City Council Agenda
City Council Chambers, City Hall, 612 N. Main Street
October 3, 2016
The meeting start time is 6:30 PM. Committee Meetings (if any) will be first; immediately followed by the City Council Meeting.

1. **Call To Order**

2. **Pledge Of Allegiance**

3. **Invocation: Northridge Baptist**

4. **Roll Call**

5. **Approval Of Consent Agenda Items**
   Items appearing on the Consent Agenda may be removed by a City Council Member for discussion at the beginning of the formal agenda items.

   A. City Council Minutes

   Documents:

   CITY COUNCIL MINUTES 09-19-16.PDF
   CITY COUNCIL MINUTES 09-23-16.PDF

   B. Committee Meeting Minutes

   Documents:

   PLANNING COMMISSION 09 12 16.PDF
   TRAFFIC SEPTEMBER 19, 2016.PDF

   C. Raffle Permits
   James River Gobblers/NWTF with the drawing to be on October 23, 2016
   Trinity Lutheran Church with the drawing to be on October 9, 2016
   Dakota Weselyan Men's Basketball with the drawing to be held on October 24, 2016
   Moose Lodge #875 with the drawing to be held when the tickets are sold out
   Mitchell Area Safehouse with the drawing to be held on December 2, 2016
   MTI Skills USA with the drawing to be held on November 10, 2016

   Documents:

   JAMES RIVER GOBBLER-RAFFLE.PDF
   TRINITY LUTHERAN CHURCH RAFFLE.PDF
   DWU MENS BASKETBALL RAFFLE.PDF
   MOOSE LODGE RAFFLE.PDF
   SAFEHOUSE RAFFLE.PDF
   MTI SKILLS RAFFLE.PDF

   D. Change Order #1 Paving & Overlay 2016-15 Staff Report
   Change Order #1 Paving & Overlay to Commercial Asphalt
   The Landfill had money budgeted for Paving & Overlay their access roads and parking lots which was unknown at the time of bidding

   Original Bid $411,074.25
   Change Order #1$+62,957.54
   New Contract
   Amount $474,031.79

Documents:

2016-15 PAVING STAFF REPORT CO 1 (1).PDF
CHANGE ORDER 1 PAVING 2016-15.PDF

E. Change Order #2 To Top Grade Concrete Sidewalk 2016-4A

Change Order #2 for Sidewalk Schedule A to Top Grade Concrete
Existing conditions discovered during construction in the field and property owner adjustments.

Original Contract	*$46,799.55*
Change Order #1	*$+6540.35*
Change Order #2	*$+2954.61*
Adjusted Contract Amount	*$56,294.51*

Documents:

CHANGE ORDER 2 SIDEWALK 2016-4A STAFF RERPORT.PDF
CHANGE ORDER 2 SIDEWALK 2015-4A.PDF

F. Set Date Of 10-17-16 For Hearing

Set date for a hearing on the application of Blarney's Sports Bar and Grill for a Special Event Liquor License, located at the Highland Mall, Mitchell, SD for the Holiday Spirit proceeds benefiting Mitchell Area Safe House on December 2, 2016.

Documents:

SET DATES1.PDF
BLARNEYS HOLIDAY SPIRIT.PDF

G. Set Date Of 10-17-16 For Hearings

Set date for a hearing on the application of Xing Chen dba Tokyo for a new Retail (On-Off Sale) Wine License, located at 819 East Spruce Street, Mitchell, SD.

Set date for a hearing on the application of the Mitchell Elks Lodge for a Special Event Liquor License, located at the Masonic Lodge for a wedding on November 5, 2016.

Documents:

SET DATES5.PDF
TOKYO APPLICATION1.PDF
MASONIC LODGE APPLICATION.PDF

H. Palace Transit 5311 Grant Funds Approval

Documents:

5311 APPROVAL 10.3.2016.PDF 2.PDF
5311 AGREEMENT 2016 10.3.2016.PDF

I. Gas & Fuel Quotation

Documents:

GAS AND FUEL SEPTEMBER 27, 2016.PDF
SEPTEMBER 27, 2016.PDF

J. Pay Estimates October 3, 2016

Documents:

PAY ESTIMATES STAFF REPORT.PDF
PAY ESTIMATES 10-03-16.PDF

K. Approve Bills, Payroll, Salary Adjustments And New Employee Hires And Authorize Payment Of Recurring And Other Expenses In Advance As Approved By The Finance Officer

Documents:

AP REGULAR DEPARTMENT PAYMENT REGISTER.PDF

6. Motion To Approve, Request Public Comment, Roll Call

7. Citizens Input

If you need to address the Mayor and members of the City Council on an item that was not on the agenda, excluding personnel items, please come forward to the podium and state your name and your concern. Presentations are limited to three minutes. Items will be considered but no action will be taken at this time.

8. Update: Local Emergency Management Procedures

Documents:

STAFF REPORT-EMERGENCY MANAGEMENT UPDATE.PDF

9. BOARD OF ADJUSTMENT: Entertain A Motion For The City Council To Recess And Sit As The Board Of Adjustment.

10. Action To Set Date For Board Of Adjustment Hearing 10/17/2016

Roxie Ackman and Brittany Royston have made an application for a conditional use permit to operate a home occupation/beauty salon in their home located at 718 E 6th Ave, legally described as Lot 11, Block 4, F.M. Greene Addition, City of Mitchell, Davison County, SD

Documents:

AGENDA ITEM REQUEST- ACKMANCUP.PDF
ACKMANMAP.PDF

11. Action To Set Date For Board Of Adjustment Hearing 10/17/2016

Sue Burris has applied for a front-yard variance of 15 vs 25 feet as required for construction of an unenclosed porch at her residence at 210 W 10th Ave, legally described as S 100 feet of Lot 10, Block 42, Capital Addition, City of Mitchell, Davison County, SD

Documents:

AGENDA ITEM REQUEST- BURRISVAR.PDF
BURRISMAP.PDF

12. RECONVENE AS CITY COUNCIL: Entertain A Motion For The Board Of Adjustment To

12. **RECONVENE AS CITY COUNCIL: Entertain A Motion For The Board Of Adjustment To Adjourn And The City Council To Reconvene In Regular Session.**

13. **Action To Approve FYRA Engineering Proposal**
    Request to proceed with the FYRA Engineering Proposal Steps 1-3
    Lake Mitchell Advisory Committee Minutes supporting request

    Documents:

    REQUEST TO APPROVE FYRA ENGINEERING PROPOSAL.PDF
    LAKE ADVISORY COMMITTEE MINUTES 8-30-16.PDF

14. **Consider Approval Of Easement Agreement**
    James River Property Group LLC (represented by Attorney Doug Dailey) is requesting an easement agreement between them and the City of Mitchell which will permit an existing sign to remain on city property that is located on the NE Corner of 1st and Sanborn Blvd.

    Documents:

    AGENDA ITEM REQUEST EASEMENT.PDF
    EASEMENTAGREEMENT.PDF
    EXHIBITSPLATSFOREASEMENT.PDF

15. **Action On Resolution #3385**
    A Plat of Lot D-1, A Subdivision of Lot D in the SE 1/4 of Section 3, T 102 N, R 60 W of the 5th P.M., Davison County, SD

    Documents:

    AGENDA ITEM REQUEST PLAT D-1.PDF
    RES3385PLAT.PDF
    GISMAPPLATD1.PDF
    PLATD1.PDF

16. **Hearing On Petition To Vacate A Portion Of West 19th Avenue**

17. **Action On Resolution #3386: Vacating A Portion Of West 19th Avenue**
    Mayor Toomey and CJM Consulting filed a petition to vacate a portion of West 19th Avenue as part of a larger land swap transaction.

    Documents:

    AGENDA ITEM- RESOLUTION VACATING A PORTION OF WEST 19TH AVENUE- PRINTED.PDF
    RESOLUTION VACATING A PORTION OF WEST 19TH AVENUE.PDF

18. **2nd Reading & Adoption**
    Ordinance #2552, Revising BID #2

    Documents:

    AGENDA ITEM- BID 2 PROPOSE ORDINANCE (PRINTED).PDF
    PROPOSED ORDINANCE AMENDING BID 2.PDF

19. **Motion To Approve, Request Public Comment, Roll Call**

20. **First Reading: Ordinance #2553**
    An Ordinance changing the District Classification of Lots 1 thru 9, Block 5, MLC

Addition, in NE 1/4 of SW 1/4 of Section 28, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, SD from R2 Single Family Residential District to the Planned Unit Development (PUD) known as Mueller Lumber Morningview Subdivision and amending Ordinance 2430 that previously established the Planned Unit Development District known as Mueller Lumber Morningview Subdivision

Documents:

AGENDA ITEM REQUEST ORD2553.PDF
ORD2553.PDF
ORD2553MAPS.PDF
ORD2430.PDF
NOHORD2553.PDF
APPLICATIONORD2553.PDF
NEIGHBORSMAILINGORD2553.PDF

21. First Reading: Ordinance #2554

Ordinance #2554, Amending MCC 6-1-4(A) on Unreasonable Animal Noise

Documents:

AGENDA ITEM- ANIMAL NOISE- PRINTED.PDF
PROPOSED ORDINANCE ON DOG NOISE.PDF

22. Action To Award Janitorial Supply #2016-42

Janitorial/Housekeeping Supply Contract #2016-42

Documents:

JANITORIAL STAFF REPORT.PDF
2016-42 BID TABULATION FOR JANITORIAL SUPPLY 1.PDF

23. Executive Session: Entertain A Motion For The City Council To Enter Into Executive Session.

PERMITTED BY SDCL 1-25-2 (4): Preparing for contract negotiations or negotiating with employees or employee representatives.

24. Motion To Adjourn

25. FOR COUNCIL INFORMATION: Planning Commission Minutes September 26, 2016

Documents:

PLANNINGCOMMMINUTES9262016.PDF

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.