



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, June 28, 2021

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/UCD1a1hf1dIkiLVSXnmdRQg/live>

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

I. ROUTINE BUSINESS

1. **Roll Call**

2. **Approve Minutes of regular meeting of June 14, 2021**

Attachment I-2

3. **City Manager's Report**

Attachment I-3

4. **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. **Establish public hearing for a Transfer of Ownership – Malt Beverage & SD Farm Wine**

Establish July 12, 2021, as the date for the public hearing on the request for a transfer of ownership of a Retail (on-off-sale) Malt Beverage & SD Farm Wine for July 1, 2021, to June 30, 2022, from Annis Properties, Inc. d/b/a Patriot Express 02 (Kevin Annis, President), to Israel Martako d/b/a Chaparos Tacos, 100 East 4th Street, Yankton, S.D.

Attachment II-1

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.

NONE

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. Grant Agreement – Chan Gurney Municipal Airport

Consideration of Memorandum #21-138 regarding Grant Agreement for the receipt of Coronavirus Response and Relief Appropriation Act funds – Chan Gurney Municipal Airport

Attachment IV-1

2. Bid Award – Petroleum and Transport Tankwagon Petroleum Products

Consideration of Memorandum #21-139 regarding the 2021-22 Annual Supply of Petroleum & Transport Tankwagon Petroleum Products

Attachment IV-2

3. Bid Award – Cold Applied Plastic Pavement Marking

Consideration of Memorandum #21-140 regarding Bid Award for the Cold Applied Plastic Pavement Marking Installation Project

Attachment IV-3

4. Planning Commission Recommendation – Plat Review

Consideration of Memorandum #21-135 and Resolution #21-53, a plat of Lots RL-4, RL-5, RL-6 and RL-7, St. Joe's Corner, City and County of Yankton, South Dakota. Debra M. Specht and Daniel L. Specht, members of Mona's, LLC, owner. Address, south side of the 600 Block of East 4th Street

Attachment IV-4

5. Planning Commission Recommendation – Plat Review

Consideration of Memorandum #21-136 regarding Resolution #21-54, a plat of Lot 13, Whitetail Run, in the SE 1/4 of the NE 1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota. Dennis L. Christensen, President, Deerfield Truck and Equipment Company, owner. Location, the north side of the 3900 block of Buck Street.

Attachment IV-5

- 6. Annexation**
Consideration of Memorandum #21-137 regarding Resolution #21-55, the annexation of identified parcels in the SW1/4 and SE1/4 of Section 36, T94N, R56W of the 5th P.M. Yankton County, South Dakota. Lewis and Clark Behavioral Health Services and the City of Yankton, owners. Location, the north side of the 900 and 1000 Blocks of W. 31st Street.

Attachment IV-6
- 7. Planning Commission Recommendation – CUP**
Consideration of Memorandum #21-141 regarding Resolution #21-56, a Conditional Use Permit for a self-storage facility in a B-2 Highway Business District on the south 141 feet of the east 229 feet of Lot 3, Replat of Block 2, Airport Acres Addition in the City of Yankton, South Dakota. Johanneson Contracting, Inc., applicant. Address, 2913 Piper Street.

Attachment IV-7
- 8. First Reading – Administrative Approval of Plats**
Consideration of Memorandum #21-142, introduction, first reading and establish July 12, 2021, as the date for a public hearing to consider Ordinance #1053, an ordinance adopting provisions for administrative approval of plats pursuant to South Dakota Codified Law 11-3-6.

Attachment IV-8
- 9. Kennel License Fee**
Consideration of Memorandum #21-143 regarding Resolution #21-57, establishing a kennel license fee

Attachment IV-9
- 10. Auld Brokaw Trail & Marne Creek Bank Restoration Scope Amendment**
Consideration of Memorandum #21-144 regarding Auld Brokaw Trail & Marne Creek Bank Restoration Scope Amendment with Banner Associates

Attachment IV-10
- 11. Medical Marijuana Fees**
Consideration of Memorandum #21-145 and Resolution #21-58, regarding Medical Marijuana Fees

Attachment IV-11
- 12. Medical Marijuana / Personnel Manual & Collective Bargaining Agreement**
Consideration of Memorandum #21-134, regarding Medical Marijuana and City of Yankton Personnel Manual & Collective Bargaining Agreement

Attachment IV-12
- 13. Lancer Homecoming Parade - Special Events Parking Request**
Consideration of Memorandum #21-123 and Resolution #21-50 regarding request by Mount Marty University for Special Events Parking Ordinance #933 to be in place during Lancer Homecoming Parade

Attachment IV-13

**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

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 THE MEETING OF JUNE 28, 2021

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.