

Special City Council Agenda

City Council Chambers, City Hall, 612 N. Main Street

August 25, 2016

The meeting start time is 12:00 PM. Committee Meetings (if any) will be first; immediately followed by the City Council Meeting.

1. Call To Order

2. Pledge Of Allegiance

3. Roll Call

4. Action On Resolution #3378- A Resolution Of Intent Regarding BID #2

This is a resolution of intent to modify terms of Business Improvement District #2.

Essentially the proposed changes officially re-instate the \$0.50 tax to support the Sports Authority operations.

Documents:

[AGENDA ITEM- BID 2 RESOLUTION OF INTENT.PDF](#)

[RESOLUTION OF INTENT- BID 2.PDF](#)

[NOTICE OF HEARING- BID 2.PDF](#)

5. Motion To Adjourn

Individuals with disabilities who require special assistance to take part in this meeting may contact one of the following at City Hall (605) 995-8420 at least 24 hours prior to the meeting with requests for assistance: Human Resources Officer, Finance Officer, Public Works Director, or City Administrator.

CITY OF MITCHELL

City Council Meeting Agenda Item Request



The deadline for agenda items is Wednesday at noon, prior to the City Council Meeting

Meeting Date Requested:

Requested By:

Desired Action of City Council

Authorization
Ordinance

Approval
Citizen Request

Resolution
Discussion

Amount budgeted in current fiscal
year for this item (if applicable):

Agenda Item:

Explanation/Background of Agenda
Item Requested:

RESOLUTION NO. 3378

A RESOLUTION OF INTENT TO MODIFY AND AMEND BUSINESS IMPROVEMENT DISTRICT NO. 2 WITHIN THE CITY OF MITCHELL BY ADJUSTING THE SUM AND APPLICATION OF SUMS COLLECTED PURSUANT TO THE PER ROOM PER NIGHT TAX ON RENTALS OF MOTEL AND HOTEL ROOMS.

Whereas there is in effect in the City of Mitchell, SD, Business Improvement District (BID) No. 2 which provides for the imposition and collection of a tax of \$1.00 on transient guests on rooms rented by lodging establishments within BID No. 2 on a per night per room basis and provided for the allocation and application of funds thereby raised; and

Whereas there was established by Resolutions of the Mitchell City Council and Mayor, a business improvement board, and the persons appointed to such board continue to serve, all within their respective initial and unexpired terms; and

Whereas the said board has brought to the Mitchell City Council, by request and consent of a majority of board members, proposed modifications to portions of the Tax and the application and effective terms thereof all as further detailed. Accordingly, the City Council of the City of Mitchell, SD by this Resolution of Intent, enacted pursuant to SDCL 9-55-7, as amended resolve as follows:

1. The tax to be collected on transient guests of lodging establishments, the method of raising revenue to be fair and equitable, in BID No. 2 shall be increased from the currently in effect rate of \$1.00 per room per night to \$1.50 per room per night, with the application of said collected proceeds to be as follows:

A. One dollar (\$1.00) of the per room per night occupied room rental shall be applied to the continued defrayal of the cost incurred by the City for the expansion of the Mitchell Activity Center by the construction of the Second Sheet of Ice. At the time when the sum of \$400,000.00 of the portion of the Tax to be so applied (including all such prior collections so applied), then the said portion of the Tax shall be applied to the defrayal and reimbursement to the City for funds advanced for construction of the Indoor Swimming Pool Facility until the sum of One Million Dollars (\$1,000,000.00) shall be so applied; and at the time when the sum so applied in respect to the Indoor Swimming Pool Facility shall reach the sum of One Million Dollars (\$1,000,000.00), then that portion of the Tax shall terminate.

B. One-half Dollar (\$0.50) of the per room per night occupied room rental shall be applied to the support of the Sports and Events Authority. This portion of the Tax shall be in effect for a term of three (3) years beginning on the date when the Tax may first go into legal effect (anticipated January 1, 2017) and shall automatically terminate unless further renewed by subsequent ordinance.

The Mitchell City Council shall conduct a hearing on said proposed amendments and modifications to BID No. 2 at the regular City Council Meeting on September 23, 2016 at 12:00 P.M. in the City Council Chambers at 612 N Main, at which time all parties affected by the amendments and modifications to BID No. 2 as described herein may appear and be heard as provided by law. The City shall cause notice of hearing to be made by mail to all parties affected not less than thirty (30) days prior to the hearing.

Adopted by the Mitchell, South Dakota City Council in regular session this _____ day of _____, 2016, with:

____ votes cast in favor of adoption,
____ votes cast against adoption, and
____ votes abstaining.

Jerry Toomey - Mayor

Attest:

Michelle Bathke – City Finance Officer

(seal)

NOTICE OF HEARING ON CITY OF MITCHELL, SD RESOLUTION OF INTENT TO MODIFY AND AMEND BUSINESS IMPROVEMENT DISTRICT NO. 2 WITHIN THE CITY OF MITCHELL BY ADJUSTING THE SUM AND APPLICATION OF SUMS COLLECTED PURSUANT TO THE PER ROOM PER NIGHT TAX ON RENTALS OF MOTEL AND HOTEL ROOMS (RESOLUTION NO. 3378)

To: All motel/hotel occupants/operators and owners of the real estate upon which all such motel/hotel(s) are situated.

PLEASE TAKE NOTICE that the City Council of the City of Mitchell, SD, shall on the date of September 23, 2016 at 12:00 P.M. at the City Council Chambers in City Hall, 612 N Main Street, Mitchell, SD 57301, hold and conduct hearing to consider adjusting the sum and application of sums collected pursuant to the per room per night tax on rentals of motel and hotel rooms. A copy of the Resolution of Intent (Resolution No. 3378) relating to this matter is attached to this notice and hereby incorporated by reference. The amendments proposed, if enacted, shall be in accordance with the terms, provisions, and limitations of such Resolution of Intent. At such hearing, the City Council shall:

1. Hear any protests and receive evidence for or against the proposed action;
2. Rule upon written protests received prior to the close of the hearing, which ruling shall be final.
3. Continue the hearing from time to time as the Governing Body deems necessary.

The proceedings shall terminate if written protest is made prior to the close of the hearing by a majority of owners of hotels and motels affected by the proposed amendments to City of Mitchell BID No. 2.

Dated this _____ day of August, 2016.

CITY OF MITCHELL, SD

(seal)

Michelle Bathke – City Finance Officer

Enclosure:
Copy of Resolution No. 3378