



**Mission Statement**  
*To provide exemplary experiences, services & spaces that create opportunities for everyone to learn, engage and thrive.*

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## **YANKTON BOARD OF CITY COMMISSIONERS**

Regular City Commission Meeting beginning at 7:00 P.M.

**Monday, October 28, 2019**

**City of Yankton Community Meeting Room**

Located at the Career Manufacturing Technical Education Academy formerly known as Technical Education Center • **1200 W. 21<sup>st</sup> Street • Room 114**

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

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### **I. ROUTINE BUSINESS**

1. **Roll Call**
2. **Approve Minutes of regular meeting of October 14, 2019** **Attachment I-2**
3. **Proclamation – Yankton Monarch City USA** **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. **Assessment Roll; Noxious Vegetation and Abatement, set public hearing**  
Consideration of Memorandum #19-228 and Resolution #19-61, recommending that November 25, 2019, be established as the date for a public hearing on the special assessment roll for removal of noxious vegetation and abatement

**Attachment II-1**

**2. Establish public hearing for renewal of Alcoholic Beverage Licenses**

Establish November 12, 2019, as the date for a public hearing and consideration of the applications for renewal of Alcoholic Beverage Licenses for the 2019 (January 1, 2020, to December 31, 2020) licensing period

**Attachment II-2**

**3. Fireworks Request by Holiday Lights Committee**

Consideration of Memorandum #19-227 regarding request to shoot small fireworks show during Holiday Lights Parade on December 5, 2019

**Attachment II-3**

**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 #19-221 regarding the request for a Special Events Retail (on-sale) Liquor License for 1 day, November 9, 2019, from Dayhuff Enterprises, Inc. d/b/a O'Malley's Bar (Jeff Dayhuff, President), NFAA, 800 Archery Lane, Yankton, S.D.

**Attachment III-1**

**2. Public Hearing Date for Ordinance - Signs**

Consideration of Memorandum #19-218, public hearing for consideration of Ordinance #1025, an ordinance amending certain language in the definition of "Sign Area" in Section 27-71, Chapter 27, Article III. - Signs of the Yankton City Code of Ordinances.

**Attachment III-2**

**3. Public Hearing Date for Ordinance – Emergency Snow Route**

Consideration of Memorandum #19-211, public hearing of Ordinance #1026, amending the Emergency Snow Route Ordinance Chapter 21-127

**Attachment III-3**

**4. Public Hearing Date for Ordinance – Truck Route**

Consideration of Memorandum #19-212, public hearing of Ordinance #1027, amending the Truck Route Ordinance Chapter 14-205

**Attachment III-4**

*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. Planning Commission Recommendation – Plat Review**

Consideration of Memorandum #19-219 regarding Resolution #19-58, a plat of Lot 1 and 2 of Parcel D, Located in the NW 1/4 of the NW 1/4, Less Highway Lot H-1, Section 18, T93N, R55W of the 5th P.M., City and County of Yankton, South Dakota. Address 920 Broadway Avenue. Larry and Peggy Olson, owners.

**Attachment IV-1**

2. **Final Close Out - Permanent Pavement Marking**  
Consideration of Memorandum #19-223 regarding close-out of Permanent Pavement Marking  
**Attachment IV-2**
  3. **Bid Award – Surplus Property**  
Consideration of Memorandum #19-220 regarding Bid Award for Surplus Property  
**Attachment IV-3**
  4. **Fees Associated with Special Events**  
Consideration of Memorandum #19-224 and Resolution #19-60 regarding establishing a Fee rate structure for Special Events  
**Attachment IV-4**
  5. **Holiday Festival of Lights - Special Events Parking Request**  
Consideration of Memorandum #19-222 and Resolution #19-59 regarding request by Holiday Festival of Lights Committee for Special Events Parking Ordinance #933 to be in place during Holiday Festival of Lights on December 5, 2019 and suspension of alcohol Consumption  
**Attachment IV-5**
  6. **Downtown Holiday Lighting Partnership Request**  
Consideration of Memorandum #19-225 regarding Downtown Holiday Lighting Partnership Request  
**Attachment IV-6**
  7. **Additional Deputy City Attorney**  
Consideration of Memorandum #19-216 regarding Additional Deputy City Attorney  
**Attachment IV-7**
  8. **Bid Award for Huether Family Aquatics Center**  
Consideration of Memorandum #19-226 regarding bid award for Huether Family Aquatics Center  
**Attachment IV-8**
  9. **Huether Family Aquatics Center Splashpad Grant**  
Consideration of Memorandum #19-217 in support of Resolution #19-57 regarding Land, Water and Conservation Fund Grant for Huether Family Aquatics Center Splashpad  
**Attachment IV-9**
  10. **Designating a Complete Count Committee – 2020 Census**  
Consideration of Memorandum #19-229 regarding Resolution #19-62 regarding Designating a Complete Count Committee for 2020 Census  
**Attachment IV-10**
- 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 28, 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.*