City Council Agenda
City Council Chambers, City Hall, 612 N. Main Street
October 17, 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. **Invocation: Resurrection Lutheran**

3. **Pledge Of Allegiance**

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:

      10-03-16.PDF

   B. **Committee Meeting Minutes**

      Documents:

      PLANNINGCOMM9262016.PDF

   C. **Department Reports**

      Documents:

      FINANCE DEPARTMENT REPORT-SEPT.PDF
      SALES TAX-2016.PDF
      MOWING (AUGUST).PDF
      MOWING (SEPTEMBER).PDF
      AIRPORT BOARD (AUGUST).PDF
      AIRPORT (SEPTEMBER).PDF
      JULY AUGUST SEPTEMBER CORN PALACE MONTHLY REPORT.PDF
      SEPTEMBER 2016 BUILDING PERMIT REPORT.PDF
      MITCHELL PUBLIC LIBRARY ACTIVITY REPORT (JUNE).PDF
      MITCHELL PUBLIC LIBRARY (JUNE THRU SEPT).PDF
      MITCHELL PUBLIC LIBRARY ACTIVITY REPORT (JULY).PDF
      PALACE TRANSIT (AUGUST).PDF
      WATER (SEPTEMBER).PDF

   D. **Raffle Permits**
      James Valley Community Center with the drawing to be held on January 12, 2017
      Mitchell Aquatic Club with the drawing to be held on every Monday, Wednesday and Friday for the 2017 calendar year

      Documents:

      JVCC.PDF
      MITCHELL AQUATIC CLUB.PDF

E. Change Order #2 - Rowley Street Project #2016-3

Change Order #2 for the 200-400 Blocks of North Rowley Utility Improvements contracted to Menning Backhoe, LLC decreasing contract amount by $8,228.50 as built quantities to adjust contract amount to $174,528.25

Documents:

2016 ROWLEY STREET CO 2 MENNING BACKHOE STAFF REPORT.PDF
2016-3 MENNING CO 2 - DOCUMENTATION.PDF

F. Change Order #1 - 23rd And Ohlman Westwood Storm Pond Project #2016-30

Contracted to Schoenfelder Construction in the amount of $550.00 for cover crop adjust contract amount to $71,582.35.

Documents:

2016 23RD OHLMAN POND CHANGE ORDER 1 - STAFF REPORT.PDF
2016 23RD OHLMAN POND CHANGE ORDER 1.PDF
2016-30 SCHOENFELDER CO ADD. DOCUMENTATION.PDF

G. Action To Approve The Parade Of Lights Parade For December 5, 2016

Mitchell Main Street and Beyond would like to request a parade permit, street closures and No Parking for December 5, 2016 for the Parade of Lights beginning at 6:30 p.m.

Documents:

PARADE OF LIGHTS STAFF REPORT1.PDF
PARADE OF LIGHTS EVENT.PDF

H. Set Date Of 11-07-16 For Hearings

Hearing on the application of Overtime for a Special Event Liquor License, located at the Overtime Event Center for a Christmas party on December 9th, 2016.

Hearing on the application of Overtime for a Special Event Liquor License, located at the Overtime Event Center for a Christmas party on December 13th, 2016.

Documents:

OVERTIME 12 9 16.PDF
OVERTIME 12 13 16.PDF

I. Pay Estimates For October 17, 2016

Documents:

PAY ESTIMATES STAFF REPORT.PDF
PAY ESTIMATES 10-17-16.PDF

J. 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. **Hearings**

   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.

   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.

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

   Documents:

   HEARINGS.PDF
   TOKYO APPLICATION1.PDF
   MASONIC LODGE APPLICATION.PDF
   BLARNEYS HOLIDAY SPIRIT.PDF

9. **Update On Corn Palace Education Center**

   Documents:

   CORN PALACE EDUCATION CENTER UPDATE STAFF REPORT.PDF
   CPEC SURVEY 2016.PDF

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

11. **Action To Set Date For Board Of Adjustment Hearing 11/7/2016**

    Jamie Wagner has applied for a conditional use permit to operate a family residential child care in her home located at 812 W 2nd Ave, legally described as Lot 13, Block 92, Lawler's 2nd Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential District.

    Documents:

    AGENDA ITEM REQUESTWAGNER.PDF
    WAGNERMAP.PDF

12. **Action To Set Date For Board Of Adjustment Hearing 11/7/2016**

    West Havens Storage LLC has applied for a conditional use permit for construction of self-service facilities at 1522 W. Havens Ave, legally described as The E 140' of Irregular Tract 4A located in the SW 1/4, Section 21, T 103 N, R 60 W of the 5th P.M., Less PE-1, Platted Various, City of Mitchell, Davison County, SD. The property is zoned HB Highway Oriented Business District.

    Documents:

    AGENDA ITEM REQUEST WEST HAVENS.PDF
    WESTHAVENSMAP.PDF

13. **Hearing On Sue Burris, 210 W 10th Ave**

13. **Hearing On Sue Burris, 210 W 10th Ave**

Sue Burris has applied for a front yard variance of 15' vs 25' as required for construction of an unenclosed porch at her residence located at 210 W 10th Ave, legally described as S 100' of Lot 10, Block 42, Capital Addition, City of Mitchell, Davison County, SD. Zoned R2 Single Family Residential District.

Documents:

AGENDA ITEM REQUEST BURRIS.PDF
NOH BURRIS.PDF
APPLICATIONBURRIS.PDF
BURRISPLAN.PDF
L10 B42 CAPITAL.PDF
BURRISNEIGHBORS.PDF

14. **Hearing On Roxie Ackman And Brittany Royston, 718 E 6th Ave**

Roxie Ackman and Brittany Royston have made an application for a conditional use permit to operate a home occupation/beauty salon in their property located at 718 E 6th Ave, legally described as Lot 11, Block 4, F.M. Greene Addition, City of Mitchell, Davison County, SD. Zoned R2 Single Family Residential District.

Documents:

AGENDA ITEM REQUEST ACKMAN.PDF
NOHACKMAN.PDF
APPLICATIONACKMAN.PDF
GISMAPACKMAN.PDF
ACKMANNEIGHBORS.PDF

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

16. **Request For Approval Of The Concept Of Mitchell Baseball Association Proposal**

This is a request for approval of the Concept for the formal proposal Mitchell Baseball Association is making to build a structure on City property to be used as an indoor baseball training facility. The location of the facility will be on the corner of West 15th Avenue and North Iowa Street.

Documents:

MITCHELL BASEBALL ASSOCIATION PROPOSAL.PDF
MITCHELL BASEBALL STRUCTURE PROPOSAL.PDF

17. **Consider Approval Of Rezoning Various City Owned Properties**

Consideration to start the rezoning process of changing various city owned properties zoning to the PL District.

Documents:

AGENDA ITEM REQUEST- CITYZONING.PDF
PUBLICLANDDISTRICT.PDF
CITYZONINGMAPS..PDF

18. **Action On Resolution #3387**

A Plat of Lot 33 of Maui Farms Second Addition, A Subdivision of the SE 1/4 of Section 31, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota

Documents:

AGENDA ITEM REQUEST PLATL33.PDF
RES3387.PDF
GISMAPLOT33.PDF
PLATL33.PDF

19. Action On Resolution #3388

A Plat of Lot 5-B, Block 7 of Westwood First Addition, A Subdivision of the SW 1/4 of Section 16, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota

Documents:

AGENDA ITEM REQUEST- PLAT5B.PDF
RES3388.PDF
GISMAPL5B.PDF
PLAT5B.PDF

20. Action On Resolution #3389

A Plat of Lots 3 and 4, Block 4A of Westwood First Addition, A Subdivision of Block 4 of Westwood First Addition in the NW 1/4 of Section 16, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota.

Documents:

AGENDA ITEM REQUESTBLK4A.PDF
RES3389.PDF
GISMAPB4A.PDF
PLAT4A.PDF

21. Action On Resolution #3390

Lots 1 and 2, Block 8 of Westwood First Addition, and portions of Westwood First Addition, and portions of West 20th Avenue, Pheasant Street and Quail Street, all in the NW 1/4 of Section 16, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota

Documents:

AGENDA ITEM REQUEST- PLATBL8.PDF
RES3390.PDF
GISMAPBLK8.PDF
PLATBLOCK8.PDF

22. Action On Resolution #3391

A Plat of Lots 5B and 7B of Menard's Addition in the W 1/2 of the NE 1/4 of Section 34, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota

Documents:

AGENDA ITEM REQUESTMENARDSPLAT.PDF
RES3391.PDF
GISMAPMENARDS.PDF
PLATL5B7BMENARDS.PDF

23. 2nd Reading & Adoption

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 District (PUD) known as Mueller Lumber Morningview

Subdivision (Sub Area C) and amending Ordinance 2430 that previously established the Planned Unit Development District known as Mueller Lumber Morningview Subdivision.

Documents:

AGENDA ITEM REQUEST MUELLERLUMBER.PDF
ORDINANCE2553.PDF
NOHORD2533.PDF
ORDINANCE2553MAPS.PDF
ORDINANCE2430.PDF
ORD2553NEIGHBORS.PDF

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

25. **2nd Reading & Adoption**
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

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

27. **Action On The Collective Bargaining Agreement Between Mitchell City Employees, AFSCME Local 2922 And The City Of Mitchell For January 1, 2017- December 31, 2019.**

Documents:

STAFF REPORT AFSCME.PDF
2016 -2019 CBA CITY OF MITCHELL MITCHELL CITY EMPLOYEES AFSCME LOCAL 2922.PDF
AFSCME REQUEST.PDF

28. **Action On The Collective Bargaining Agreement Between Teamsters Local Union No 120 And The City Of Mitchell For January 1, 2017- December 31, 2019.**

Documents:

STAFF REPORT TEAMSTERS.PDF
2017-2019 TEAMSTERS CONTRACT.PDF

29. **Action On The Collective Bargaining Agreement Between IAFF Mitchell Firefighters Association Local 4166 And The City Of Mitchell For January 1, 2017- December 31, 2019.**

Documents:

STAFF REPORT IAFF.PDF
2017-2019 IAFF CONTRACT.PDF

30. **Motion To Adjourn**

31. **FOR COUNCIL INFORMATION: Planning Commission Minutes October 11, 2016**

Documents:

PLANNINGCOMM101116.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.