



**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, August 23, 2021**

**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**

**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

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### **I. ROUTINE BUSINESS**

**1. Roll Call**

**2. Approve Minutes of budget work session of August 9, 2021 and regular meeting of August 9, 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. Establishing public hearing for sale of alcoholic beverages**

Establish September 13, 2021, as the date for the public hearing on the request for a Special Events Retail (on-sale) Liquor License for 1 day, September 25, 2021, from Ben's Brewing Co. (Ben Hanten, Owner), 222 West 3<sup>rd</sup> Street, Zombie's Realm, 101 E. 3<sup>rd</sup> Street, Yankton, S.D.

**Attachment II-1**

**2. Establishing public hearing for sale of alcoholic beverages**

Establish September 13, 2021, as the date for the public hearing on the request for a Special Events Retail (on-sale) Liquor License for 1 day, September 25, 2021, from Ben's Brewing Co. (Ben Hanten, Owner), 222 West 3<sup>rd</sup> Street, Cramer-Kenyon Heritage House, 509 Pine Street, Yankton, S.D.

**Attachment II-2**

**3. Establishing public hearing for sale of alcoholic beverages**

Establish September 13, 2021, as the date for the public hearing on the request for a Special Events Retail (on-sale) Liquor License for 1 day, October 9, 2021, from Ben's Brewing Co. (Ben Hanten, Owner), 222 West 3<sup>rd</sup> Street, NFAA, 800 Archery Lane, Yankton, S.D.

**Attachment II-3**

**4. Establish public hearing for a New Retail (on-off sale) Malt Beverage & SD Farm Wine License**

Establish September 13, 2021, as the date for the public hearing on the request for a New Retail (on-off sale) Malt Beverage & SD Farm Wine License for July 1, 2021, to June 30, 2022, from Backspace Brewing Co, LLC d/b/a/Backspace Brewing Co. (Chris Allington, Partner), 200 Walnut Street, Suite 103, Yankton, S.D.

**Attachment II-4**

**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 – Medical Cannabis Zoning**

Consideration of Memorandum #21-182, second reading and public hearing to consider Ordinance #1054, amendments to the City of Yankton Zoning Ordinance #711. The proposed amendments are in Chapter 27, and if approved, would add Medical Cannabis Dispensaries to the list of permitted principal uses in certain zoning districts.

**Attachment III-1**

**2. Meridian District - Special Events Parking Request – Updated Map**

Consideration of Memorandum #21-186 regarding Consideration of Memorandum #21-57 and Resolution #21-26 for the request by Meridian District for Special Events Parking Ordinance #933 to be in place during farmers market each Saturday from May 1, 2021 – October 30, 2021.

**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. Establish Road Tax Rate for 2021**

Consideration of Memorandum #21-179 in support of Resolution #21-67 setting the 2021 Yankton Road Tax Rate

**Attachment IV-1**

### **2. Close Out – Cold Applied Plastic Pavement Marking Project**

Consideration of Memorandum #21-180 regarding Close-Out of Cold Applied Plastic Pavement Marking Project Closeout

**Attachment IV-2**

### **3. Ordinance Pertaining to Proposed 2022 Budget – Set Public Hearing**

Introduction, first reading and establish September 13, 2021 as the second reading, an ordinance to appropriate monies for defraying the necessary expenses and liabilities of the City of Yankton, South Dakota, for the fiscal year beginning January 1, 2022, and ending December 31, 2022, and providing for the levy of annual taxes for all funds created by ordinance within said City

**Attachment IV-3**

### **4. Yankton High School Homecoming Parade - Special Events Parking Request**

Consideration of Memorandum #21-181 and Resolution #21-68 regarding request by Yankton High School for Special Events Parking Ordinance #933 to be in place during Yankton High School Homecoming Parade

**Attachment IV-4**

### **5. Mount Marty University Street Closure Request**

Consideration of Memorandum #21-184 regarding request by Mount Marty University for a street closure during home football games for the 2021 season

**Attachment IV-5**

### **6. Surplus Property – Police Department**

Consideration of Memorandum #21-183 and Resolution #21-69 regarding surplus property from the Police Department

**Attachment IV-6**

### **7. Strategic Planning Agreement**

Consideration of Memorandum #21-185 regarding Agreement between RDG and City of Yankton for Strategic Planning

**Attachment IV-7**

### **8. Abate Poker Run - Special Events Parking Request**

Consideration of Memorandum #21-187 and Resolution #21-70 regarding request by Mojo's 3<sup>rd</sup> Street Pizza for Special Events Parking Ordinance #933 to be in place during Abate Poker Run on August 28, 2021

**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 AUGUST 23, 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.*