

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
APRIL 26TH, 2021**

Board of City Commissioners of the City of Yankton was called to order by Mayor Johnson.

Roll Call: Present: Commissioners Benson, Brunick, Carda, Maibaum, Miner, Moser, Schramm and Webber. City Attorney Den Herder and City Manager Leon were also present.

Quorum present.

Action 21-100

Moved by Commissioner Benson, seconded by Commissioner Miner, to approve Minutes of regular meeting of April 12, 2021 and Special City Commission Meeting of April 16, 2021.

Roll Call: All members present voting “Aye;” voting “Nay:” None.

Motion adopted.

City Manager Leon submitted a written report giving an update on community projects and items of interest.

There were no public appearances at that time.

Action 21-101

Moved by Commissioner Maibaum, seconded by Commissioner Benson, to approve the Consent Agenda Items as follows:

1. **Establishing public hearing for New Retail Wine & Cider License**
Establish May 10, 2021, as the date for the public hearing on the New Retail (on-off sale) Wine & Cider License for January 1, 2021, to December 31, 2021, from Hanten, Inc. d/b/a Ben’s Brewing Co. (Ben Hanten, President), 719 Walnut Street, Yankton, S.D.
2. **Establishing public hearing for New Retail Malt Beverage**
Establish May 10, 2021, as the date for the public hearing on the New Retail (on-off sale) Malt Beverage & SD Farm Wine License for July 1, 2021, to June 30, 2022, from Hanten, Inc. d/b/a Ben’s Brewing Co. (Ben Hanten, President), 719 Walnut Street, Yankton, S.D.

Roll Call: All members present voting “Aye;” voting “Nay:” None.

Motion adopted.

City Manager Leon presented a brief update from the Health Board and their current metrics. No new recommendations were offered by the Health Board at this time.

Action 21-102

This was the time and place for the public hearing of the application for the transfer of ownership of a Retail (on-off sale) Malt Beverage & SD Farm Wine License for July 1, 2020, to June 30, 2021, from Cheers Bar & Grill, LLC (Beth Cuneo, Owner), d/b/a/ Cheers Bar & Grill, LLC to Hayes Enterprises,

LLC (April Hayes, Owner), d/b/a Cheers - Pizza Plus, 310 Walnut Street, Yankton, S.D. (Memorandum 21-68) No one was present to speak for or against the application. Moved by Commissioner Moser, seconded by Commissioner Benson, to approve the license. **Roll Call:** All members present voting “Aye;” voting “Nay:” None. Motion adopted.

Action 21-103

This was the time and place for the public hearing of the application for a Special Events Malt Beverage (on-off sale) License for 1 day, August 6, 2021, from Utica Hall/Rueb, LLC d/b/a Utica Hall, 801 McCarthy Street, Utica, SD at 4-H Fair Grounds, 901 Whiting Drive, Yankton, SD. (Memorandum 21-71) No one was present to speak for or against the application. Moved by Commissioner Miner, seconded by Commissioner Brunick, to approve the license. **Roll Call:** All members present voting “Aye;” voting “Nay:” None. Motion adopted.

Action 21-104

Moved by Commissioner Schramm, seconded by Commissioner Carda, to approve the request of \$3,500 to the USBC for the 2021 Women’s State Bowling Tournament from the BBB Fund. (Memorandum 21-77) Jim Palmer, Owner of Yankton Bowl, was present to answer questions and request support for the funding. **Roll Call:** All members present voting “Aye;” voting “Nay:” None. Motion adopted.

Action 21-105

City Manager Leon explained the proposed tuition reimbursement program. After Commission discussion about annual dollar amounts and funding, the consensus of the Commission was to approve the policy while retaining the ability to annually approve a funding level during the budgeting process. Moved by Commissioner Moser, seconded by Commissioner Benson, to approve amendment the City of Yankton Employee Handbook Personnel Policy Manual to include a tuition reimbursement program retroactive to eligible employee’s date of employment. (Memorandum 21-59) **Roll Call:** Commissioners voting “Aye” were Benson, Carda, Maibaum, Miner, Moser, Schramm, Webber and Mayor Johnson; Commissioners voting “Nay” were Brunick. Motion adopted.

Action 21-106

Moved by Commissioner Maibaum, seconded by Commissioner Miner, to approve the Downtown Yankton Façade Grant recommendations. (Memorandum 21-72) **Roll Call:** All members present voting “Aye;” voting “Nay:” None. Motion adopted.

Action 21-107

This was the time and place of the public hearing for the Bid award for the Annual Supply of Liquid Asphalt for the Department of Public Works, Street Division. Bids were received and opened on April 8th, 2021 at 3:00 p.m. Only one bid was received. (Memorandum 21-70)

Moved by Commissioner Webber, seconded by Commissioner Benson, to awarded the bid for Annual Supply of Liquid Asphalt to Jebro, Inc. of Sioux City, Iowa, for the AC Grade Asphalt at \$520.42 per ton, MC 70 Grade Asphalt at \$3.1299 per gallon, RC800 Grade Asphalt at \$3.2321

Roll Call: All members present voting “Aye;” voting “Nay:” None.

Motion adopted.

Action 21-108

Moved by Commissioner Maibaum, seconded by Commissioner Webber, to authorize the City Manager to execute documents associated with the Airport Improvement Program Grant Application and the Agreements and Engineering Contract for Phase 1 of the North Taxilanes Project.

(Memorandum 21-74)

Roll Call: All members present voting “Aye;” voting “Nay:” None.

Motion adopted.

The City Commission acting as the Board of Adjustment.

Commissioner Moser introduced Memorandum 21-73 and established May 10, 2021 as the date for a public hearing to consider a variance from the front yard setback requirements in a B-2 Highway Business District on Lot 4, Block 1, Walmart Addition in the City of Yankton, South Dakota. Address, 3007 Broadway Avenue. Jeff Koster, owner.

Action 21-109

Moved by Commissioner Schramm, seconded by Commissioner Benson, to approve Yankton Youth Soccer Association’s initial field development work on City of Yankton property including participation in the cost of preliminary grading design and authorize the City Manager to execute documents associated with the project. (Memorandum 21-76)

Roll Call: All members present voting “Aye;” voting “Nay:” None.

Motion adopted.

Action 21-110

Moved by Commissioner Benson, seconded by Commissioner Webber, to adjourn into Executive Session at 8:20 p.m. to discuss **contractual, litigation and personnel matters** under SDCL 1-25-2.

Roll Call: All members present voting “Aye;” voting “Nay:” None.

Motion adopted.

Regular meeting of the Board of City Commissioners of the City of Yankton was reconvened by Mayor Johnson.

Roll Call: Present: Commissioners Benson, Brunick, Carda, Maibaum, Miner, Moser, Schramm and Webber. City Attorney Den Herder and City Manager Leon were also present. Quorum present.

Action 21-111

Moved by Commissioner Benson, seconded by Commissioner Miner, to adjourn at 9:10 p.m.

Roll Call: All members present voting “Aye;” voting “Nay:” None.

Motion adopted.

April 26th, 2021

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Nathan V Johnson
Mayor

ATTEST:

Al Viereck
Finance Officer