



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 24, 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/UCD1a1hflDlkiLVSXnmDRQg/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 July 10, 2023

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. Special Events Dance for Dayhuff Enterprises

Consideration of Memorandum #23-133 regarding the request for a special events dance on August 11, 2023 at the block of 3rd Street in front of Boomer’s to Mojo’s 3rd Street Pizza, Yankton, South Dakota.

Attachment II-1

2. **Establishing Public Hearing for Sale of Alcoholic Beverages**
Establish August 14, 2023 as the date for the public hearing on the request for a Special Events Retail (on-sale) Liquor License for 1 day, September 22, 2023 from VFW, 209 Cedar Street, Yankton, SD at The Avera Pavillion, 409 Summit Street, Yankton, South Dakota. **Attachment II-2**
3. **Establishing Public Hearing for Sale of Alcoholic Beverages**
Establish August 14, 2023 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, September 17, 2023 from The Center (Kriss Thury, Executive Director), 900 Whiting Drive, Yankton, South Dakota. **Attachment II-3**
4. **Establishing Public Hearing for Transfer of Alcoholic Beverages License**
Establish August 14, 2023 as the date for the public hearing on the request for the transfer of ownership of a Retail (on-off sale) Malt Beverage & SD Farm Wine License for June 30, 2023 to July 1, 2024 from The Mule (Dave Tunge, Owner) to MG Oil Company d/b/a 777 Casino & Liquor (Troy Erickson, Owner), 901 Broadway Avenue Suite A, Yankton, South Dakota. **Attachment II-4**
5. **Establishing Public Hearing for Transfer of Alcoholic Beverages License**
Establish August 14, 2023 as the date for the public hearing on the request for the transfer of ownership of a Package (off-sale) Liquor License for January 1, 2023 to December 31, 2024 from Sportsman's Spirits and Fine Wines (Dave Tunge, Owner) to MG Oil Company (Troy Erickson, Owner) d/b/a 777 Casino & Liquor, 901 Broadway Avenue, Yankton, South Dakota. **Attachment II-5**
6. **Establishing Public Hearing for Transfer of Alcoholic Beverages License**
Establish August 14, 2023 as the date for the public hearing on the request for the transfer of ownership of a Retail (on-off sale) Malt Beverage & SD Farm Wine License for June 30, 2023 to July 1, 2024 from Sportsman's (Dave Tunge, Owner) to MG Oil Company d/b/a 777 Casino & Liquor-3 (Troy Erickson, Owner), 901 Broadway Avenue, Suite C, Yankton, SD. **Attachment II-6**
7. **Establishing Public Hearing for Transfer of Alcoholic Beverages License**
Establish August 14, 2023 as the date for the public hearing on the request for the transfer of ownership of a Retail (on-off sale) Malt Beverage & SD Farm Wine License for June 30, 2023 to July 1, 2024 from Kankota's (Dave Tunge, Owner), to MG Oil Company d/b/a 777 Casino & Liquor-2 (Troy Erickson, Owner), 901 Broadway Avenue, Suite B, Yankton, SD. **Attachment II-7**

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.

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.

NO OLD BUSINESS

IV. NEW BUSINESS

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

1. Introduction and First Reading

The City Commission acting as the Zoning Board of Adjustment; establishing August 14, 2023 as the date for a public hearing to consider a special permit for a parking lot in a residence zone. Address, 408 Burleigh Street. Yankton Real Estate, LLC., owner. This is a quasi-judicial action.

Attachment IV-1

2. Connecting Cultures Outreach Services Agreement

Consideration of Memorandum #23-132 recommending approval of an outreach agreement for translation services with Connecting Cultures.

Attachment IV-2

3. Douglas Avenue Reconstruction Acceptance

Consideration of Memorandum #23-134 recommending that the City Commission approve Change Order No. 1, accept the completed reconstruction on the Douglas Avenue Reconstruction project and authorize the Finance Officer to issue a manual check to Masonry Components, Inc. in the amount of \$332,091.48.

Attachment IV-3

4. Marne Creek Bank Stabilization Project – Change Order Number 1

Consideration of Memorandum #23-135 recommending approval of the Marne Creek Bank Stabilization Project – Change Order #1.

Attachment IV-4

5. Brownfields Program Grant Agreement

Consideration of Memorandum #23-136 regarding an agreement to act as a sub-recipient for Brownfields Program grant funds to abate asbestos at Sacred Heart Church and Link Auditorium.

Attachment IV-5

6. Bridge Improvement Grant / Federal Bridge Replacement Funds Resolution

Consideration of Memorandum #23-137 recommending approval of two 2024 Applications for Bridge Improvement Grant (BIG) PE Funds or Local Federal Bridge Replacement or Removal Funds, for the Cedar Street Bridge SN 68-121-204 and the 23rd Street Bridge SN 68-119-190 through the South Dakota Department of Transportation, and approval of the Bridge Improvement Grant / Local Federal Bridge Programs Resolution Authorizing Submission of Applications #23-40.

Attachment IV-6

7. Support for Housing Infrastructure Funding Application

Consideration of Memorandum #23-138 regarding Resolution #23-41, Support for the Yankton Thrive Housing Infrastructure Program Funding Application for Whiting Drive multi-family housing.

Attachment IV-7

8. Fireworks Public Display

Consideration of Memorandum #23-139 regarding Request by Riverboat Days for a Fireworks Public Display on August 18, 2023.

Attachment IV-8

9. Surplus Property

Consideration of Memorandum #23-140 and Resolution #23-42 regarding surplus property of the Yankton Police Department (protective vests which expire in August and October 2023).

Attachment IV-9

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 24, 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.