



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, February 10, 2020

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 Work Session meeting of January 28, 2019, and regular meeting of January 28, 2019**

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

Attachment I-3
4. **City Manager’s Report**

Attachment I-4
5. **Public Appearances - Nancy Wenande**

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. **Work Session**
Setting date of February 24, 2020, at 6:00 pm in Room #114 of the Regional Technical Education Center for the next work session of the Yankton City Commission to discuss Principles of Vexillology – City Flag Project
2. **Establish public hearing for a new Wine & Cider License**
Establish February 24, 2020, as the date for the public hearing on the request for a New Retail (on-off sale) Wine and Cider License for January 1, 2020, to December 31, 2020, from YASO, LLC d/b/a Karibe Fusion (Yamlkis Rivero, Owner), 1208 Broadway Avenue, Yankton, S.D.

Attachment II-2

- 3. Establish public hearing for sale of alcoholic beverages**
Establish February 24, 2020, as the date for the public hearing on the request for a Special Events Malt Beverage (on-sale) Retailers License for one day, March 17, 2020, from the Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota.

Attachment II-3
- 4. Establish public hearing for a new Wine & Cider License**
Establish February 24, 2020, as the date for the public hearing on the request for a New Retail (on-off sale) Wine and Cider License for January 1, 2020, to December 31, 2020, from Bur Oak LLC d/b/a Bur Oak Diner (William Nooney, Owner) 304 W. 3rd Street, Yankton, S.D.

Attachment II-4
- 5. Establish public hearing for a new Malt Beverage & SD Farm Wine License**
Establish February 24, 2020, 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, 2019, to June 30, 2020, from Bur Oak LLC d/b/a Bur Oak Diner (William Nooney, Owner) 304 W. 3rd Street, Yankton, S.D.

Attachment II-5
- 6. Establish public hearing for a transfer of corporation of Malt Beverage & SD Farm Wine License**
Establish February 24, 2020, as the date for the public hearing on the request for a transfer of corporation of a Retail (on-off sale) Malt Beverage & SD Farm License for July 1, 2019, to June 30, 2020, from Dayhuff Enterprises, Inc. d/b/a Zebra Club & Cockatoo II & Safari Club (Jeff Dayhuff, Owner), to Lady Bird, Inc. d/b/a Zebra Club & Cockatoo Bar (Jeff Dayhuff, Owner), 106-112 E. 3rd Street, Yankton, S.D.

Attachment II-6
- 7. Establish public hearing for a transfer of corporation of Liquor License**
Establish February 24, 2020, as the date for the public hearing on the request for a transfer of corporation of a Retail (on-sale) Liquor License for January 1, 2020, to December 31, 2020, from Dayhuff Enterprises, Inc. d/b/a Mojoes Pizza (Jeff Dayhuff, Owner), to Stripes, Inc. d/b/a Mojoes Pizza (Jeff Dayhuff, Owner), 102-104 E. 3rd Street, Yankton, S.D.

Attachment II-7
- 8. Establish public hearing for a transfer of corporation of Liquor License**
Establish February 24, 2020, as the date for the public hearing on the request for a transfer of corporation of a Retail (on-sale) Liquor License for January 1, 2020, to December 31, 2020, from Dayhuff Enterprises, Inc. d/b/a Zebra Club & Cockatoo Bar (Jeff Dayhuff, Owner), to Lady Bird, Inc. d/b/a Zebra Club & Cockatoo Bar (Jeff Dayhuff, Owner), 106-112 E. 3rd Street, Yankton, S.D.

Attachment II-8

9. Establish public hearing for a transfer of corporation of Package off-sale Liquor License

Establish February 24, 2020, as the date for the public hearing on the request for a transfer of corporation of a Package (off-sale) Liquor License for January 1, 2020, to December 31, 2020, from Dayhuff Enterprises, Inc. d/b/a Zebra Club & Cockatoo Bar (Jeff Dayhuff, Owner), to Lady Bird, Inc. d/b/a Zebra Club & Cockatoo Bar (Jeff Dayhuff, Owner), 106-112 E. 3rd Street, Yankton, S.D.

Attachment II-9

10. Establish public hearing for a transfer of corporation of Retail (on-sale) Liquor License

Establish February 24, 2020, as the date for the public hearing on the request for a transfer of corporation of a Retail (on-sale) Liquor License for January 1, 2020, to December 31, 2020, from Dayhuff Enterprises, Inc. d/b/a O'Malleys Bar (Jeff Dayhuff, Owner), to Lucky Irish, Inc. d/b/a O'Malleys Bar, 204 W. 3rd Street, Yankton, S.D.

Attachment II-10

11. Establish public hearing for sale of alcoholic beverages

Establish February 24, 2020, as the date for the public hearing on the request for a Special Events Malt Beverage (on-sale) Retailers License and a Special RETAIL (on-sale) Wine dealers License for 1 day, March 14, 2020, from Lewis & Clark Theatre Company, (Michael Schumacher, President) 328 Walnut, Yankton, SD 57078.

Attachment II-11

12. Establish public hearing for Special Event (off-sale) Package Dealers License

Establish February 24, 2020, as the date for the public hearing on the request for a Special Events (off-sale) Package Dealers License for 1 day, March 27, 2020 from Yankton Area Chamber of Commerce, (Carmen Schramm, Executive Director) 803 E 4th Avenue, for a fund raising raffle, River Rock Events Center, 2901 Broadway Avenue, Yankton, S.D.

Attachment II-12

13. Possible Quorum Event

March 27, 2020, for Chamber Annual Dinner, no official commission action

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 New Retail (on-off Sale) Wine & Cider License

Consideration of Memorandum #20-26 regarding the New Retail (on-off sale) Wine and Cider License for January 1, 2020, to December 31, 2020, from Two Rivers Technology, LLC d/b/a The Boat House (Chris Hunhoff, CEO), 301 E. 3rd Street, Yankton, S.D.

Attachment III-1

2. Public hearing for New Retail (on-off Sale) Malt Beverage License

Consideration of Memorandum #20-27 regarding the New Retail (on-off sale) Malt Beverage & SD Farm Wine License for July 1, 2019, to June 30, 2020, from Two Rivers Technology, LLC d/b/a The Boat House (Chris Hunhoff, CEO), 301 E. 3rd Street, Yankton, S.D.

Attachment III-2

3. Public Hearing – Budget Ordinance

Consideration of Memorandum #20-23 regarding the second reading and public hearing regarding the first supplement to the 2020 annual appropriation Ordinance #1032

Attachment III-3

4. Marne Creek CDBG, public hearing

Consideration of Memorandum #20-31 regarding Community Development Block Grant Public Progress Hearing for the Yankton Marne Creek Utilities Project

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. Truck Purchase for Parks Department

Consideration of Memorandum #20-25 and Resolution #20-09 regarding Truck Purchase for Parks Department

Attachment IV-1

2. Purchase Agreement

Consideration of Memorandum #20-30 recommending approval of Resolution #20-10, a transfer of approximately 2.7 acres of commercial property known as Block 69, Lower Yankton, City of Yankton to Yankton Area Progressive Growth.

Attachment IV-2

3. Bid Award – Heavy Duty Dump Box

Consideration of Memorandum #20-28 regarding Bid Award for (2) Heavy Duty Dump Box

Attachment IV-3

4. Bid Award – 16 Cubic Yard Rear Loading Refuse Body

Consideration of Memorandum #20-29 regarding Bid Award for 16 Cubic Yard Rear Loading Refuse Body

Attachment IV-4

5. Bid Award – 2020 1-ton Chassis Truck

Consideration of Memorandum #20-32 and Resolution #20-11 regarding 2020 1-ton Chassis Truck purchase for Street Department

Attachment IV-5

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 FEBRUARY 10, 2020

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.