and accounts for the administration of funds for operation of the system and retirement of the revenue bond

Attachment IV-15

16. Sidewalk Café License

Consideration of Memorandum #22-88 regarding Sidewalk Cafe Permit Application-301 East 3rd Street d/b/a The Boat House

Attachment IV-16

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 MAY 9, 2022

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.