



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, October 8, 2018

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**

Rebroadcast Schedule: Tuesday @ 7:30pm, Thursday @ 6:30 pm, on channels 3 & 45

I. ROUTINE BUSINESS

1. **Roll Call**
2. **Approve Minutes of regular meeting of September 24, 2018 and Work Session of September 24, 2018**
Attachment I-2
3. **Schedule of Bills**
Attachment I-3
4. **Proclamation – Chiropractic Health Month**
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. **Possible Work Session**
Setting date of October 22, 2018, 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. **Meeting Date Change**
Discussion to establish the date and time for the second City Commission meeting in December.

3. **Establish public hearing for a transfer of ownership – Malt Beverage**
 Establish October 22, 2018, as the date for the public hearing on the request for a transfer of ownership of a Retail (on-off sale) Malt Beverage License for July 1, 2018, to June 30, 2019, from SHREENISH, LLC (Diapan Patel, Owner), dba JR's Oasis to TC Corner, LLC (Teresa Kramer, Owner), d/b/a JR's Oasis, 2404 East Hwy 50, Yankton, S.D.
Attachment II-3

4. **Establish public hearing for a transfer of ownership – Package Liquor**
 Establish October 22, 2018, as the date for the public hearing on the request for a transfer of ownership of a Package (off-sale) Liquor License for January 1, 2018, to December 31, 2018, from SHREENISH, LLC (Diapan Patel, Owner), dba JR's Oasis to TC Corner, LLC (Teresa Kramer, Owner), d/b/a JR's Oasis, 2404 East Hwy 50, Yankton, S.D.
Attachment II-4

5. **Establish public hearing for sale of alcoholic beverages**
 Establish October 22, 2018, as the date for the public hearing on the request for a Special Events (on-sale) Liquor License for December 11, 2018 from Chamber of Commerce, (Carmen Schramm, Director) d/b/a Chamber of Commerce, Mead Cultural Education Center, 82 Mickelson Drive, 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.

1. **Public hearing for sale of alcoholic beverages**
 Consideration of Memorandum #18-204 regarding the request for a Special Events Retail (on-sale) Liquor License for 1 day, October 14, 2018, from Ben's Brewing Co. (Ben Hanten, Owner), Parking Lot and Green Space Westside of Meridian Bridge & the enclosed area of Levee Street, Yankton, S.D.
Attachment III-1

2. **Public hearing – Alley ROW Vacation**
 Consideration of Memorandum #18-206 regarding public hearing to consider an alley right-of-way vacation request for the south 72.79 feet of the north - south alley, located in Block 24, Lower Yankton, City and County of Yankton, South Dakota. Address, North side of the 200 Block of Levee Street. Gurney Redevelopment Group, LLC., Paul Lowrie, owner.
Attachment III-2

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. Dive In Yankton – Aquatics Facility

Consideration of Memorandum #18-205 and Resolution #18-67 regarding Aquatics Facility

Attachment IV-1

2. Final Close Out - Permanent Pavement Marking

Consideration of Memorandum #18-203 regarding close-out of Permanent Pavement Marking

Attachment IV-2

3. Engineering Proposal – Marne Creek Stabilization

Consideration of Memorandum #18-210 regarding Engineering Proposal with Stockwell Engineers for Marne Creek Stabilization

Attachment IV-3

4. Public hearing for CDBG Application

Consideration of Memorandum #18-208 in Support of Resolution #18-69 authorizing submittal of a Community Development Block Grant Application for the Marne Creek Corridor Utilities Preservation Project and Designating a Project and Environmental Certifying Officer

Attachment IV-4

5. Planning Commission Recommendation, Conditional Use Permit

Consideration of Memorandum #18-209 regarding Resolution #18-70, a Conditional Use Permit for a 118-foot-tall emergency services dispatch tower with antenna located on Lots 12 – 15, Block 33 Todd’s Addition to the City of Yankton, South Dakota. Address, 410 Walnut Street. City of Yankton, owner.

Attachment IV-5

6. Planning Commission Recommendation, Plat Review

Consideration of Memorandum #18-207 regarding Resolution #18-68, a plat of Tract A in Block 24, Lower Yankton, City and County of Yankton, South Dakota. Address, 104 and 106 Capital Street. Gurney Redevelopment Group, LLC., Paul Lowrie, Authorized Member.

Attachment IV-6

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 OCTOBER 8, 2018

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.