



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, September 26, 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 September 12, 2022

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. Transient Merchant License

Consideration of Memorandum #22-178 recommending approval of the application from Country Fresh Farms for September 28-October 1, 2022

Attachment II-1

2. Transient Merchant License

Consideration of Memorandum #22-179 recommending approval of the application from Mount Marty University for October 1, 2022 – October 31, 2022

Attachment II-2

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 sale of alcoholic beverages

Consideration of Memorandum #22-176 regarding the request for a Special Events Malt Beverage (on-sale) Retailers License for 3 days, October 7, 8 & 9, 2022 from National Field Archery Association Foundation (Morgan Palmer, Marketing & Events Coordinator), 800 Archery Lane, Yankton, South Dakota.

Attachment III-1

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. Final Project Acceptance – Huether Family Aquatics Center

Consideration of Memorandum #22-177 regarding Final Project Acceptance for The Huether Family Aquatics Center

Attachment IV-1

2. Change Order and Close-out of Whiting Drive Project

Consideration of Memorandum #22-175 regarding Change Order Number 1, Final Project Acceptance and Final Payment for the Whiting Drive Project

Attachment IV-2

3. Change Order and Close-out of 21st Street, Summit Street, West City Limits Pavement Replacement Project

Consideration of Memorandum #22-174 regarding Change Order Number 1, Final Project Acceptance and Final Payment for the 21st Street, West City Limits Road (WCLR) and Summit Street Pavement Replacement Projects

Attachment IV-3

4. Cold Applied Plastic Pavement Marking Installation Closeout

Consideration of Memorandum #22-168 regarding Cold Applied Plastic Pavement Marking Installation Closeout.

Attachment IV-4

5. Funding Request for Swim Team

Consideration of Memorandum #22-173 regarding Funding Request for Swim Team

Attachment IV-5

6. BID Board #1 Recommendation

Consideration of Memorandum #22-169 recommending approval of Resolution #22-42, the addition of the 72 Unit Fairfield Inn and Suites located at 508 W. 21st Street to the Yankton Business Improvement District Number One.

Attachment IV-6

7. Introduction, First Reading and Establishing Public Hearing - Rezoning

Consideration of Memorandum #22-171, introduction, first reading and establish October 10th as the date for a public hearing to consider Ordinance #1065 a rezoning from I-1 Industrial to B-2 Highway Business on Lot 2 except the North 247.14' of the West 360.15' in the SW 1/4 of the NE 1/4 of Section 12, T93N, R56W of the 5th P.M., City of Yankton, Yankton County, South Dakota. Address, 2000 Summit Street. List Construction, applicant.

Attachment IV-7

8. Dashboard

Consideration of Memorandum #22-172 regarding Dashboard for Commission

Attachment IV-8

9. Introduction and First Reading

The City Commission acting as the Zoning Board of Adjustment; Memorandum #22-170 establishing October 10, 2022 as the date for a public hearing to consider a variance from the City's maximum lot coverage in an R-4 Multiple Family District on the North 32 feet of Lot 12 and all of Lot 13, Block 50 of Todd's Addition to the City of Yankton, South Dakota. Address, 507-509 Douglas Avenue. Gary Johnson and Christine Munson, owners.

Attachment IV-9

**V. 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.

VI. RECONVENE AS BOARD OF CITY COMMISSIONERS

1. Roll Call

VII. 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.

VIII. ADJOURN THE MEETING OF SEPTEMBER 26, 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.