



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, April 8, 2019

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 March 25, 2019 and Work Session meeting of March 25, 2019**

Attachment I-2
3. **Schedule of Bills**

Attachment I-3
4. **Proclamation – Arbor Day
Telecommunicators Week
Library Week
Keep Yankton Beautiful**

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. **Notice to Call for City of Yankton Election**
Establish 12:00 pm, on Friday, April 12, 2019, as the time and date of a “Notice to Call” a Special City Commission meeting to canvass the election returns of the City of Yankton Election to be held on Tuesday, April 9, 2019

Attachment II-1

2. **Establishing date for 2nd City Commission Meeting in May**
Establish Tuesday, May 28, 2019, as the date for the second City Commission meeting in May due to the Monday, May 27, 2019 Memorial Day holiday. The meeting will begin at 7:00 P.M.
3. **Possible Quorum Event**
May 13, 2019, at Czeckers, no official commission action
4. **Establish public hearing for sale of alcoholic beverages**
Establish April 22, 2019, as the date for the public hearing on the request for a Special Events (on-sale) Liquor License for June 8, 2019 from VFW (Colin Reisner, Quartermaster), 209 Cedar Street, City Hall Gym, 416 Walnut Street, Yankton, S.D.
Attachment II-4
5. **Establish public hearing for sale of alcoholic beverages**
Establish April 22, 2019, as the date for the public hearing on the request for a Special Events (on-sale) Liquor License for June 8, 2019 from Hanten, Inc., (Ben Hanten, Owner) dba Ben's Brewing Company, 222 West 3rd Street, RASKAK ROUNDUP, Parking Lot and Green Space West Side of Meridian Bridge & the enclosed area of Levee Street, Yankton, S.D.
Attachment II-5
6. **Establish public hearing for sale of alcoholic beverages**
Establish April 22, 2019, as the date for the public hearing on the request for a Special Events Retail (on-sale) Liquor License for 7 days, July 4, 11, 18, 25 and August 1, 8 &, 15 2019, from Ben's Brewing Co. (Ben Hanten, Owner), 222 West 3rd Street, Music at the Meridian, Parking Lot and Green Space West Side of Meridian Bridge & the enclosed area of Levee Street, Yankton, S.D.
Attachment II-6
7. **Establishing public hearing for transfer of ownership of Retail (on-off Sale) Malt Beverage License**
Establish April 22, 2019, as the date for the public hearing on the transfer of ownership and location of a Retail (on-off sale) Malt Beverage License for July 1, 2018, to June 30, 2019, from JAY AMBE-8, LLC (Kamleshkumar Patel, Owner) d/b/a Freedom Valu Center to I MART STORES, LLC (Muwafak Rizek, President), 301 Broadway Avenue, Yankton, S.D.
Attachment II-7
8. **Establishing public hearing for transfer of ownership of Retail (on-off Sale) Malt Beverage License**
Establish April 22, 2019, as the date for the public hearing on the transfer of ownership and location of a Retail (on-off sale) Malt Beverage License for July 1, 2018, to June 30, 2019, from JAY AMBE-8, LLC (Kamleshkumar Patel, Owner) d/b/a Freedom Valu Center to I MART STORES, LLC (Muwafak Rizek, President), 301 Broadway Avenue, Yankton, S.D.
Attachment II-8

9. **Establish public hearing for a transfer of ownership & location – Malt Beverage License**

Establish April 22, 2019, as the date for the public hearing on the request for a transfer of ownership and location for a Retail (on-off sale) Malt Beverage License for July 1, 2018, to June 30, 2019, from BPO Elks Lodge 994 dba Elks Lodge 994, 504 W. 27th Street, to Zaccon, Inc. (Robert A Zacher, President), d/b/a Roadrunner Convenience Mart, 300 West 23rd Street, Suite II, Yankton, SD 57078

Attachment II-9

10. **Possible Quorum Event**

May 13, 2019, at Ben's, no official commission action

11. **Work Session**

Setting date of April 22, 2019, at 6:00 pm in Room #114 of the Regional Technical Education Center for the next work session of the Yankton City Commission

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 #19-77 regarding the request for a Special Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for one day, July 12, 2019, from the Center (Christy Hauer, Executive Director), 900 Whiting Drive, 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. **Downtown Yankton Façade Grant Recommendations**

Consideration of Memorandum #19-71 regarding Downtown Yankton Façade Grant Recommendations

Attachment IV-1

2. **Sidewalk Café License**

Consideration of Memorandum #19-74 regarding Sidewalk Café License-100 East 3rd Street

Attachment IV-2

3. **Sidewalk Café License**

Consideration of Memorandum #19-75 regarding Sidewalk Café License-100 West 3rd Street

Attachment IV-3

4. **Final Payment Acceptance, Close-out**

Consideration of Memorandum #19-76 regarding Final Payment Acceptance & Payment for Concrete Crushing Contract

Attachment IV-4

5. Change Order – Water Treatment Plant

Consideration of Memorandum #19-79 regarding Change Order for Water Treatment Plant

Attachment IV-5

6. Establishing Public Hearing Date for Ordinance - Animals

Introduction and first reading of Ordinance #1021, amending the Animal Ordinance Chapter 5-24 and setting April 22, 2019 as second reading and public hearing of said Ordinance

Attachment IV-6

7. Agreement with Heartland Humane Society

Consideration of Memorandum #19-72 regarding Heartland Humane Society

Attachment IV-7

8. Agreement with Polco

Consideration of Memorandum #19-78 regarding Agreement with Polco

Attachment IV-8

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 APRIL 8, 2019

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.