



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, July 10, 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 Regular Meeting of June 26, 2023**

Attachment I-2

3. **Schedule of Bills**

Attachment I-3

4. **City Manager’s Report**

Attachment I-4

5. **Public Appearances**

Jim Means

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. **Possible Work Session**

Setting date of July 24, 2023 at 6:00 pm in Room #114 of the Career Manufacturing Technical Education Academy for the next work session of the Yankton City Commission.

2. Budget Workshop Meeting Date

Setting dates of August 14, 2023 (and August 15, 2023, if needed) at 5:30 pm in Room #114 of the Career Manufacturing Technical Education Academy for the next budget workshop meeting.

3. Transfer Transient Merchant License

Consideration of Memorandum #23-123 recommending approval of the application for the transfer of a Transient Merchant License from Martha's Crafts originally approved for the JoDean's parking lot from August 4, 2023 thru September 4, 2023, now moving to the bowling alley parking lot (3010 Broadway Avenue) due to the closure and sale of JoDean's.

Attachment II-3

4. Approving Current Volunteer Firefighter List

Consideration of Memorandum #23-125 recommending approval of the current list of Volunteer Firefighters per Workers' Compensation and SDCL requirements.

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 #23-120 regarding the request for 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 III-1

2. Public Hearing for Sale of Alcoholic Beverages

Consideration of Memorandum #23-121 regarding the request for 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/ JoDean's (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 III-2

3. Public Hearing for Sale of Alcoholic Beverages

Consideration of Memorandum #23-122 regarding the request 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 (Kris Thury, Executive Director), 900 Whiting Drive, Yankton, South Dakota.

Attachment III-3

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

1. **Resolution of Support for Housing Infrastructure Funding Application**
Consideration of Memorandum #23-126 recommending the approval of Resolution #23-26 in support of the Stencil Group's application for South Dakota Housing Development Authority housing infrastructure funding for the multifamily project in the Meridian District.

Attachment IV-1
2. **Bid Awards for Annual Fuel Supply**
Consideration of Memorandum #23-119 recommending approval for bid awards for the 2023-2024 Annual Supply of Transport/Tankwagon Petroleum Products.

Attachment IV-2
3. **McVay Family Sundial and Reflection Garden Project Closeout**
Consideration of Memorandum #23-124 recommending acceptance of the completed McVay Family Sundial and Reflection Garden Project, and authorize the Finance Officer to issue a manual check to Parkway Construction in the amount of \$14, 128.20.

Attachment IV-3
4. **Planning Commission Recommendation**
Consideration of Memorandum #23-128 regarding Resolution #23-27, a plat of Lots 17, 18, 19, 77, 78 and 79, Crestview Homes Subdivision in the NE 1/4 of Section 21, T93N, R56W of the 5th P.M., Yankton County, South Dakota. Location, the South side of the 100 Block of Orchid Drive. White Cranes Estates, owner.

Attachment IV-4
5. **Planning Commission Recommendation**
Consideration of Memorandum #23-129 regarding Resolution #23-28, a plat of Lots 1, 2 and 3 in Block 17 of Ridgeway North Subdivision to the City of Yankton, South Dakota. Location, the North side of the 800 block of East 29th Street. Kirby Hofer Construction Company Inc., owner.

Attachment IV-5
6. **Software Contract for Summit Activities Center and Huether Family Aquatics Center**
Consideration of Memorandum #23-127 recommending approval of Resolution #23-29, ending the Active Network contract and entering a new software agreement with Civic Rec.

Attachment IV-6
7. **Bid Award for 31st Street 5-Year Haying Lease**
Consideration of Memorandum #23-130 recommending approval for the bid award from Jacob Warriner in the amount of \$110.00 per acre for each year of the 31st Street 5-year haying lease.

Attachment IV-7

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

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 JULY 10, 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.