



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, June 26, 2023

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 following meeting at 1:00 p.m. and Monday following meeting at 7:03 p.m. on Midco Channel 3 and Bluepeak Channel 98.

I. ROUTINE BUSINESS

1. Roll Call

2. Approve Minutes of Work Session meeting of June 12, 2023 and Regular Meeting of June 12, 2023

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. Special Events Dance for Elks Lodge 994, Outdoor Event

Consideration of Memorandum #23-113 regarding the request for a special events outdoor dance on July 8, 2023 at the Elks Lodge 994 at 504 W. 27th Street, Yankton, South Dakota.

Attachment II-1

2. Establish Public Hearing for Sale of Alcoholic Beverages

Establish July 10, 2023 as the date for the public hearing on the transfer of ownership and location of a Retail (on-off sale) Malt Beverage & SD Farm Wine License for June 30, 2023 to July 1, 2024 from Morgen LLC d/b/a South Point Gaming Lounge (Kirby Muilenburg, President), 1101 Broadway, Suite 109 to Morgen, LLC d/b/a South Point Gaming Lounge 5 (Kirby Muilenburg, President), 1101 Broadway Suite 107B, Yankton, South Dakota.

Attachment II-2

3. Establish Public Hearing for Sale of Alcoholic Beverages

Establish July 10, 2023 as the date for the public hearing on the transfer of ownership and location of a Retail (on-off sale) Liquor License for January 1, 2023 to December 31, 2023 from JoDean Corp. d/b/a/ JoDeans (John Nielson, Owner), 2809 Broadway, Yankton, SD to Morgen, LLC d/b/a South Point Gaming Lounge 5 (Kirby Muilenburg, President), 1101 Broadway, Suite 109, Yankton, South Dakota.

Attachment II-3

4. Establish Public Hearing for Sale of Alcoholic Beverages

Establish July 10, 2023 as the date for the public hearing for a Special Events Malt Beverage (on-sale) Retailers license and a Special (on-sale) Wine Retailers License for 1 day, August 12, 2023 from The Center (Kriss Thury, Executive Director), 900 Whiting Drive, Yankton, South Dakota.

Attachment II-4

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 #23-109 regarding the request for a Special Events (on-sale) Liquor License for 1 day, August 13th, 2023, from VFW, Inc., 209 Cedar Street, Yankton, SD at The Meridian Venue, 101 E. 3rd Street, Yankton, SD.

Attachment III-1

2. Public Hearing for Sale of Alcoholic Beverages

Consideration of Memorandum #23-110 regarding the request for a Special Events Retail (on-sale) Liquor License for 7 days (July 6, 13, 20, 27, August 3, 10, and 17, 2023) from Ben's Brewing Co. (Ben Hanten, Owner), 222 West 3rd Street, Music at the Meridian, Parking Lot and Green Space Westside of Meridian Bridge and the enclosed area of Levee Street, Yankton, South Dakota.

Attachment III-2

3. Public Hearing for Sale of Alcoholic Beverages

Consideration of Memorandum #23-111 regarding the request for a Special Events Retail (on-sale) Liquor License for 1 day, July 8, 2023, from BPO Elks Lodge 994 d/b/a Elks Lodge 994 (Joe Sparks, President), 504 W. 27th Street, NFAA, 800 Archery Lane, Yankton, S.D.

Attachment III-3

4. Public Hearing for Sale of Alcoholic Beverages

Consideration of Memorandum #23-112 regarding the request for a Special Events (on-sale) Liquor License for Saturday, September 2, 2023 from Stripes, Inc. (Jeff Dayhuff, Owner), dba Mojo's 3rd Street Pizza, Meridian Venue, 101 E. 3rd Street, Yankton, South Dakota.

Attachment III-4

5. **Second Reading of Proposed Parking Ordinance Amendment**

Second Reading and Public Hearing, consideration of Ordinance #1073, an amendment to the provisions of the parking ordinance after snow emergencies on non-snow emergency route streets and in municipal parking lots and creating an exception for time limits in posted municipal lots.

Attachment III-5

6. **SAC Taskforce**

As requested at the City Commission meeting on June 12, 2023, consideration of extending the SAC Taskforce.

Attachment III-6

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. **Dakota Territorial Museum BBB Funding Request**

Consideration of Memorandum #23-105 requesting approval for an expenditure of up to \$10,000 from the BBB to assist in moving the Yankton Territorial Museum historic displays to the Mead Building, and cleaning up and reseeded the remainder of the Westside Park property.

Attachment IV-1

2. **Special Events Application Event Fees Resolution**

Consideration of Memorandum #23-107 and Resolution #23-24 recommending the proposed special events handbook, application, forms and fees in Resolution #23-24 for events being held in 2024 and beyond.

Attachment IV-2

3. **Use Restriction**

Consideration of Memorandum #23-115 regarding a use restriction on City-owned land to create a clear area for a school district propane tank installation on adjoining property.

Attachment IV-3

4. **Fireworks Public Display**

Consideration of Memorandum #23-108 regarding the request by the City of Yankton Parks and Recreation Department for a fireworks public display on July 4, 2023.

Attachment IV-4

5. **Support for Housing Infrastructure Funding Application**

Consideration of Memorandum #23-118 regarding Resolution #23-25, Support for Yankton Thrive's Housing Infrastructure Program Funding Application for Garden Estates.

Attachment IV-5

6. **Elm Street Project Bid Award**

Consideration of Memorandum #23-116 recommending bid award for Elm Street Reconstruction from 20th Street to 21st Street be awarded to Katzer Concrete, Inc. in the amount of \$479,995.00.

Attachment IV-6

7. Third Street & Green Street Reconstruction Project Bid Award

Consideration of Memorandum #23-117 recommending bid award for 3rd Street Reconstruction from Spruce Street to Green Street and Green Street Reconstruction from 3rd Street to 4th Street be awarded to Masonry Component, Inc. in the amount of \$715,245.10.

Attachment IV-7

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 THE MEETING OF JUNE 26, 2023

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.