

## City Council Agenda

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

*The meeting start time is 6:30 PM. Committee Meetings (if any) will be first; immediately followed by the City Council Meeting.*

1. 4:00 P.m.-6:00 P.m. Budget Work Session
2. 6:30 P.m. Public Health And Safety Committee

Documents:

[PUBLIC HEALTH AND SAFETY AGENDA.PDF](#)

3. Call To Order
4. Pledge Of Allegiance
5. Invocation: First Lutheran
6. Roll Call
7. 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:

[07-18-16.PDF](#)

### B. Committee Minutes:

*Planning Commission July 11, 2016*

*Traffic July 18, 2016*

Documents:

[PLANNING COMMISSION 07-11-16.PDF](#)

[TRAFFIC JULY 18, 2016.PDF](#)

### C. Raffle Permit

*Mitchell Prehistoric Indian Village with the drawing to be held on October 1, 2016*

*Mitchell Area Charitable Foundation with the drawing to be held on October 11, 2016*

*Mitchell Skating & Hockey Association with the drawing to be held in February 2017*

Documents:

[MITCHELL PREHISTORIC INDIAN VILLAGE.PDF](#)

[MITCHELL AREA CHARITABLE FOUNDATION.PDF](#)

[MITCHELL SKATING AND HOCKEY.PDF](#)

### D. Request Approval To Purchase And Install Bollards At Dept Of Public Safety From Grant Funding

*Department of Public Safety request the approval to purchase traffic bollards. They have been approved in the amount of \$17,500.00 through grant funds*

Documents:

**E. Set Date Of 08-15-16 For Hearings**

*Set date of 08-15-16 for a hearing on the application to transfer Retail (On-Off Sale) Malt Beverage License RB-3833 from PRG Mitchell, LLC, dba Marco's Pizza, 605 South Sanborn Avenue, Mitchell, South Dakota to PRG Mitchell, LLC, dba Marco's Pizza, 605 South Sanborn Avenue, Mitchell, South Dakota due to a change in configuration of the licensed premises to include the Patio. Background check was recently completed on their Malt Beverage Renewal. Property Taxes are current.*

*Set date of 08-15-16 for a hearing on the application of Marco's Pizza, 605 South Sanborn Avenue, Mitchell, South Dakota to obtain a Retail (On-Off Sale) Wine License. This license does not include video lottery.*

*Set date of 08-15-16 for a hearing on the application of James River Archers, Alexandria, South Dakota for a Special Event Liquor License, located at the National Guard Armory on August 20th, 2016 for a wedding dance.*

*Set date of 08-15-16 for a hearing on the application of the Palace City Lions Club for a Special Event Malt Beverage License, located at the Horseman's Sports Arena on August 17, 2016 for the Bull Bash.*

Documents:

[STAFF REPORT-SET DATE.PDF](#)  
[MARCOS PATIO APP.PDF](#)  
[MARCOS WINE APP.PDF](#)  
[NATIONAL GUARD.PDF](#)  
[LIONS CLUB-BULL BASH.PDF](#)

**F. Set Date For Rock Salt Bid Opening**

*Set date of 08-22-16 to receive and consider bids for Annual Supply of Rock Salt-City Project #2016-27 at 1:30 p.m. in the Council Chambers of City Hall*

Documents:

[SET DATE ROCK SALT BID 2016-27.PDF](#)

**G. Set Date For Janitorial Supplies**

*Set Date of August 22, 2016 to receive and consider bids for Janitorial Supplies at 1:30 p.m. in the Council Chambers of City Hall*

Documents:

[SET DATE FOR JANITORIAL SUPPLIES 2016-42.PDF](#)

**H. Pay Estimates For August 1, 2016**

*Pay Estimate Schedule for August 1, 2016*

Documents:

[PAY ESTIMATES 08-01-16.PDF](#)

**I. 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**

## 1. Payment Register

Documents:

[AP PAYMENT REGISTER.PDF](#)

## 8. Motion To Approve, Request Public Comment, Roll Call

### 9. 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.*

### 10. Committee Report:

*Public Health & Safety*

### 11. HEARINGS:

*On the applications to transfer Retail (On-Off Sale) Malt Beverage License RB-20236 and Retail (On-Off Sale) Wine License RW-20237 from Jeanne Blaaid, 515 East Spruce Street, Mitchell, South Dakota to Jeanne Blaaid, 800 West Spruce Street, Mitchell, South Dakota. Licenses will be inactive. Background check was recently completed on their Malt Beverage Renewal. Property Taxes are current.*

*On the applications of the Mitchell Elks Lodge #1059 for a Special Event Liquor License, located at the Masonic Lodge on:*

*On August 20th, 2016 for the Shriner's 60th Anniversary*

*On August 27th, 2016 for a Wedding*

*On September 8th, 2016 for the NRA Banquet*

*On the application of the Palace City Lions Club for a Special Event Malt Beverage License, located at the Southwest corner of the Hitchcock Park on August 20th, 2016 for the Tour de Corn.*

Documents:

[STAFF REPORT-HEARING.PDF](#)  
[BLAALID-MALT BEVERAGE.PDF](#)  
[BLAALID-WINE LICENSE.PDF](#)  
[ELKS LODGE-AUG 20TH.PDF](#)  
[ELKS LODGE-AUG 27TH.PDF](#)  
[ELKS LODGE-SEPT 8TH.PDF](#)  
[TOUR DE CORN.PDF](#)

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

### 13. Action To Set Date For Board Of Adjustment Hearing 8/15/2016

*Hearing on the application of Sara Bailey for a conditional use permit to operate a family residential child care facility in her home located at 308 E 7th Ave, legally described as Lot 9, Block 1, Rowley's 1st Addition, City of Mitchell, Davison County, SD. Zoned R2 Single Family Residential District*

Documents:

[AGENDA ITEM REQUEST- NEW LOGOBAILEY .PDF](#)  
[BAILEYMAP.PDF](#)

**14. Action To Set Date For Board Of Adjustment Hearing 8/15/2016**

*Hearing on the application of Angela and Bonnie Jones (applicant) and Boyd and Kay Reimnitz (owner) for a conditional use permit to operate a home occupation/retail business and display of art work in the applicants' home located at 414 W. 7th Ave, legally described as E 1/2 of Lots 9 & 10, Block 3, Rowley's 2nd Addition, City of Mitchell, Davison County, SD. Zoned R2 Single Family Residential District.*

Documents:

[AGENDA ITEM REQUEST- NEW LOGOJONES .PDF](#)  
[JONESMAP.PDF](#)

**15. Hearing On Brad Bauer, 2501 Anthony Ave**

*On the application for Brad Bauer for a height variance of 25' vs 23' for construction of a building to be located at 2501 Anthony Avenue, legally described as Lot 14, Block 9, CJM 2nd Addition, IT #3, NW 1/4, Section 32, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, SD. Zoned Planned Development District*

Documents:

[AGENDA ITEM REQUEST- NEW LOGOBAUER .PDF](#)  
[NOTICE OF HEARINGBAUER2016.PDF](#)  
[BAUERAPP.PDF](#)  
[BAUERMAPS.PDF](#)  
[BAUERGIS.PDF](#)  
[BAUERLETTERS.PDF](#)

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

**17. 2nd Reading & Adoption Of Ordinance #2547:**

*An Ordinance Revising Sections 2-4-2 and 2-4-4 of the Mitchell City Code regarding the imposition of the Lodgings, Alcoholic Beverages, and Prepared Food Tax and the appropriation of the funds thereof*

Documents:

[AGENDA ITEM REQUEST ENTERTAINMENT TAX.PDF](#)  
[ORD 2547.PDF](#)  
[ENTERTAINMENT TAX OVERVIEW- STAFF REPORT FOR 8-1-16 COUNCIL MEETING.PDF](#)

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

**19. 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.*

**20. Motion To Adjourn**

**21. FOR COUNCIL INFORMATION: Planning Commission Minutes-July 25, 2016**

Documents:

[PLANNINGCOMMMIN7252016.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.

PUBLIC HEALTH AND SAFETY AGENDA  
CITY COUNCIL CHAMBERS  
612 NORTH MAIN, MITCHELL, SD  
DATE: MONDAY, AUGUST 1, 2016 - 6:30 PM

1. CALL TO ORDER
2. APPROVE AGENDA
3. REQUEST FOR KERNEL BOWL FIREWORKS PERMIT

Documents:

[KERNEL BOWL REQUEST.PDF](#)





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
7/25/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Ryder Rosacker McCue & Huston (MGD by Hull & Compa 509 W Koenig St Grand Island NE 68802	<b>CONTACT NAME:</b> Kristy Wolfe	
	<b>PHONE (A/C, No, Ext):</b> 308-382-2330	<b>FAX (A/C, No):</b> 308-382-7109
<b>E-MAIL ADDRESS:</b> kwolfe@ryderinsurance.com		
<b>INSURER(S) AFFORDING COVERAGE</b>		<b>NAIC #</b>
<b>INSURER A :</b> SCOTTSDALE INS CO		41297
<b>INSURER B :</b>		
<b>INSURER C :</b>		
<b>INSURER D :</b>		
<b>INSURER E :</b>		
<b>INSURER F :</b>		

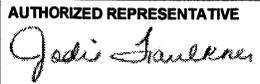
**INSURED**  
 Cam Starr & Company, Inc.  
 fka All Star Shows LLC dba All Star Fireworks  
 5000 Nevada Ave #213  
 Sioux Falls SD 57108

**COVERAGES**                      **CERTIFICATE NUMBER:** 66904960                      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<b>GENERAL LIABILITY</b>			CPS2261907	9/13/2015	9/13/2016	EACH OCCURRENCE \$2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$2,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						
	GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						
	<b>AUTOMOBILE LIABILITY</b>						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS						
	<input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> N/A						

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES** (Attach ACORD 101, Additional Remarks Schedule, if more space is required)  
 Blanket Additional Insured applies to the entities listed below per attached form GLS-150s when required by written agreement.  
 Additional Insured: City of Mitchell; Mitchell High School; Mitchell Athletic Booster Club  
 Location: 1st Annual Kernel Bowl, Mitchell High School  
 Date: 8/27/16

<b>CERTIFICATE HOLDER</b>  City of Mitchell 612 N Main St. Mitchell SD 57301	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 
--	--

REGULAR MEETING OF THE CITY COUNCIL  
COUNCIL CHAMBERS, CITY HALL  
MITCHELL, SOUTH DAKOTA

July 18, 2016  
6:30 P.M.

**PRESENT:** Dan Allen, Mel Olson, Steve Rice, Bev Robinson, Jeffrey Smith, Susan Tjarks, Dave Tronnes

**ABSENT:** Marty Barington

**PRESIDING:** Mayor Jerry Toomey

**APPOINT DEPARTMENT HEAD:**

Mayor Jerry Toomey recommended the appointment of Nathan Powell as the Parks & Recreation Director.

Moved by Olson, seconded by Tjarks, to approve the appointment of Nathan Powell as the Parks & Recreation Director. Motion carried.

**OATH OF OFFICE:**

Mayor Toomey issued the Oath of Office to Parks & Recreation Director Nathan Powell.

**AGENDA:**

Moved by Tjarks, seconded by Allen, to approve the following items on the consent agenda:

- a. Council Minutes from Prior Meeting.
- b. Committee Minutes:
  1. Planning Commission June 27, 2016, and
  2. Finance July 5, 2016.
- c. Department Reports:
  1. Finance (June),
  2. Police (June),
  3. Mitchell Regional Ambulance(June),
  4. Fire(June),
  5. Building Permits (June),
  6. Airport (June),
  7. Mowing Abatements (May & June)
  8. World's Only Corn Palace (May & June)
  9. Palace Transit (June),

- 10. Lake Mitchell Advisory Committee (May),
- 11. Lakeview Golf (June) and
- 12. Water (June).
- d. Raffle Requests:
  - 1. Purr N Ruff Rescue with the drawing to be held on September 10<sup>th</sup>, 2016,
  - 2. L.B. Williams with the drawing to be held on October 8, 2016, and
  - 3. Palace City Pedaler's with the drawing on August 20, 2016.
- e. Set date of 08-01-16 on the following applications:
  - Jeanne Blaaid to transfer Retail (On-Off Sale) Malt Beverage License RB-20236 and Retail (On-Off Sale) Wine License RW-20237 from Jeanne Blaaid, 515 East Spruce Street, Mitchell, South Dakota to Jeanne Blaaid, 800 West Spruce, Mitchell, South Dakota. Licenses will be inactive.

Palace City Lions Club for a Special Event Malt Beverage License, located at the Southwest corner of Hitchcock Park on August 20<sup>th</sup>, 2016 for the Tour de Corn.

- f. Set date of 08-01-16 on the following applications of Mitchell Elks Lodge #1059 for Special Event Liquor Licenses, located at the Masonic Lodge
  - 1 on August 20<sup>th</sup>, 2016 for the Shriner's 60<sup>th</sup> Anniversary,
  - 4. on August 27<sup>th</sup>, 2016 for a wedding, and
  - 5. on September 8<sup>th</sup>, for the NRA Banquet.
- g. Approval on the application of Bates Enterprises dba Longhorn Bar, Mitchell for a Special Event Liquor License, located at Sabers Specialties at 700 East Kay Avenue for September 10, 2016 for Cruisin' For A Cause.
- h. Application of the World's Only Corn Palace to obtain a Consumption Permit on August 25, 2016 located on 6<sup>th</sup> and Main for the Judd Hoos concert.
- i. Gas & Diesel Fuel Competitive Quotations:

<u>Farmers Alliance</u>	Requested Gallons	Bid Gallons	Price per Product	Total Bid
On Road Diesel-#2	1,600	1,600	\$1.8995	\$ 3,039.20
Unleaded Gas- 10% Ethanol	5,900	5,900	\$1.7964	\$10,598.76
		Total Bid:		\$13,637.96

<u>Country Pride</u>	Requested Gallons	Bid Gallons	Price per Product	Total Bid
On Road Diesel-#2	1,600	1,600	\$1.885	\$ 3,016.00*
Unleaded Gas- 10% Ethanol	5,900	5,900	\$1.789	\$10,555.10*
Unleaded Gas	5,900	5,900	\$2.084	\$12,295.60
		Total Bid:		\$13,571.10*

**Country Pride was the low bidder and was awarded the bid for the items marked with an asterisk.**

- j. Pay Estimates:

Pay Estimate #17A in the amount of \$1,084.67 for West End Bridge Repair (#2011-2) Project #2015-2 contracted to South Dakota Department of Transportation,

Pay Estimate #1 in the amount of \$27,850.00 for Water Distribution System Analysis Project #2015-35 contracted to SPN & Associates,

Pay Estimate #2 in the amount of \$7,095.04 for 6<sup>th</sup> Street Plaza Project #2016-18 contracted to Confluence,

Pay Estimate #6 in the amount of \$38,421.15 for 5<sup>th</sup> Street & Utilities Improvement Project contracted to SPN & Associates, and

Pay Estimate #5 in the amount of \$8,000.00 for Sanborn Design Contract contracted to SPN & Associates.

- 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.

**PAYROLL JUNE 19, 2016 – JULY 2, 2016:** City Council \$2,913.84, Mayor \$1,212.23, City Administrator \$4,434.00, Attorney \$3,636.72, Finance \$11,705.53, Human Resources \$3,031.28, Municipal Building \$2,835.68, Information Technology \$2,201.52, Police \$59,637.22, Traffic \$4,592.09, Fire \$43,069.65, Street \$25,904.04, Public Works \$19,341.46, Cemetery \$4,518.33, Animal Control \$1,446.24, Emergency Medical Services \$9,832.65, Library \$11,851.33, Recreation & Aquatics \$31,893.35, Recreation Center \$9,159.03, Sports Complexes \$18,157.57, Parks \$22,627.41, Supervision \$1,416.73, E911 \$21,211.70, RSVP \$5,588.73, Palace Transit \$16,655.70, Nutrition \$1,057.01, Water \$5,315.05, Water Distribution \$9,302.82, Sewer \$13,679.37, Airport \$1,921.84, Waste Collection \$9,771.34, Landfill \$8,047.93, Corn Palace Maintenance \$29,724.28, Golf Course \$9,409.83.

**NEW HIRES:**

PARKS: Cody Pohlen-\$15.947.

**SALARY ADJUSTMENTS:**

PUBLIC SAFETY POLICE: Terry Reyelts-\$26.467.

CORN PALACE: Jeff Hanson-\$16.658.

WASTE COLLECTION: Troy Sipes-\$18.936.

**WARRANTS:** A & B Business Solutions, Supplies-\$1,219.14; A-OX Welding Supply, Supplies-\$248.56; Advance Auto Parts, Supplies-\$359.34; Advantage Auto Glass, Repair-\$55.00; AFLAC, Aflac Withholding-\$4,310.34; AFLAC Group, Critical Care-\$791.36; AFSCME Council 65, Union Dues-\$1,080.00; Agronomy Plus, Supplies-\$299.78; Ameripride Services, Supplies-\$134.15; Aqua-Pure, Supplies-\$1,912.50; Automatic Building Control, Repairs-\$630.36; Avera Queen of Peace Hospital, Service-\$4,689.39; Avera Queen of Peace Hospital, Supplies-\$180.40; B-Y Water District, Usage-\$87,957.00; Bailey Metal Fabricators, Repairs-\$368.28; Bender's Sewer Cleaning, Repairs-\$545.00; Bernan, Books-\$200.00; Better Containers, Supplies-\$265.25; Big Daddy D's, Contract Services-\$3,835.00; Bill Marquardt, Sports Authority-\$900.00; Blackstone Audio, E-Books-\$329.97; Book Systems, Supplies-\$1,545.00; Booms Restaurant, Contract Services-\$2,910.25; Bound Tree Medical, Supplies-\$265.00; Break Time Portables, Contract Services-\$95.00; Brian Daughters, Travel-\$87.50; Brown & Saenger, Supplies-\$721.34; C & B Operations, Supplies-\$676.07; Campbell Supply, Supplies-\$340.27; Carolina Software, Repairs-\$200.00; Carquest Auto Parts, Supplies-\$120.38; CDW Government, Supplies-\$241.22; Center Point Large Print, Books-\$86.88; Central Electric, Utilities-\$10,715.05; Century Link, Utilities-\$52.46; Claims Associates, Liability Claims-\$972.01; Coca Cola Bottling, Supplies-\$546.48; Commercial Asphalt/Spencer Quarries, Supplies-\$6,404.94; Confluence, 2016-18 P.E. #2-\$7,095.04; Construction Products & Consultants, Supplies-\$395.00; Corn Palace Concessions, Supplies-\$139.28; Country Pride Coop, Supplies-\$23,857.94; County Fair, Advertising-\$535.54; County Fair, Contract Services-\$150.00; Craig Fuerst, Supplies-\$350.00; Daily Republic, Advertising-\$2,847.80; Dakota Counseling, Service-\$414.00; Dakota Fluid Power, Supplies-\$179.41; Dakota Pump & Control, Repairs-\$2,790.82; Dakota Pump, Supplies-\$1,142.52; Daniel Esh, Travel-\$65.52; Danko Emergency Equipment, Supplies-\$2,883.57; Darrington Water Conditioning, Rental-\$83.75; Davison Rural Water System, Utilities-\$84.70; Deb Overseth, Service Award-\$100.00; Debbie Vaughn, Reimbursement-\$100.00; Department of Social Services, Child Support-\$1,489.99; Dice Benefits Consulting, Consulting Fees-June-\$510.00; Dick's Body Shop, Service-\$65.00; Dug Out, Contract Services-\$698.25; Elliott Equipment, Supplies-\$496.52; Emergency Education, Training-\$80.00; Engineering Unlimited, Supplies-\$86.46; Express 2, Supplies-\$33.00; Express Stop, Supplies-\$84.99; Farmers Alliance, Repair-\$223.55; Farner-Bocken, Supplies-\$4,255.73; Fastenal, Supplies-\$1,609.17; Fedex, Transportation Charges-\$11.74; Gale, Books-\$1,436.96; Gaylen's Homegrown Popcorn, Supplies-\$600.00; Golden West Technologies, Utilities-\$225.00; Graham Tire, Repairs-\$46.47; Great Lakes Higher Education, Garnishment-\$192.01; Great Western Tire, Supplies-\$390.82; Grey House Publishing, Books-\$261.25; Harve's Sport Shop, Supplies-\$27.90; Hauge Associates, Garnishment-\$274.73; Hawkins, Supplies-\$4,244.49; HD Supply Waterworks, Supplies-\$3,412.20; Henry Schein, Supplies-\$678.50; Hohbach Electric, Repairs-\$3,365.39; Hohn's Services, Contract Services-\$225.00; Holiday Inn Spearfish Convention, Travel-\$407.80; I-State Truck Center, Supplies-\$47.49; Ingram Library Services, Books-\$1,825.57; Insurance Benefits, Renewal-

\$3,140.00; Integrity Transcription, Professional Services-\$329.40; Interstate Glass & Door, Repairs-\$656.15; Interstate Office Products, Supplies-\$200.71; Iverson Chrysler Center, Rental-\$49.95; James Valley Community Center, 3rd 1/4 2016 Allocation-\$3,750.00; James Valley Nursery, Supplies-\$76.74; JCL Solutions, Supplies-\$42.01; JD Concrete Products, Supplies-\$225.00; Jessica Pickett, Travel-\$11.00; Jones Supplies, Supplies-\$3,168.99; KDLT-TV, Contract-\$250.00; Kelly Hohn, Contract Services-\$550.00; KO'S Pro Service, Service-\$37.35; Krohmer Plumbing, Supplies-\$90.46; Law Towing & Recovery, Police Tow-\$170.00; Lawson Products, Supplies-\$180.58; Lifequest, Supplies-\$302.72; Locators and Supplies, Supplies-\$524.18; LTS Distributing, Supplies-\$595.00; M & T Fire and Safety, Repairs-\$836.30; Marco Technologies, Repairs-\$37.47; Marilee Johnson-Gear, Training-\$270.00; Maximum Promotions, Supplies-\$360.82; Mayer Lawn Service, Contract Services-\$245.00; McFarland Supply #3342 #22, Supplies-\$254.03; McLeod's Printing, Supplies-\$887.11; Mebius Nursery & Landscaping, Supplies-\$55.00; Mega Wash, Repairs-\$24.00; Menard's, Supplies-\$811.84; Meyers Oil, Supplies-\$5,006.75; Mid-America Drilling, Deposit-\$1,500.00; Midcontinent communications, Utilities-\$185.00; Midwest Turf & Irrigation, Supplies-\$228.80; Mitchell Area Chamber of Commerce, 2016 Funding-July-\$3,125.00; Mitchell Area Convention Visitors Bureau, Supplies-\$26,225.00; Mitchell Area Development, Jobfair-\$26,570.00; Mitchell Baseball Association, Tournament-\$3,000.00; Mitchell Concrete Product, Supplies-\$9.00; Mitchell Exchange Club, 2016 Allocation-\$10,000.00; Mitchell Iron & Supply, Supplies-\$1,969.87; Mitchell Plumbing & Heating, Supplies-\$84.65; Mitchell Telecom, Utilities-\$2,199.75; Mitchell United Way, United Way-\$175.42; Morris Equipment, Supplies-\$38.99; Mueller Lumber, Supplies-\$1,323.09; Muth Electric, Repairs-\$4,311.80; Naeir, Supplies-\$40.00; Napa Auto Parts, Supplies-\$207.91; Nathan Powell, Travel-\$2,000.00; National Pawn Company of South Dakota, Supplies-\$35.00; Neve's Uniforms, Supplies-\$158.77; Newman Traffic Signs, Supplies-\$978.66; Noridian Medicare JF Part B Refunds South Dakota, Refund-\$350.40; Northwestern Energy & Communications, Utilities-\$48,022.20; On Sight, Supplies-\$1,997.58; One Source, Professional Services-\$497.65; Overdrive, Supplies-\$706.84; Palace Cleaners, Service-\$53.50; Papa Murphy's Pizza, Pizza-\$182.00; Paulson Air, Supplies-\$78.60; Penguin Random House, Supplies-\$60.00; Pepsi Cola, Supplies-\$466.20; Premier Pest Control, Contract Services-\$175.00; Prestige Flag, Supplies-\$305.25; Pro-Build, Supplies-\$409.90; Project Lifesaver International, Supplies-\$312.49; Public Safety Center, Supplies-\$270.00; Qualified Presort, Mailing Service-\$458.76; Quill, Supplies-\$287.96; Rausch, Sturm, Israel, Enerson & Hornik Attorney at Law-Garnishment-\$233.38; Reader's Den, Book-\$12.80; Recorded Books, Supplies-\$2,554.81; Rita's Place, Contract Services-\$924.00; Riverside Technologies, Supplies-\$3,396.00; S & S Willers, Supplies-\$1,498.37; Santel Communications, Utilities-\$106.16; Schmucker Paul & Nohr, 2015-35 P.E. #1-\$74,271.15; Scott Supply, Supplies-\$109.98; South Dakota Department of Environment & Natural Resources, June Fees-\$2,618.03; South Dakota Department of Health, Lab-\$192.00; South Dakota Department of Transportation, 2015-2 P.E. #17A-\$1,084.67; South Dakota Federal Property

Agency, Supplies-\$605.80; South Dakota Magazine, Renewal-\$23.00; South Dakota Newspaper Services, Supplies-\$401.52; South Dakota One Call, Professional Service-\$255.15; South Dakota Retirement System, South Dakota Retirement System-\$43,650.66; South Dakota Unemployment Insurance Division, Unemployment-\$1,464.00; South Dakota-Supplemental Retirement, Supplemental Retirement-\$3,941.66; South Dakota-Supplemental Roth 457, Roth 457 Contributions-\$300.00 ; Sheehan Mack Sales & Service, Supplies-\$320.24; Sherwin-Williams, Supplies-\$60.37; Shopko Stores Operating, Supplies-\$71.90; Sign Pro, Service-\$514.00; Siteone Landscape Supply, Parts-\$1,900.58; Southeast South Dakota Tourism, Membership-\$230.00; Sport Videos, Supplies-\$143.00; Standard Insurance Company, Life Insurance-\$1,131.59; State Disbursement Unit, Child Support-\$200.00; Sturdevant's Auto Parts, Supplies-\$1,403.91; Subway, Meals-\$80.50; Sun Gold Sports, Supplies-\$853.00; Superior Lamp, Supplies-\$500.59; Tate Martin, Contract Services-\$1,365.00; Teamsters Local No. 120, Union Dues-\$715.00; Tessier's, Repairs-\$1.45; Test America Laboratories, Lab-\$2,620.18; Thomson Reuters – West Information Charges, \$583.00; Three-D Specialties, Supplies-\$385.50; Thune True Value Hardware, Supplies-\$294.59; Ticketforce, Usage Fees-\$415.80; TK Electric, Repairs-\$371.68; TMA Stores, Repair-\$663.64; Trizetto Provider Solution, Service Contract-\$66.10; United Parcel Service Store #4227, Shipping-\$642.14; United States Postmaster, Postage-\$47.00; Van Diest Supply, Supplies-\$1,426.00; Verizon Wireless, Utilities-\$2,233.69; Vessco, Supplies-\$1,144.95; Walmart, Supplies-\$254.33; Wellmark Blue Cross & Blue Shield, Refund-\$89.39; West River Beverage, Supplies-\$462.00; Wheelco Brake & Supply, Supplies-\$440.43; Wholesale Electronics, Supplies-\$53.54; Wright Brothers Aviation, Maintenance Contract-\$2,500.00; X-Treme Cheer, Sports Authority-\$345.00; Yankton Daily Press & Dakotan, Renewal-\$186.33; City of Mitchell, Health Insurance-\$173,283.00; Wells Fargo, Sales Tax Revenue-\$18,926.25; Wells Fargo, Sales Tax Revenue Bonds, Series 2012-\$122,968.75; Wells Fargo, Sales Tax Revenue Refunding Bonds, Series 2009-\$62,618.75; Great Western Bank, Hitchcock Pool-Lease/Purchase-\$171,849.21; South Dakota Department of Revenue, May 2016 Sales Tax Payment-\$15,399.39; Dakotacare, Health & Wellness Services-\$1,521.00; Library, Library Fines, \$2,248.43; DakotaCare, Flex Services-\$251.75; DakotaCare Flex Fees-\$3,074.18; DakotaCare, Health Insurance Expenses-\$189,856.71.

Members present voting aye: Allen, Olson, Rice, Robinson, Smith, Tjarks, Tronnes. Motion carried.

### **CITIZENS INPUT:**

Ron Fuchs, a citizen of the City of Mitchell, informed the City Council that he witnessed skateboarders breaking windows at the old Carnegie Library. He has called the police on several occasions of vandalism in the area and it is getting out of control.

Mayor Jerry Toomey invited the City Council and the public to attend an appreciation event on the second floor of the Corn Palace from 6:30 p.m. – 9:00 p.m., Friday, July 22, 2016.

Council Member Susan Tjarks thanked the Mitchell Public Safety Department for their service and support and how they are appreciated by the City of Mitchell.

Council Member Susan Tjarks informed the City Council and the public that she was pleased with the weekend activities in Mitchell including baseball tournaments, the Corn Palace Stampede Rodeo, and the parade.

### **COMMITTEE REPORT:**

The Traffic Commission met on July 18, 2016 with the following items:

A request for a crosswalk in the 800 block of North Gamble in the handicap crossing area was approved.

A request from the Tour de Corn Committee was approved to block off a portion of the City Hall parking lot and the 100 block of East 7th Avenue on August 20th, 2016 from 7:00 a.m. to 9:30 a.m. for registration.

A request from the Tour de Corn Committee for a parade permit was approved with a police escort and traffic control on August 20<sup>th</sup> 2016 at 12<sup>th</sup>, 23<sup>rd</sup>, and Main Street at 9:30 a.m.

A request from the Scoreboard was approved to remove the “15 Minute Parking” sign in front of their business in the 500 block of North Main.

Cory Pratt, Locations Manager / Hap & Ashley, requests a street closure on North Main Street between 6<sup>th</sup> Avenue and 7<sup>th</sup> Avenue from 9 a.m. to 1 p.m. on August 2, 2016 for filming a movie scene which includes the outside entrance of the Corn Palace was approved.

A request from the Mitchell Convention & Visitor Bureau was approved for the closure of the 600 block of North Main Street from 4:30 a.m.-5:00 p.m. on August 4<sup>th</sup> and 5<sup>th</sup> for the annual Sturgis Biker event.

A request from the Corn Palace Festival Committee was approved for the following: closure of North Main Street and a half block in each direction from 1st Avenue to 7th Avenue at 4:30 a.m. on Tuesday, August 23rd until 4:30 a.m. on Monday, August 29th; closure of the west half of the City Hall parking lot from 4:30 a.m. on August 23rd until 4:30 a.m. on August 29th; closure of the 5<sup>th</sup> and Main parking lot from 4:30 a.m. August 23rd until noon on August 29th; and to allow overnight camping in the Disco lot for carnival workers.

A request to close the south half of the 300 block of S. Mattie Street and close Mattie Street at the intersection of E. Birch Avenue until Mattie Street is completed was approved.

Moved by Allen, seconded by Rice, to approve the Traffic report. Motion carried.

**HEARING:**

It was advised that this is the date and time set for hearing on the application of the Exchange Club of Mitchell for a Special Event Malt Beverage License located at Cadwell Park on August 3-14, 2016 for the State Amateur Baseball Tournament. Moved by Olson, seconded by Rice, to approve said application with the condition that the certificate of liability insurance is current. Motion carried.

**BOARD OF ADJUSTMENT:**

Moved by Tjarks, seconded by Robinson, for the City Council to recess and sit as the Board of Adjustment. Motion carried.

**SET DATE:**

Moved by Rice, seconded by Tronnes, to set date for 08-01-2016 for hearing on the application of Brad Bauer for a height variance of 25' vs 23' as required for construction of a storage building located at 2501 Anthony Avenue, legally described as Lot 14, Block 9, CJM 2<sup>nd</sup> Addition, Northwest ¼ of Section 32, Township 104 North, Range 60 West, City of Mitchell, Davison County, South Dakota. Motion carried.

**HEARING:**

It was advised that this is the date and time set for hearing on the application of Gloria and Terry Hanson for a side-yard variance of 10' vs 3' as required for construction of an addition located at 1326 West 4<sup>th</sup> Avenue, legally described as Lot 1 and 2 of Outlot 1 of C.R. Johnson's Addition, City of Mitchell, Davison County, South Dakota. The Planning Commission recommended approval for the first 36 inches or 3 feet of the addition and the remainder of the addition will be in compliance with the city code of three feet. Moved by Olson, seconded by Tjarks, to approve the proposed original application instead of the Planning Commission's recommendation.

Roll call vote: Members present voting aye: Allen, Olson, Rice, Robinson, Smith, Tjarks, Tronnes. Motion carried.

Moved by Rice, seconded by Tronnes, for the Board of Adjustment to adjourn and the City Council to reconvene in regular session. Motion carried.

**AWARD BID:**

Bids were opened and read on the Surplus Hot Shot Vehicle-City Project #2016-41, on the 11<sup>th</sup> day of July, 2016 in the Council Chambers of City Hall. Moved by Tjarks, seconded by Robinson, to award as follows:

**SURPLUS HOT SHOT VEHICLE  
CITY PROJECT #2016-41**

Western SD Senior Services Inc., 303 North Maple Avenue, Rapid City, South Dakota 57701.

1. One Hot Shot Vehicle as per specs  
2006 Chevy 1500 4 x 4  
Approx. mileage 58,931  
Serial #3GCWK14X96G16856 \$5,432.00

Successful bidder must provide payment in full within 20 days of bid award by Council.

10% Bid Bond Check must be included to make you bid proper.

Motion carried.

**PUBLIC HEARING:**

It was advised that this is the time and place set for hearing on the Special Assessment Roll for 2014 and 2015 Construction Projects and 2015 Nuisance Abatements. Terry Johnson, Deputy Director of Public Works, reviewed the areas for the proposed construction. No testimony was heard from those in favor and those in opposition of the proposed project areas.

**RESOLUTION:**

Moved by Olson, seconded by Tronnes, to adopt Resolution #3355, Providing for Collection of Special Assessment Rolls for 2014 and 2015 Construction Projects and 2015 Nuisance Abatements. Motion carried and resolution declared duly adopted.

This resolution will be published separately from these proceedings.

**PUBLIC HEARING:**

It was advised that this is the time and place set for hearing on the Amended Proposed Resolution Declaring the Necessity for the construction of Sidewalk on Certain Streets in the City of Mitchell, South Dakota. Terry Johnson, Deputy Director of Public Works, reviewed the areas for the proposed construction. Testimonies were heard from those in opposition of the proposed project areas.

Moved by Olson, seconded by Smith, to remove segments 2017-03 and 2017-04 Item #51. Motion carried with Tronnes voting nay.

Citizen Jim Loomer donated \$5,000.00 to the Mitchell Parks and Recreation Department to benefit kids.

**RESOLUTIONS:**

Moved by Olson, seconded by Allen, to adopt Resolution #3356, Amended Proposed Resolution Declaring the Necessity for the Construction of Sidewalk on Certain Streets in the City of Mitchell, South Dakota with the removal of segments 2017-03 and 2017-04, Item #51. Motion carried and resolution declared duly adopted.

This resolution will be published separately from these proceedings.

Moved by Allen, seconded by Rice, to adopt Resolution #3359, Plat of Lot 1 of Crago's Addition, in the West ½ of the Northeast. ¼ of Section 29, Township 103 North, Range 60 West of the 5<sup>th</sup> P.M., Davison County, South Dakota, as follows:

**RESOLUTION #3359  
RESOLUTION OF CITY COUNCIL**

**WHEREAS**, it appears that the City Planning Commission of the City of Mitchell, South Dakota, did duly consider and did recommend the approval and adoption of the hereinafter described plat, at its meeting held on the 11th day of July, 2016; and

**WHEREAS**, it appears from an examination of the plat of PLAT OF LOT 1 OF CRAGO'S ADDITION, IN THE W ½ OF THE N.E. ¼ OF SECTION 29, T 103 N, R 60 W OF THE 5<sup>TH</sup> P.M., DAVISON COUNTY, SOUTH DAKOTA as prepared by Thomas Lynn Week a duly licensed Land Surveyor in and for the State of South Dakota, that said plat is in accordance with the system of streets and alleys set forth in the Master Plan adopted by the City Planning Commission of the City of Mitchell, South Dakota, and that such plat has been prepared according to law;

**THEREFORE**, be it resolved by the City Council of Mitchell, South Dakota, that the plat as PLAT OF LOT 1 OF CRAGO'S ADDITION, IN THE W ½ OF THE N.E. ¼ OF SECTION 29, T 103 N, R 60 W OF THE 5<sup>TH</sup> P.M., DAVISON COUNTY, SOUTH DAKOTA prepared by Thomas Lynn Week a duly licensed Land Surveyor in and for the State of South Dakota, be and the same is hereby approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

Motion carried and resolution declared duly adopted.

Moved by Olson, seconded by Robinson, to adopt Resolution #3367, Plat of Lot 1 of Denne's Addition, in the West ½ of the Northeast. ¼ of Section 29, Township 103 North, Range 60 West of the 5<sup>th</sup> P.M., Davison County, South Dakota, as follows:

**RESOLUTION #3367  
RESOLUTION OF CITY COUNCIL**

**WHEREAS**, it appears that the City Planning Commission of the City of Mitchell, South Dakota, did duly consider and did recommend the approval and adoption of the hereinafter described plat, at its meeting held on the 11th day of July, 2016; and

**WHEREAS**, it appears from an examination of the plat of LOT 1 OF DENNE'S ADDITION, IN THE W ½ OF THE N.E. ¼ OF SECTION 29, T 103 N, R 60 W OF THE 5<sup>TH</sup> P.M., DAVISON COUNTY, SOUTH DAKOTA as prepared by Thomas Lynn Week a duly licensed Land Surveyor in and for the State of South Dakota, that said plat is in accordance with the system of streets and alleys set forth in the Master Plan adopted by the City Planning Commission of the City of Mitchell, South Dakota, and that such plat has been prepared according to law;

**THEREFORE**, be it resolved by the City Council of Mitchell, South Dakota, that the plat of LOT 1 OF DENNE'S ADDITION, IN THE W ½ OF THE N.E. ¼ OF SECTION 29, T 103 N, R 60 W OF THE 5<sup>TH</sup> P.M., DAVISON COUNTY, SOUTH DAKOTA prepared by Thomas Lynn Week a duly licensed Land Surveyor in and for the State of South Dakota, be and the same is hereby approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

Motion carried and resolution declared duly adopted.

Moved by Rice, seconded by Robinson, to adopt Resolution #3368, Plat of Lot 14 in Tract H Wild Oak Golf Club Addition, to the City of Mitchell, Davison County, South Dakota, as follows:

**RESOLUTION #3368  
RESOLUTION OF CITY COUNCIL**

**WHEREAS**, it appears that the City Planning Commission of the City of Mitchell, South Dakota, did duly consider and did recommend the approval and adoption of the hereinafter described plat, at its meeting held on the 11th day of July, 2016; and

**WHEREAS**, it appears from an examination of the plat of LOT 14 IN TRACT H WILD OAK GOLF CLUB ADDITION, TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA as prepared by Nathan L. Jibben, a duly licensed Land Surveyor in and for the State of South Dakota, that said plat is in accordance with the system of streets and alleys set forth in the Master Plan adopted by the City Planning Commission of the City of Mitchell, South Dakota, and that such plat has been prepared according to law;

**THEREFORE**, be it resolved by the City Council of Mitchell, South Dakota, that the plat of LOT 14 IN TRACT H WILD OAK GOLF CLUB ADDITION, TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA prepared by Nathan L. Jibben, a duly licensed Land Surveyor in and for the State of South Dakota, be and the same is hereby approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

Motion carried and resolution declared duly adopted.

Moved by Allen, seconded by Robinson, to adopt Resolution #3369, Plat of Lot 55 of Maui Farms Second Addition, and a Portion of Colette Street, a Subdivision of the Southeast ¼ of

Section 31, Township 104 North, Range 60 West of the 5<sup>th</sup> P.M., City of Mitchell, Davison County, South Dakota, as follows:

**RESOLUTION #3369**  
**RESOLUTION OF CITY COUNCIL**

**WHEREAS**, it appears that the City Planning Commission of the City of Mitchell, South Dakota, did duly consider and did recommend the approval and adoption of the hereinafter described plat, at its meeting held on the 11th day of July, 2016; and

**WHEREAS**, it appears from an examination of the plat of LOT 55 OF MAUI FARMS SECOND ADDITION, AND A PORTION OF COLETTE STREET, A SUBDIVISION OF THE SE ¼ OF SECTION 31, T 104 N, R 60 W OF THE 5<sup>TH</sup> P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA as prepared by Paul J. Reiland, a duly licensed Land Surveyor in and for the State of South Dakota, that said plat is in accordance with the system of streets and alleys set forth in the Master Plan adopted by the City Planning Commission of the City of Mitchell, South Dakota, and that such plat has been prepared according to law;

**THEREFORE**, be it resolved by the City Council of Mitchell, South Dakota, that the plat of LOT 55 OF MAUI FARMS SECOND ADDITION, AND A PORTION OF COLETTE STREET, A SUBDIVISION OF THE SE ¼ OF SECTION 31, T 104 N, R 60 W OF THE 5<sup>TH</sup> P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA prepared by Paul J. Reiland, a duly licensed Land Surveyor in and for the State of South Dakota, be and the same is hereby approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

Motion carried and resolution declared duly adopted.

Moved by Robinson, seconded by Rice, to adopt Resolution #3370, Plat of Lot 3, Block 4 of the Woods First Addition, A Subdivision of the East ½ of the Southwest 1/4 of Section 23, Township 103 North, Range 60 West of the 5<sup>th</sup> P.M., City of Mitchell, Davison County, South Dakota, as follows:

**RESOLUTION #3370**  
**RESOLUTION OF CITY COUNCIL**

**WHEREAS**, it appears that the City Planning Commission of the City of Mitchell, South Dakota, did duly consider and did recommend the approval and adoption of the hereinafter described plat, at its meeting held on the 11th day of July, 2016; and

**WHEREAS**, it appears from an examination of the plat of LOT 3, BLOCK 4 OF THE WOODS FIRST ADDITION, A SUBDIVISION OF THE EAST ½ OF THE SW1/4 OF SECTION 23, T 103 N, R 60 W OF THE 5<sup>TH</sup> P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA as prepared by Paul J. Reiland, a duly licensed Land Surveyor in and for the State of South Dakota, that said plat is in accordance with the system of streets and

alleys set forth in the Master Plan adopted by the City Planning Commission of the City of Mitchell, South Dakota, and that such plat has been prepared according to law;

**THEREFORE**, be it resolved by the City Council of Mitchell, South Dakota, that the plat of LOT 3, BLOCK 4 OF THE WOODS FIRST ADDITION, A SUBDIVISION OF THE EAST ½ OF THE SW1/4 OF SECTION 23, T 103 N, R 60 W OF THE 5<sup>TH</sup> P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA prepared by Paul J. Reiland, a duly licensed Land Surveyor in and for the State of South Dakota, be and the same is hereby approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

Motion carried and resolution declared duly adopted.

Moved by Tronnes, seconded by Rice, to adopt Resolution #3371, Plat of Lots 15 and 16, Block 9 of CJM Second Addition, a Subdivision of a Portion of Blocks 9 and 9A of CJM Second Addition in the Northwest ¼, and a Portion of Irregular Tract No. 3 in the Southwest ¼, All in Section 32, Township 104 North, Range 60 West of the 5<sup>th</sup> P.M., City of Mitchell, Davison County, South Dakota, as follows:

**RESOLUTION #3371  
RESOLUTION OF CITY COUNCIL**

**WHEREAS**, it appears that the City Planning Commission of the City of Mitchell, South Dakota, did duly consider and did recommend the approval and adoption of the hereinafter described plat, at its meeting held on the 11th day of July, 2016; and

**WHEREAS**, it appears from an examination of the plat of LOTS 15 AND 16, BLOCK 9 OF CJM SECOND ADDITION, A SUBDIVISION OF A PORTION OF BLOCKS 9 AND 9A OF CJM SECOND ADDITION IN THE NW ¼, AND A PORTION OF IRREGULAR TRACT NO. 3 IN THE SW1/4 , ALL IN SECTION 32, T 104 N, R 60 W OF THE 5<sup>TH</sup> P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA as prepared by Paul J. Reiland, a duly licensed Land Surveyor in and for the State of South Dakota, that said plat is in accordance with the system of streets and alleys set forth in the Master Plan adopted by the City Planning Commission of the City of Mitchell, South Dakota, and that such plat has been prepared according to law;

**THEREFORE**, be it resolved by the City Council of Mitchell, South Dakota, that the plat of LOTS 15 AND 16, BLOCK 9 OF CJM SECOND ADDITION, A SUBDIVISION OF A PORTION OF BLOCKS 9 AND 9A OF CJM SECOND ADDITION IN THE NW ¼, AND A PORTION OF IRREGULAR TRACT NO. 3 IN THE SW1/4 , ALL IN SECTION 32, T 104 N, R 60 W OF THE 5<sup>TH</sup> P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA a prepared by Paul J. Reiland, a duly licensed Land Surveyor in and for the State of South Dakota, be and the same is hereby approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

Motion carried and resolution declared duly adopted.

Moved by Olson, seconded by Tronnes, to adopt Resolution #3372, A Plat of Portions of Block 2, Block 3, Block 7, Block 8 and Block 9 of CJM Second Addition, and Portions of Michael Avenue, Livesay Lane and Jamaica Street, All in the Northwest ¼ of Section 32, Township 104 North, Range 60 West of the 5<sup>th</sup> P.M., Davison County, South Dakota, as follows:

**RESOLUTION #3372  
RESOLUTION OF CITY COUNCIL**

**WHEREAS**, it appears that the City Planning Commission of the City of Mitchell, South Dakota, did duly consider and did recommend the approval and adoption of the hereinafter described plat, at its meeting held on the 11th day of July, 2016; and

**WHEREAS**, it appears from an examination of the plat of PORTIONS OF BLOCK 2, BLOCK 3, BLOCK 7, BLOCK 8 AND BLOCK 9 OF CJM SECOND ADDITION, AND PORTIONS OF MICHAEL AVENUE, LIVESAY LANE AND JAMAICA STREET, ALL IN THE NW ¼ OF SECTION 32, T 104 N, R 60 W OF THE 5<sup>TH</sup> P.M., DAVISON COUNTY, SOUTH DAKOTA as prepared by Paul J. Reiland, a duly licensed Land Surveyor in and for the State of South Dakota, that said plat is in accordance with the system of streets and alleys set forth in the Master Plan adopted by the City Planning Commission of the City of Mitchell, South Dakota, and that such plat has been prepared according to law;

**THEREFORE**, be it resolved by the City Council of Mitchell, South Dakota, that the plat of PORTIONS OF BLOCK 2, BLOCK 3, BLOCK 7, BLOCK 8 AND BLOCK 9 OF CJM SECOND ADDITION, AND PORTIONS OF MICHAEL AVENUE, LIVESAY LANE AND JAMAICA STREET, ALL IN THE NW ¼ OF SECTION 32, T 104 N, R 60 W OF THE 5<sup>TH</sup> P.M., DAVISON COUNTY, SOUTH DAKOTA a prepared by Paul J. Reiland, a duly licensed Land Surveyor in and for the State of South Dakota, be and the same is hereby approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

Motion carried and resolution declared duly adopted.

Moved by Robinson, seconded by Allen, to adopt Resolution #3373, Amend Resolution #3327, Providing for a Salary Schedule for the Officers and Full Time Employees of the City of Mitchell, South Dakota. Motion carried and resolution declared duly adopted.

This resolution will be published separately from these proceedings.

**ORDINANCES:**

Moved by Robinson, seconded by Tjarks, to place Ordinance #2547, An Ordinance Revising Sections 2-4-2 and 2-4-4 of the Mitchell City Code regarding the imposition of the Lodgings, Alcoholic Beverages and Prepared Food Tax and the appropriation of the funds thereof on first reading. Motion carried.

Moved by Olson, seconded by Allen, to place Ordinance #2546, An Ordinance Creating the Community Services Advisory Board on second reading. Motion carried with Rice voting nay. Moved by Olson, seconded by Tjarks, to adopt Ordinance #2546, as follows:

**ORDINANCE NO. 2546**

AN ORDINANCE ADDING Chapter 3-11, COMMUNITY SERVICES ADVISORY BOARD, to the Mitchell City Code establishing the Community Center Board.

**BE IT ORDAINED BY THE CITY OF MITCHELL, SOUTH DAKOTA AS FOLLOWS:**

Section 1.

That A NEW CHAPTER be added to the Mitchell City Code as Chapter 3-11, COMMUNITY SERVICES ADVISORY BOARD, with sections to read as follows:

3-11-1: BOARD ESTABLISHED:

For the purposes of recommending and advising the Community Services Director on departmental functions, there is established the Community Services Advisory Board which shall consist of nine (9) members, the makeup and appointment of which are as further provided in this chapter.

3-11-2: BOARD MEMBERSHIP AND TERMS:

The Community Services Advisory Board shall consist of one (1) member of the Mitchell City Council, two (2) members from the Palace Transit division, two (2) members from the RSVP division, two (2) members from the Nutrition division, and two (2) members from the James Valley Community Center membership. Each member of the board shall be appointed in accordance with Section 3-1-1 of this code.

Section 2.

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 3.

The City Finance Officer shall cause notice of adoption of this ordinance to be published in the official newspaper and twenty (20) days after the completed publication, unless the referendum is invoked, this ordinance shall become effective.

Adopted by majority vote of the Mitchell SD City Council in regular session this 18<sup>th</sup> day of July, 2016.

Members present voting aye: Allen, Olson, Rice, Robinson, Smith, Tjarks, Tronnes. Members present voting nay: none. Motion carried and ordinance declared duly adopted.

**EXECUTIVE SESSION:**

Moved by Tronnes, seconded by Tjarks, to go into Executive Session as permitted by SDCL 1-25-2 (4)-Preparing for contract negotiations or negotiating with employees or employee representatives. Motion carried.

Mayor Toomey declared the board out of executive session at 10:20 p.m. and the City Council to reconvene in regular session at 10:21 p.m.

There being no further business to come before the meeting, it was moved by Rice and seconded by Tronnes to adjourn the meeting. Motion carried.

  
\_\_\_\_\_  
Michelle Bathke  
Finance Officer

Published once at the approximate cost of \_\_\_\_\_.

**CITY OF MITCHELL  
CITY PLANNING COMMISSION  
MINUTES, July 11, 2016**

Call to Order: Chairman Larson called the July 11, 2016 planning commission meeting to order at 12:00 pm, City Hall, Mitchell, SD

Members Present: Larson, Everson, Griffith, and Molumby

Members Absent: Fergen, Meyers, Schmucker and Allen

Others Present: Mayor Toomey, Putnam, J. Johnson, McGannon, Overweg, Laursen, Hegg, London.

Agenda: Motion by Molumby, seconded by Griffith to approve the agenda as presented. All members present voting aye, motion carried.

Minutes: Motion by Everson, seconded by Griffith to approve the minutes of the June 27, 2016 meeting. All members present voting aye, motion carried.

Next Meeting: Motion by Griffith, seconded by Molumby to schedule the next meeting for July 25, 2016. All members present voting aye, motion carried.

Election of Chairman for the term commencing July, 2016 to July, 2017. Motion by Everson, seconded by Griffith to nominate Jay Larson as chairman. No other nominations were presented. All members present voting aye for Jay Larson as chairman. Motion carried.

Election of Vice-Chairman for the term commencing July, 2016 to July, 2017. Motion by Molumby, seconded by Griffith to nominate Bob Everson as vice-chairman. No other nominations were presented. All members present voting aye for Bob Everson as vice-chairman. Motion carried.

Variance: (referred by from Board of Adjustment) Gloria and Terry Hanson for a side-yard variance of 10" vs 3' as required to construct an addition to their home at 1326 W 4<sup>th</sup> Ave, legally described as Lot 1 and Lot 2, of Outlot 1, C.R. Johnson's Addition, City of Mitchell, Davison County, South Dakota. Zoned R2.

Gloria Hanson was present to answer questions about the variance application. She provided the commission new photos and a floor plan of her project. She presented them to the board of adjustment. She provided an explanation of the construction plans. No one other than commissioners and staff, testified in regards to this application.

Chairman Larson asked if there was any opposition to the plan. Hanson said the neighbor is opposed.

The public noticed was published in the *Mitchell Daily Republic* on June 6, 2016 and letters to the neighbors were sent on June 1, 2016.

Hanson was asked if she was willing to compromise that the first <sup>3</sup>/<sub>2</sub> feet of the addition would be allowed to be within 10" in order to compromise, then the remainder would be in compliance with the code. This may accommodate the placement of a door.

Motion by Everson, seconded by Griffith to reconsider their previous recommendation and recommend to the Board of Adjustment the variance (from overhang) to be approved for the first 36 inches or three feet of the addition and the remainder of the addition be in compliance with the city code of three feet. Roll Call: Larson aye, Everson aye, Griffith aye, and Molumby aye. Motion carried.

Plat (withdrawn): Lot 1, Block 2 of CJM Second Addition, in a portion of Jamaicas Avenue, the NW ¼ of Section 32, T 104 N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota.

Plat: Lot of 1 of Crago's Addition, in the W1/2 of the NE ¼ of Section 29, T 103 N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota.

The planning commission previously heard this plat, but the dimensions slightly changed before submission to the council. The county planning commission has approved the plat.

Motion by Molumby, seconded by Everson to approve the plat. All members present voting aye, motion carried.

Plat: Lot 1 of Denne's Addition, in the W ½ of the NE ¼ of Section 29, T 103 N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota. The county planning commission has approved the plat.

Motion by Everson, seconded by Griffith to approve the plat. All members present voting aye, motion carried.

Plat: Lot 14 in Tract H, Wild Oak Golf Club Addition to the City of Mitchell, Davison County, South Dakota.

Motion by Everson, seconded by Molumby to approve the plat. All members present voting aye, motion carried.

Plat: Lot 55 of Maui Farms 2<sup>nd</sup> Addition, and a portion of Collette Street, a subdivision of the SE ¼ of Section 31, T 104 N, R 60 W of the 5<sup>th</sup> P.M., City of Mitchell, Davison County, South Dakota.

Motion by Molumby, seconded by Griffith to approve the plat. All members present voting aye, motion carried.

Plat: Lot 3, Block 4 of the Woods First Addition, a Subdivision of the East ½ of the SW ¼ of Section 23, T 103 N, R 60 W of the 5<sup>th</sup> P.M., City of Mitchell, Davison County, South Dakota.

Motion by Griffith, seconded by Molumby to approve the plat. All members present voting aye, motion carried.

Plat: Lots 15 and 16, Block 9 of CJM Second Addition, a Subdivision of a Portion of Blocks 9 and 9A of CJM Second Addition in the NW ¼, and a portion of Irregular Tract No. 3 in the SW ¼, all in Section 32, T 104 N, R 60 W of the 5<sup>th</sup> P.M., City of Mitchell, Davison County, South Dakota.

Motion by Molumby, seconded by Everson to approve the plat. All members present voting aye, motion carried.

Plat: A Plat of Portions of Block 2, Block 3, Block 7, Block 8 and Block 9 of CJM Second Addition, and Portions of Michael Avenue, Livesay Lane, and Jamaica Street, All in the NW ¼ of Section 32, T 104 N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota.

This plat is identifying areas for a future development and annexation and rezoning into a new Planned Development.

Motion by Molumby, seconded by Everson to approve the plat. All members present voting aye, motion carried.

Rezone: Changing the zoning classification of the real property legally described as Block 2, Block 3, Block 7, Block 8, and Block 9 of CJM 2<sup>nd</sup> Addition, and portions of Michael Avenue, Livesay Land and Jamaica Street in the NW ¼ of Section 32, T 104 N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota from Urban Development District to a Planned Development District known as CJM Second Addition Planned Development District Number Two and changing the official zoning map accordingly.

The developer will provide additional information about this proposal at the next planning commission meeting. Putnam stated there will be some changes to the legal descriptions and the notice will reflect such changes.

Motion by Everson, seconded by Molumby to table this rezoning until the next meeting. All members present voting aye, motion carried.

Chairman Larson adjourned the meeting at 12:40 pm.

  
Chairman

07-25-16  
Date

TRAFFIC COMMISSION  
Minutes  
612 North Main  
Mitchell SD 57301  
July 18<sup>th</sup>, 2016

Chairman Lyndon Overweg called the meeting of the Traffic Commission for the City of Mitchell to order at 6:30 pm on Monday, July 18<sup>th</sup>, 2016 in the Mitchell City Council Chambers.

**PRESENT**

Chairman Lyndon Overweg    Councilperson Jeff Smith    Councilperson Dan Allen  
Councilperson Dave Tronnes    Councilperson Steve Rice    Ex-officio Dick Figland  
Assistant Chief Koster

**AGENDA**

Chairman Overweg requested approval of the **Agenda** for this meeting July 18<sup>th</sup>, 2016. Councilperson Rice made a motion to approve the agenda. Councilperson Tronnes seconded the motion with all members voting aye.

**NEW BUSINESS**

**1. Request for a crosswalk in the 800 block of N. Gamble in the handicap crossing area.**

Chief Overweg informed the group that handicap signage was added a couple years ago; however, the crosswalk had not been requested at that time. Neighbors in the area requested that a crosswalk be added.

Councilperson Allen made a motion to approve the request. Councilperson Smith seconded the motion with all members voting aye.

**2. The Tour de Corn Committee would like to block off a portion of the City Hall parking lot and adjacent street/block, in the 100 block of East 7<sup>th</sup> on August 20<sup>th</sup>, 2016 from 7am to 9:30am for registration.**

Chief Overweg informed the group that this is an annual event. It was asked if the event fell on the same weekend as Corn Palace Festival. Chief Overweg informed the group that this event is scheduled the weekend prior to the Corn Palace Festival.

Councilperson Smith made a motion to approve the request. Councilperson Tronnes seconded the motion with all members voting aye.

**3. The Tour de Corn committee is also requesting a parade permit on August 20<sup>th</sup>, 2016 at 9:30am for a police escort and traffic control at 12<sup>th</sup> & 23<sup>rd</sup> and Main Street.**

Chief Overweg informed the group that this would be a similar request as some poker runs, which cost \$250.00 for the parade permit; whereas parades have a \$50.00 permit fee. After discussion, it was decided that the poker run fee would be charged at \$250.00 to keep it consistent with poker run fees as they require the same amount of staffing.

Councilperson Allen made a motion to approve the request with the poker run fee of \$250.00. Councilperson Tronnes seconded the motion with all members voting aye.

**4. Remove the “15 Minute Parking” sign in front of the Scoreboard in the 500 block of N. Main.**

Chief Overweg informed the group that this was a request from the Scoreboard. This sign has been up and then taken down during construction and then put back up again. Councilperson Tjarks commented that the “15 Minute” parking and “10 Minute” parking seems to cater to some businesses and asked if a “1 Hour” parking space could be added. Chief Overweg commented that it would be very difficult to enforce a “1 Hour” parking as an officer has to mark the vehicle and then would have to wait an hour before being able to ticket. Charlie Bailey from Charlie’s Shoe Shop said that the “15 Minute” parking space near his business is helpful for customers who come in and out.

Steve Culhane addressed the group and stated he had made the request to have the “15 Minute” parking space removed. Steve informed the group that every corner has a “15 Minute” parking space; however, this particular “15 Minute” parking space at 6<sup>th</sup> & Main also has two “10 Minute” parking spaces on the same block. He has observed tourists park and then back up out of the “15 Minute” parking space and then they leave because when they back up there are two more “10 Minute” parking spaces.

Councilperson Robinson suggested leaving one “10 Minute” parking space on the 500 block of N. Main.

It was asked that the “10 Minute” parking spaces in the 500 block of N. Main be brought back to the next traffic commission for discussion.

Councilperson Smith made a motion to approve the request. Councilperson Allen seconded the motion with all members voting aye.

**5. Cory Pratt, Locations Manager / Hap & Ashley, requests a street closure on North Main Street between 6<sup>th</sup> Avenue and 7<sup>th</sup> Avenue from 9am to 1pm on August 2, 2016 for filming a movie scene which includes the outside entrance of the Corn Palace.**

It was asked how the officer and patrol car would be used. Chief Overweg informed the group that he has been working with Cory Pratt on the officer and car. Chief Overweg explained that the City would require final editing approval to make sure the scene is appropriate. Our officer would just drive the car up to the Corn Place. Hap & Ashley has an actor that will be playing the officer that has a speaking role. Cory is aware that they will be required to pay the officers and Chief Overweg is working on getting the agreement in writing. There was discussion in reference to tourists being on site and Chief Overweg informed the group that Hap & Ashley’s request to Public Safety had not requested any closure of the Corn Palace on the days of the filming.

Councilperson Tronnes made a motion to approve the request. Councilperson Rice seconded the motion with all members voting aye.

**6. The Mitchell Convention & Visitors Bureau requests to close the street in front of the Corn Palace (7<sup>th</sup>-6<sup>th</sup>) from 4:30am to 5:00pm for the annual Sturgis Biker event, August 4<sup>th</sup> & 5<sup>th</sup>, 2016.**

Chief Overweg informed the group that this is an annual event. This closure would allow for motorcycle parking only.

Councilperson Smith made a motion to approve the request. Councilperson Rice seconded the motion with all members voting aye.

- 7. The Corn Palace Festival Committee is requesting the following street and parking lot closures for Corn Palace Festival: North Main Street and a half block each direction from 1<sup>st</sup> to 7<sup>th</sup> on Tuesday, August 23<sup>rd</sup> at 4:30am to Monday, August 29<sup>th</sup> at 4:30am. Closure of the west half of City Hall Parking from 4:30am on Tuesday August 23<sup>rd</sup> to 4:30am on Monday, August 29<sup>th</sup>. Closure of the 5<sup>th</sup> and Main Parking lot on Tuesday, August 23<sup>rd</sup> at 4:30am to Monday, August 29<sup>th</sup> at noon. Allowing overnight camping in the Disco Lot (800 N. Lawler) for carnival company workers.**

Chief Overweg informed the group that this an annual request.

Councilperson Allen made a motion to approve the request. Councilperson Tronnes seconded the motion with all members voting aye.

- 8. Request to close the south half of the 300 block S. Mattie Street and close Mattie Street at the intersection of E. Birch Avenue until Mattie Street is completed.**

Charlie Bailey and Bill Buckmiller informed the group that the section of Mattie Street that is being requested to be closed leads to nowhere at this point. There are drivers that come out and drive through this area at a fast rate of speed which causes a lot of dust. Charlie and Bill are looking for a solution until the rest of Mattie Street is developed. It was asked how the street would be closed off. Chief Overweg stated that the City would barricade this section and property owners would need to barricade their own property. Traffic Supervisor Dick Figland had no concerns for blocking this portion of Mattie Street.

Councilperson Rice made a motion to approve the request. Councilperson Allen seconded the motion with all members voting aye.

#### **ADJOURNMENT**

Councilperson Tronnes made a motion to adjourn the meeting at 6:51 pm.  
Councilperson Smith seconded the motion with all members voting aye.

The next Traffic Commission meeting is scheduled for Monday, August 15<sup>th</sup>, 2016. The time will be announced at a later date.

Minutes prepared by Cindy Titze.

**CITY OF MITCHELL  
RAFFLE PERMIT**

Date of Application: July 21, 2016

Organization: Mitchell Prehistoric Indian Village

SDCL #22-25-25 authorizes the following organizations or committees to conduct lotteries / raffles. Please indicate your category:

- |  |  |
|--|--|
| <input type="checkbox"/> Chartered veterans' organization  | <input type="checkbox"/> Religious organization      |
| <input checked="" type="checkbox"/> Charitable organization  | <input type="checkbox"/> Educational organization    |
| <input type="checkbox"/> Fraternal organization  | <input type="checkbox"/> Local civic or service club |
| <input type="checkbox"/> Political party   | <input type="checkbox"/> Volunteer fire department   |
| <input type="checkbox"/> Political action committee or political committee on behalf of any candidate for a political office |  |

Contact Information:

Name: Andy Gregg

Address: PO Box 621 3200 Indian Village Road, Mitchell

Phone #: 605-996-5473

Email: director@mitchellindianvillage.org

501(c) 3 - (Non-Profit): yes  no  eligible

Dates of Ticket Sales: August 2<sup>nd</sup> - Sept. 30 (est.)

Date of Raffle Drawing: Oct. 1<sup>st</sup>

Value of Raffle Prize: \$10,000 - \$12,000

Proceeds Benefiting: Mitchell Prehistoric Indian Village

---

For Finance Office Use Only:

Council Approval Date: \_\_\_\_\_

Signature: \_\_\_\_\_

\_\_\_\_\_  
Finance Officer

**CITY OF MITCHELL  
RAFFLE PERMIT**

Date of Application: July 26, 2016

Organization: Mitchell Area Charitable Foundation

SDCL #22-25-25 authorizes the following organizations or committees to conduct lotteries / raffles. Please indicate your category:

- |  |  |
|--|--|
| <input type="checkbox"/> Chartered veterans' organization  | <input type="checkbox"/> Religious organization      |
| <input checked="" type="checkbox"/> Charitable organization  | <input type="checkbox"/> Educational organization    |
| <input type="checkbox"/> Fraternal organization  | <input type="checkbox"/> Local civic or service club |
| <input type="checkbox"/> Political party   | <input type="checkbox"/> Volunteer fire department   |
| <input type="checkbox"/> Political action committee or political committee on behalf of any candidate for a political office |  |

Contact Information:

Name: Doug Greenway - Pres  
Deb Toomey - Board Assistant  
Address: 505 E 2nd Ave  
Phone #: 770-1944  
Email: macf@mitchelltelecom.net

501(c) 3 – (Non-Profit): yes  no  eligible

Dates of Ticket Sales: Aug thru Oct 11

Date of Raffle Drawing: tent. Oct. 11, 2016

Value of Raffle Prize: \$100 to \$5,000

Proceeds Benefiting: Mitchell Area Charitable Foundation  
and our partner entity yet to be secured

---

For Finance Office Use Only:

Council Approval Date: \_\_\_\_\_

Signature:

\_\_\_\_\_  
Finance Officer

**CITY OF MITCHELL  
RAFFLE PERMIT**

Date of Application: 7/21/2016

Organization: Mitchell Skating & Hockey Assoc

SDCL #22-25-25 authorizes the following organizations or committees to conduct lotteries / raffles. Please indicate your category:

- |  |   |
|--|---|
| <input type="checkbox"/> Chartered veterans' organization  | <input type="checkbox"/> Religious organization                 |
| <input type="checkbox"/> Charitable organization   | <input type="checkbox"/> Educational organization               |
| <input type="checkbox"/> Fraternal organization  | <input checked="" type="checkbox"/> Local civic or service club |
| <input type="checkbox"/> Political party   | <input type="checkbox"/> Volunteer fire department              |
| <input type="checkbox"/> Political action committee or political committee on behalf of any candidate for a political office |   |

Contact Information:

Name: Michelle Loecker

Address: 25811 Prairie Pl, Mitchell

Phone #: 605-995-0172

Email: sdhuskerfan@hotmail.com

501(c) 3 – (Non-Profit): yes  no  eligible

Dates of Ticket Sales: Sept 2016 - Jan 2017

Date of Raffle Drawing: Feb 2017

Value of Raffle Prize: \$1000 \$500 \$100

Proceeds Benefitting: Equipment / Building

---

For Finance Office Use Only:

Council Approval Date: \_\_\_\_\_

Signature:

\_\_\_\_\_  
Finance Officer

# 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:

# 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

<input type="checkbox"/> Authorization	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Resolution
<input type="checkbox"/> Ordinance	<input type="checkbox"/> Citizen Request	<input type="checkbox"/> Discussion

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

Agenda Item:

Explanation/Background of Agenda Item Requested:

Set date of 08-15-16 for a hearing on the application to transfer Retail (On-Off Sale) Malt Beverage License RB-3833 from PRG Mitchell, LLC, dba Marco's Pizza, 605 South Sanborn Avenue, Mitchell, South Dakota to PRG Mitchell, LLC, dba Marco's Pizza, 605 South Sanborn Avenue, Mitchell, South Dakota due to a change in configuration of the licensed premises to include Patio.

Background check was recently completed on their Malt Beverage Renewal Property Taxes are current.

Set date of 08-15-16 for a hearing on the application of Marco's Pizza, 605 South Sanborn Avenue, Mitchell, South Dakota to obtain a Retail (On-Off Sale) Wine License. This license does not include video lottery.

Set date of 08-15-16 for a hearing on the application of James River Archers, Alexandria, South Dakota for a Special Event Liquor License, located at the National Guard Armory on August 20th, 2016 for a wedding dance.

Set date of 08-15-16 for a hearing on the application of the Palace City Lions Club for a Special Event Malt Beverage License, located at the Horseman's Sports Arena on August 17, 2016 for the Bull Bash.

Date Received \_\_\_\_\_

License No. \_\_\_\_\_

Date Issued \_\_\_\_\_

Contact: Erin Zander (605) 430-1132

### Uniform Alcoholic Beverage License Application

Mail this copy to: Department of Revenue, Special Tax Division 445 East Capitol Ave Pierre, SD 57501-3100.

**A. Owner Name and Address**  
 PRG Mitchell, LLC  
 JOSH HOLDINGHAUSEN  
 703 main St. Ste 205  
 Rapid City, SD 57701  
 Owner's Telephone #: (605) 786 5554

**B. Business Name and Address**  
 marco's Pizza  
 605 S. Sanborn Blvd  
 Mitchell, SD 57301  
 Business Telephone #: (605)

**C. Indicate the class of license being applied for**  
 (submit separate application for each class of license).  
 Retail (on-sale) Liquor  
 Retail (on-sale) Liquor - Restaurant  
 Retail (on-off sale) Wine  
 Package (off-sale) Liquor  
 Retail (on-off sale) Malt Beverage  
 Retail (on-off sale) Malt Beverage & SD Farm Wine  
 Package (off sale) Malt Beverage  
 Package (off sale) Malt Beverage & SD Farm Wine  
 Other (please classify)  
 Transfer Fee \$150.00

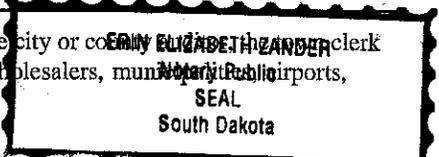
Number of other Package Liquor Licenses held: \_\_\_\_\_  
 Number of other On-sale Liquor Licenses held: \_\_\_\_\_  
 Is this License in active use?  Yes  No

**D. Legal description of licensed premise:**  
 lots 1, 2, 3 & N 1/2 of lot 4 Block 15  
 Vaneps addition to the town  
 (city) of Mitchell and fenced patio  
 Have you ever been convicted of a felony?  Yes  No  
 Do you own  or lease  this property? (Check one)  
**E. State Sales Tax Number:** 1030-0621-ST  
**F. Remember to obtain a Federal Alcohol Stamp, for help call TTB**  
 at 1-800-937-8864.  
**G. New license?** \_\_\_\_\_ **Transfer? (\$150)**  **Re-issuance?** \_\_\_\_\_

**H. CERTIFICATE:** The undersigned applicant certifies under the penalties of perjury that all statements provided herein are true and correct; that the said applicant complies with all of the statutory requirements for the class of license being applied for and in addition agrees to permit agents of the Department of Revenue access to the licensed premises and records as provided in SDCL 35-2-2.1, and agrees this application shall constitute a contract between applicant and the State of South Dakota entitling the same or any peace officers to inspect the premises, books and records at any time for the purpose of enforcing the provisions of Title 35 SDCL, as amended.

Signed this 18 day of July 2016 Signature [Signature]

**I. Any Application** required to be submitted to a local governing board must be signed in the presence of the city or county clerk or notary public. This applies to ALL applications EXCEPT the following: distillers, manufacturers, wholesalers, municipalities, airports, solicitors, dispensers, carriers, transportation companies, and farm wineries.



Place of business is located in a municipality?  Yes  No County: Davison  
 This application was subscribed and sworn to before me this 18 day of July 2016  
 Approving Officer's Telephone number 605 430 1132 Signature: [Signature]

**J. APPROVAL OF LOCAL GOVERNING BODY** - Notice of hearing was published on \_\_\_\_\_ Public hearing on the application was held \_\_\_\_\_, not less than SEVEN (7) days after official publication. The governing body by majority vote recommends the approval and granting of this license and certifies that requirements as to location and suitability of premises and applicant have been reviewed and conform to the requirements of local and South Dakota law.

Application approved for Sunday on-sale operation?  Yes  No  
 Are real property taxes paid to date?  Yes  No  
 Ineligible for video lottery   
 Number of video lottery terminals on licensed premise: \_\_\_\_\_

Amount of fee collected with application \$ \_\_\_\_\_  
 Amount of fee retained \$ \_\_\_\_\_  
 Forwarded with application \$ \_\_\_\_\_

**For Local Government Use**

(Seal) \_\_\_\_\_  
 Mayor or Chairman  
 If disapproved, endorse reason thereon and return to applicant

**Transferred (State Use)**

From: \_\_\_\_\_  
 Sales tax approval \_\_\_\_\_ Date \_\_\_\_\_  
**STATE LIQUOR AUTHORITY: APPROVAL** \_\_\_\_\_ **REVIEW** \_\_\_\_\_

**Company supplement information  
(For corporate/partnership/LP/LLC applicants)**

If supplement unchanged from last year check this box and sign below.

State of South Dakota )

**Affidavit**

County of Danison )  
:SS

We, the undersigned, being first duly sworn upon oath, supply the following information:

Name of corporation/partnership/LP/LLC PRG Mitchell, LLC  
Address of office and principal place of business of corporation/partnership/LP/LLC 703 main St. Ste 205  
Date of incorporation Rapid City, SD 57701  
Date of last report filed with Secretary of State \_\_\_\_\_  
Are all managing officers of this corporation/partnership/LP/LLC of good moral character? yes  
Have any of the managing officers of this corporation/partnership/LP/LLC ever been convicted of a felony? no

Name, title of office, occupation and address of each of the officers/owners of the corporation, partnership, LP or LLC:

Name	Office	Address	Occupation
<u>Josh Holdinghausen</u>		<u>703 Main St. Ste 205 Rapid City, SD 57701</u>	<u>owner</u>

Name, address and occupation of each of the directors of the corporation:

Name	Address	Occupation

Name and address of each of the stockholders and percentage of shares owned or held by each:

Name	Address	Percentage of Shares

Name of any officers, directors, partners or stockholders of applicant having a financial interest or capital stock in any other retail liquor outlet:

Name	Type of License, Financial Interest Held, and Address of Retail Outlet

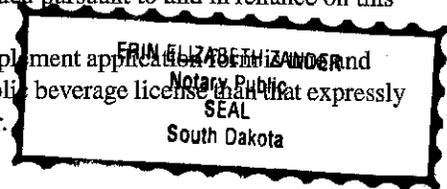
Where and with whom are all company records kept, such as charter, by-laws, minutes, accounts, notes payable, and notes and accounts receivable, etc?

Stephanie Holdinghausen 703 main St. Ste 205  
Rapid City, SD 57701

**With signature the applicant agrees to the following:**

That the applicant company will comply with all provisions of ARSD chapter No. 64:75:02 of the Department of Revenue, relating to the transfer of stock and prior approval of the transfer of such stock by the Secretary of Revenue and violation of any of the provisions of said regulation or failure to comply therewith, whether by the undersigned corporation, partnership/LP/LLC or by any stockholder thereof, or by anyone interested in said company, shall constitute cause for revocation or suspension of any license issued pursuant to and in reliance on this application, or for refusal to renew such license upon expiration thereof.

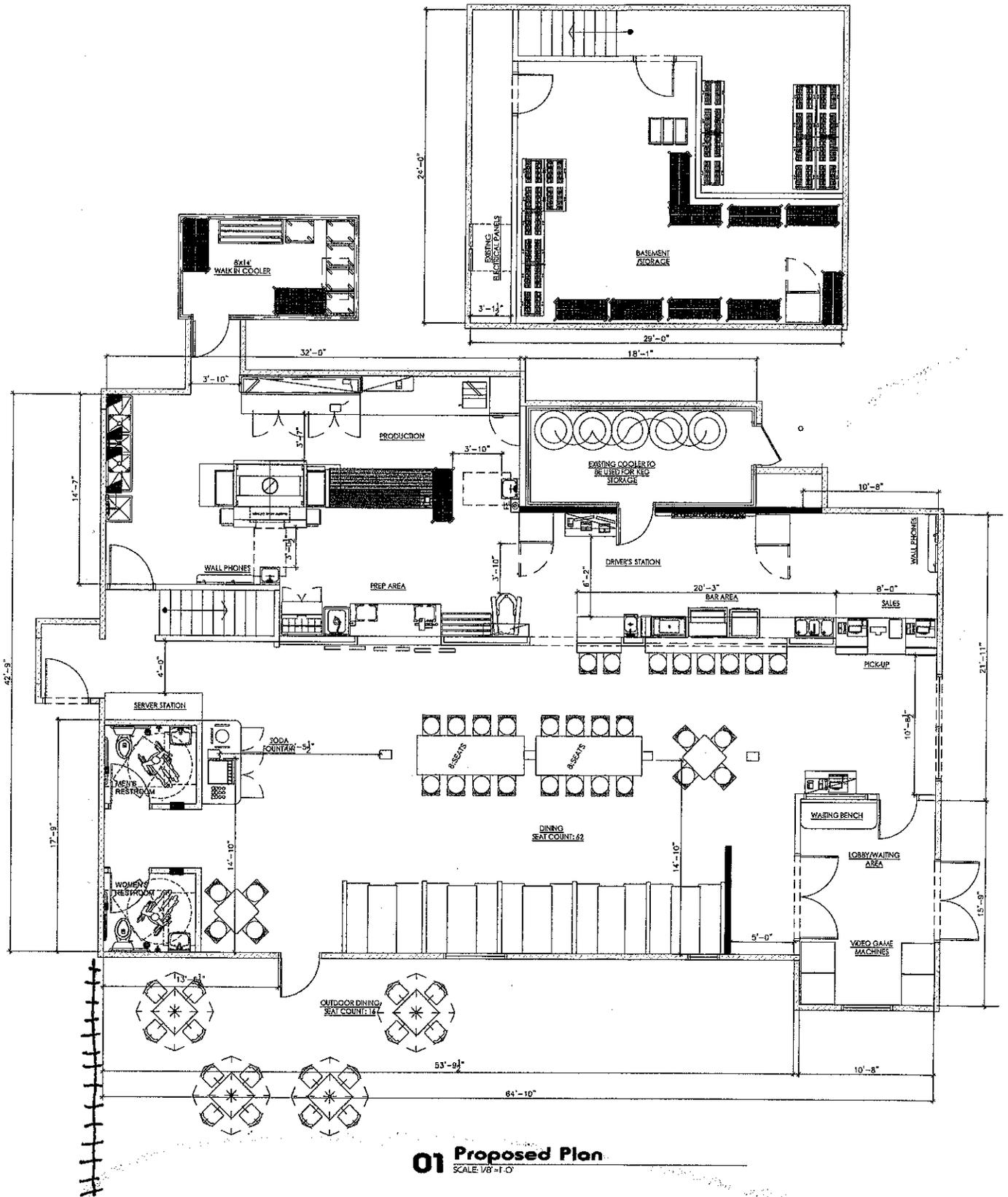
We the undersigned officers and directors of the applicant company acknowledge that the within supplement application for a beverage license is correct in every respect and that there exists no financial arrangement concerning this or any other alcoholic beverage license than that expressly set forth above. If company stock is to be transferred we ask for approval of such voluntary stock transfer.



**Signature of Authorized Officer/Director/Partner** \_\_\_\_\_

Subscribed and sworn to before me this 18 of July, 2016 County, State of South Dakota.

My commission expires 10/05/2022  
Erin Zander  
(Notary Public)



**01 Proposed Plan**  
SCALE 1/8" = 1'-0"

Agreed with Pastor on building a 6 ft. fence to move forward with outside patio beer/wine consumption.



495 SW 75th Avenue



description:		
<b>Plan Review</b>		
project info:		
Mitchell, SD		
project no.:	date:	drawn by:
#15628	02-22-2016	
scale:	plan no.:	
3/32" = 1'-0"	PR1.9	

Date Received \_\_\_\_\_  
Date Issued \_\_\_\_\_

License No. \_\_\_\_\_

Contact: Erin Zander (605) 430-1132

### Uniform Alcoholic Beverage License Application

Mail this copy to: Department of Revenue, Special Tax Division 445 East Capitol Ave Pierre, SD 57501-3100.

**A. Owner Name and Address**

PRG Mitchell, LLC  
Josh Holdinghausen  
703 main St. Ste 205  
Rapid City, SD 57701  
Owner's Telephone #: (605) 786 5554

**B. Business Name and Address**

marco's Pizza  
605 S. Sanborn Blvd.  
Mitchell, SD 57301  
Business Telephone #: (605)

**C. Indicate the class of license being applied for**  
(submit separate application for each class of license).

- Retail (on-sale) Liquor
- Retail (on-sale) Liquor - Restaurant
- Retail (on-off sale) Wine
- Package (off-sale) Liquor
- Retail (on-off sale) Malt Beverage
- Retail (on-off sale) Malt Beverage & SD Farm Wine
- Package (off sale) Malt Beverage
- Package (off sale) Malt Beverage & SD Farm Wine
- Other (please classify)
- Transfer Fee \$150.00

Number of other Package Liquor Licenses held: \_\_\_\_\_

Number of other On-sale Liquor Licenses held: \_\_\_\_\_

Is this License in active use?  Yes  No

**D. Legal description of licensed premise:**

lots 1,2,3 & N 1/2 of lot 4 Block 15  
vaneps addition to the town  
(city) of Mitchell and fenced patio

Have you ever been convicted of a felony?  Yes  No

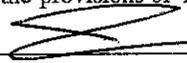
Do you own  or lease  this property? (Check one)

E. State Sales Tax Number: 1030-0621-ST

F. Remember to obtain a Federal Alcohol Stamp, for help call TTB at 1-800-937-8864.

G. New license?  Transfer? (\$150) \_\_\_\_\_ Re-issuance? \_\_\_\_\_

**H. CERTIFICATE:** The undersigned applicant certifies under the penalties of perjury that all statements provided herein are true and correct; that the said applicant complies with all of the statutory requirements for the class of license being applied for and in addition agrees to permit agents of the Department of Revenue access to the licensed premises and records as provided in SDCL 35-2-2.1, and agrees this application shall constitute a contract between applicant and the State of South Dakota entitling the same or any peace officers to inspect the premises, books and records at any time for the purpose of enforcing the provisions of Title 35 SDCL, as amended.

Signed this 18 day of July 2016 Signature 

**I.** Any Application required to be submitted to a local governing board must be signed in the presence of the city or county clerk or notary public. This applies to ALL applications EXCEPT the following: distillers, manufacturers, wholesalers, municipal airports, solicitors, dispensers, carriers, transportation companies, and farm wineries.

Place of business is located in a municipality?  Yes  No County: Davison

This application was subscribed and sworn to before me this 18 day of July 2016

Approving Officer's Telephone number 605 430 1132 Signature: Erin Zander



**J. APPROVAL OF LOCAL GOVERNING BODY** - Notice of hearing was published on \_\_\_\_\_ Public hearing on the application was held \_\_\_\_\_, not less than SEVEN (7) days after official publication. The governing body by majority vote recommends the approval and granting of this license and certifies that requirements as to location and suitability of premises and applicant have been reviewed and conform to the requirements of local and South Dakota law.

Application approved for Sunday on-sale operation?  Yes  No

Are real property taxes paid to date?  Yes  No

Ineligible for video lottery

Number of video lottery terminals on licensed premise: \_\_\_\_\_

Amount of fee collected with application \$ \_\_\_\_\_

Amount of fee retained \$ \_\_\_\_\_

Forwarded with application \$ \_\_\_\_\_

**For Local Government Use**

(Seal) \_\_\_\_\_

Mayor or Chairman

If disapproved, endorse reason thereon and return to applicant

**Transferred (State Use)**

From: \_\_\_\_\_

Sales tax approval \_\_\_\_\_ Date \_\_\_\_\_

STATE LIQUOR AUTHORITY: APPROVAL \_\_\_\_\_ REVIEW \_\_\_\_\_

**Company supplement information  
(For corporate/partnership/LP/LLC applicants)**

If supplement unchanged from last year check this box and sign below.

**Affidavit**

State of South Dakota )

County of Davison )

We, the undersigned, being first duly sworn upon oath, supply the following information:

Name of corporation/partnership/LP/LLC PRG Mitchell, LLC

Address of office and principal place of business of corporation/partnership/LP/LLC \_\_\_\_\_

Date of incorporation \_\_\_\_\_

Date of last report filed with Secretary of State \_\_\_\_\_

Are all managing officers of this corporation/partnership/LP/LLC of good moral character? \_\_\_\_\_

Have any of the managing officers of this corporation/partnership/LP/LLC ever been convicted of a felony? \_\_\_\_\_

Name, title of office, occupation and address of each of the officers/owners of the corporation, partnership, LP or LLC:

Name	Office	Address	Occupation

Name, address and occupation of each of the directors of the corporation:

Name	Address	Occupation

Name and address of each of the stockholders and percentage of shares owned or held by each:

Name	Address	Percentage of Shares

Name of any officers, directors, partners or stockholders of applicant having a financial interest or capital stock in any other retail liquor outlet:

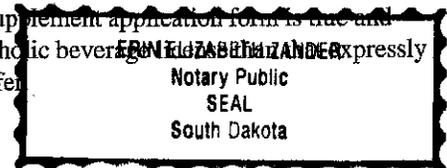
Name	Type of License, Financial Interest Held, and Address of Retail Outlet

Where and with whom are all company records kept, such as charter, by-laws, minutes, accounts, notes payable, and notes and accounts receivable, etc?

**With signature the applicant agrees to the following:**

That the applicant company will comply with all provisions of ARSD chapter No. 64:75:02 of the Department of Revenue, relating to the transfer of stock and prior approval of the transfer of such stock by the Secretary of Revenue and violation of any of the provisions of said regulation or failure to comply therewith, whether by the undersigned corporation, partnership/LP/LLC or by any stockholder thereof, or by anyone interested in said company, shall constitute cause for revocation or suspension of any license issued pursuant to and in reliance on this application, or for refusal to renew such license upon expiration thereof.

We the undersigned officers and directors of the applicant company acknowledge that the within supplement application form is true and correct in every respect and that there exists no financial arrangement concerning this or any other alcoholic beverage ~~license~~ ~~transfer~~ expressly set forth above. If company stock is to be transferred we ask for approval of such voluntary stock transfer.

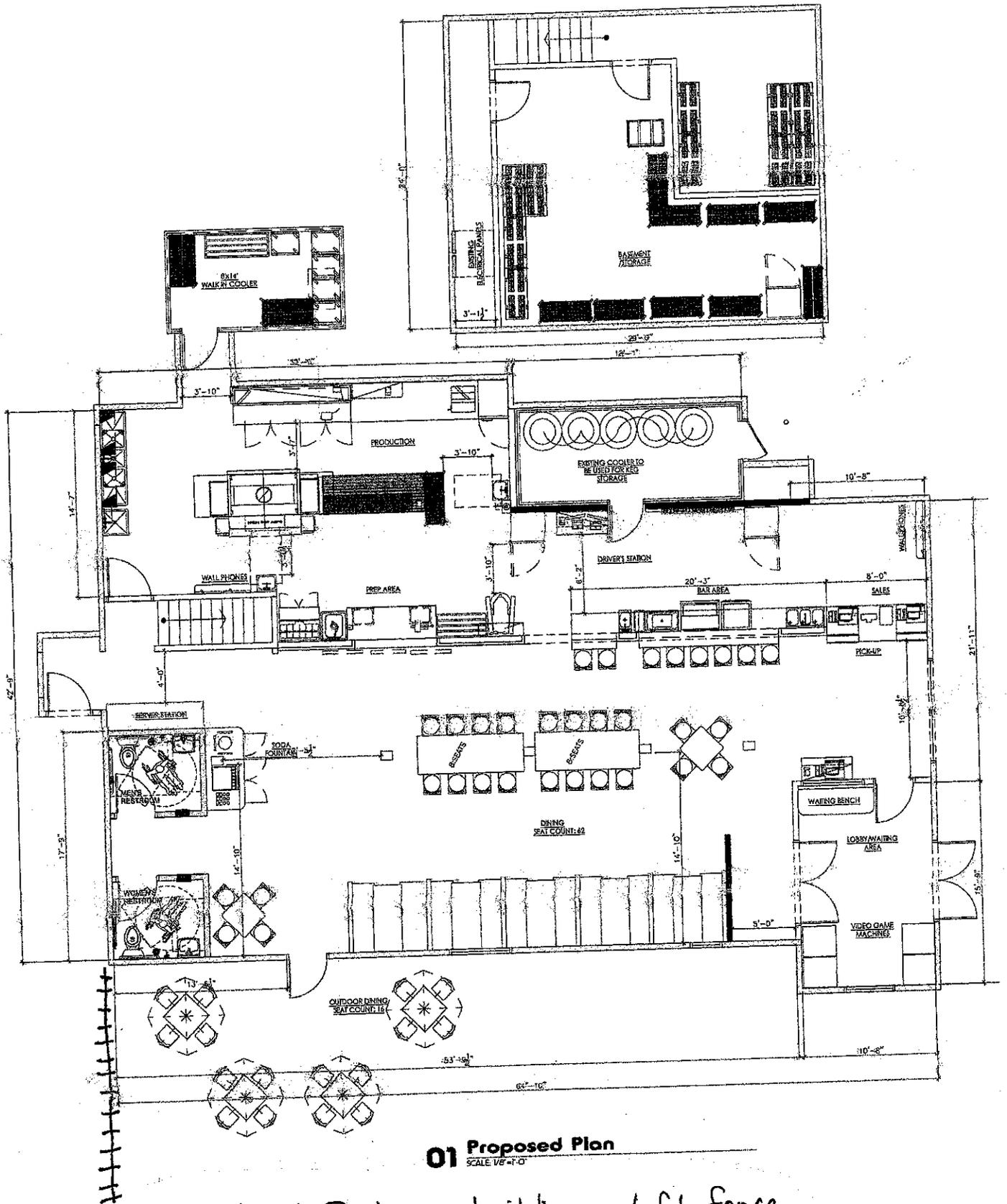


Signature of Authorized Officer/Director/Partner \_\_\_\_\_

Subscribed and sworn to before me this 18 of July, 2016 County, State of South Dakota.

My commission expires 01/05/2022

Eric Zander  
(Notary Public)



**01 Proposed Plan**  
SCALE 1/8" = 1'-0"

↖ Agreed with Pastor on building a 6 ft. fence to move forward with outside patio beer/wine consumption.



description: <b>Plan Review</b>			
project site: Mitchell, SD			
project no.:	date:	designed by:	
#15628	02-22-2016		
scale:	sheet no.:	drawing no.:	
3/32" = 1'-0"		PR1.9	

Date Received \_\_\_\_\_  
Date Issued \_\_\_\_\_

License No. \_\_\_\_\_

### Uniform Alcoholic Beverage License Application

Mail this copy to: Department of Revenue, Special Tax Division 445 East Capitol Ave Pierre, SD 57501-3100.

**A. Owner Name and Address**

*James River Packers  
Box 111  
Alexandria, SD 57211*

Owner's Telephone #: NA

**B. Business Name and Address**

*James*

Business Telephone #: \_\_\_\_\_

**C. Indicate the class of license being applied for**  
(submit separate application for each class of license).

- Retail (on-sale) Liquor
- Retail (on-sale) Liquor - Restaurant
- Retail (on-off sale) Wine
- Package (off-sale) Liquor
- Retail (on-off sale) Malt Beverage
- Retail (on-off sale) Malt Beverage & SD Farm Wine
- Package (off sale) Malt Beverage
- Package (off sale) Malt Beverage & SD Farm Wine
- Other (please classify) 1 Day on-sale
- Transfer Fee \$150.00 SPECIAL EVENT AUGUST 20, 2016 FOR WEDDING

Number of other Package Liquor Licenses held: None

Number of other On-sale Liquor Licenses held: None

Is this License in active use?  Yes  No

**D. Legal description of licensed premise:**

*501 1/2 Avenue B National Guard Armory  
S 1/2 of Lot 33 Township 104 R 60  
Ea. Platted Lot, Mitchell, South Dakota*

Have you ever been convicted of a felony?  Yes  No

Do you own  or lease  this property? (Check one)

E. State Sales Tax Number: \_\_\_\_\_

F. Remember to obtain a Federal Alcohol Stamp, for help call TTB at 1-800-937-8864.

G. New license?  Transfer? (\$150)  Re-issuance?

**H. CERTIFICATE:** The undersigned applicant certifies under the penalties of perjury that all statements provided herein are true and correct; that the said applicant complies with all of the statutory requirements for the class of license being applied for and in addition agrees to permit agents of the Department of Revenue access to the licensed premises and records as provided in SDCL 35-2-2.1, and agrees this application shall constitute a contract between applicant and the State of South Dakota entitling the same or any peace officers to inspect the premises, books and records at any time for the purpose of enforcing the provisions of Title 35 SDCL, as amended.

Signed this 19 day of July 2016 Signature Richard Wabbein Treas.

**I.** Any Application required to be submitted to a local governing board must be signed in the presence of the city or county auditor, the town clerk or notary public. This applies to ALL applications EXCEPT the following: distillers, manufacturers, wholesalers, municipalities, airports, solicitors, dispensers, carriers, transportation companies, and farm wineries.

Place of business is located in a municipality?  Yes  No County: \_\_\_\_\_

This application was subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_

Approving Officer's Telephone number \_\_\_\_\_ Signature: Mary Satcher

**J. APPROVAL OF LOCAL GOVERNING BODY** - Notice of hearing was published on \_\_\_\_\_ Public hearing on the application was held \_\_\_\_\_, not less than SEVEN (7) days after official publication. The governing body by majority vote recommends the approval and granting of this license and certifies that requirements as to location and suitability of premises and applicant have been reviewed and conform to the requirements of local and South Dakota law.

Application approved for Sunday on-sale operation?  Yes  No

Are real property taxes paid to date?  Yes  No

Ineligible for video lottery

Number of video lottery terminals on licensed premise: \_\_\_\_\_

Amount of fee collected with application \$ \_\_\_\_\_

Amount of fee retained \$ \_\_\_\_\_

Forwarded with application \$ \_\_\_\_\_

**For Local Government Use**

(Seal) \_\_\_\_\_

Mayor or Chairman

If disapproved, endorse reason thereon and return to applicant

**Transferred (State Use)**

From: \_\_\_\_\_

Sales tax approval \_\_\_\_\_ Date \_\_\_\_\_

STATE LIQUOR AUTHORITY: APPROVAL \_\_\_\_\_ REVIEW \_\_\_\_\_

**Company supplement information  
(For corporate/partnership/LP/LLC applicants)**

If supplement unchanged from last year check this box and sign below.

State of South Dakota )

**Affidavit**

County of )

We, the undersigned, being first duly sworn upon oath, supply the following information:

Name of corporation/partnership/LP/LLC James River Archery  
 Address of office and principal place of business of corporation/partnership/LP/LLC Box 111 Alexandria, S.D 57311  
 Date of incorporation July 1 2003  
 Date of last report filed with Secretary of State 2-24-16  
 Are all managing officers of this corporation/partnership/LP/LLC of good moral character? Yes  
 Have any of the managing officers of this corporation/partnership/LP/LLC ever been convicted of a felony? No

Name, title of office, occupation and address of each of the officers/owners of the corporation, partnership, LP or LLC:

Name	Office	Address	Occupation
<u>Ward Tuttle</u>	<u>Treas.</u>	<u>42205 261<sup>st</sup> St Alexandria S.D. 57311</u>	
<u>Jerry Smith</u>	<u>Vice Pres.</u>	<u>220 7<sup>th</sup> St. Alexandria S.D 57311</u>	
<u>Rich Walderez</u>	<u>Treas</u>	<u>Box 53 Alexandria S.D 57311</u>	
<u>Adam Popp</u>	<u>Sec.</u>		

Name, address and occupation of each of the directors of the corporation:

Name	Address	Occupation
<u>Neil Walderez</u>	<u>511 3<sup>rd</sup> St Alexandria S.D 57311</u>	<u>Mgr</u>
<u>Jeremy Zeng</u>	<u>42378 296<sup>th</sup> St Alexandria S.D 57311</u>	<u>laborer</u>
<u>Rob Nicholson</u>	<u>7203<sup>rd</sup> St Alexandria S.D 57311</u>	<u>laborer</u>

Name and address of each of the stockholders and percentage of shares owned or held by each:

Name	Address	Percentage of Shares
<u>NA</u>		

Name of any officers, directors, partners or stockholders of applicant having a financial interest or capital stock in any other retail liquor outlet:

Name	Type of License, Financial Interest Held, and Address of Retail Outlet
<u>NA</u>	

Where and with whom are all company records kept, such as charter, by-laws, minutes, accounts, notes payable, and notes and accounts receivable, etc?

Rich Walderez-Treas or Adam Popp-sec

**With signature the applicant agrees to the following:**

That the applicant company will comply with all provisions of ARSD chapter No. 64:75:02 of the Department of Revenue, relating to the transfer of stock and prior approval of the transfer of such stock by the Secretary of Revenue and violation of any of the provisions of said regulation or failure to comply therewith, whether by the undersigned corporation, partnership/LP/LLC or by any stockholder thereof, or by anyone interested in said company, shall constitute cause for revocation or suspension of any license issued pursuant to and in reliance on this application, or for refusal to renew such license upon expiration thereof.

We the undersigned officers and directors of the applicant company acknowledge that the within supplement application form is true and correct in every respect and that there exists no financial arrangement concerning this or any other alcoholic beverage license than that expressly set forth above. If company stock is to be transferred we ask for approval of such voluntary stock transfer.

Signature of Authorized Officer/Director/Partner

Richard Walderez - Treas

Subscribed and sworn to before me this 20 of July 2016 Stanley County, State of South Dakota.

My commission expires 9-21-18

Mary Fletcher  
(Notary Public)

Date Received \_\_\_\_\_  
Date Issued \_\_\_\_\_

License No. \_\_\_\_\_

### Uniform Alcoholic Beverage License Application

Mail this copy to: Department of Revenue, Special Tax Division 445 East Capitol Ave Pierre, SD 57501-3100.

**A. Owner Name and Address**

Palace City Lions Club  
PO Box 841  
Mitchell SD 57301

**B. Business Name and Address**

(Palace City Lions Club  
(PO Box 841  
Mitchell SD 57301

Owner's Telephone #: (605) 996-5593

Business Telephone #: \_\_\_\_\_

**C. Indicate the class of license being applied for**  
(submit separate application for each class of license).

- Retail (on-sale) Liquor
- Retail (on-sale) Liquor - Restaurant
- Retail (on-off sale) Wine
- Package (off-sale) Liquor
- Retail (on-off sale) Malt Beverage
- Retail (on-off sale) Malt Beverage & SD Farm Wine
- Package (off sale) Malt Beverage *Malt Beverage*
- Package (off sale) Malt Beverage & SD Farm Wine
- Other (please classify) *Spec Event*
- Transfer Fee \$150.00 *Bull Bash August 17*

**D. Legal description of licensed premise:**

*Horsemans Sports Arena*

Have you ever been convicted of a felony?  Yes  No

Do you own  or lease  this property? (Check one)

E. State Sales Tax Number: \_\_\_\_\_

F. Remember to obtain a Federal Alcohol Stamp, for help call TTB at 1-800-937-8864.

G. New license?  Transfer? (\$150)  Re-issuance?

Number of other Package Liquor Licenses held: 0  
Number of other On-sale Liquor Licenses held: 0  
Is this License in active use?  Yes  No

**H. CERTIFICATE:** The undersigned applicant certifies under the penalties of perjury that all statements provided herein are true and correct; that the said applicant complies with all of the statutory requirements for the class of license being applied for and in addition agrees to permit agents of the Department of Revenue access to the licensed premises and records as provided in SDCL 35-2-2.1, and agrees this application shall constitute a contract between applicant and the State of South Dakota entitling the same or any peace officers to inspect the premises, books and records at any time for the purpose of enforcing the provisions of Title 35 SDCL as amended.

Signed this *14* day of *July* Signature *Janet A. Carson*

**I.** Any Application required to be submitted to a local governing board must be signed in the presence of the city or county auditor, the town clerk or notary public. This applies to ALL applications EXCEPT the following: distillers, manufacturers, wholesalers, municipalities, airports, solicitors, dispensers, carriers, transportation companies, and farm wineries.

Place of business is located in a municipality?  Yes  No County: *Davison*

This application was subscribed and sworn to before me this *18<sup>th</sup>* day of *July, 2016*

Approving Officer's Telephone number *605-995-8420* Signature: *Cindy Roth*

**J. APPROVAL OF LOCAL GOVERNING BODY** - Notice of hearing was published on \_\_\_\_\_ Public hearing on the application was held \_\_\_\_\_, not less than SEVEN (7) days after official publication. The governing body by majority vote recommends the approval and granting of this license and certifies that requirements as to location and suitability of premises and applicant have been reviewed and conform to the requirements of local and South Dakota law.

Application approved for Sunday on-sale operation?  Yes  No  
Are real property taxes paid to date?  Yes  No  
Ineligible for video lottery   
Number of video lottery terminals on licensed premise: \_\_\_\_\_  
Amount of fee collected with application \$ \_\_\_\_\_  
Amount of fee retained \$ \_\_\_\_\_  
Forwarded with application \$ \_\_\_\_\_

**For Local Government Use**  
  
(Seal) \_\_\_\_\_  
Mayor or Chairman  
If disapproved, endorse reason thereon and return to applicant

**Transferred (State Use)**  
From: \_\_\_\_\_  
Sales tax approval \_\_\_\_\_ Date \_\_\_\_\_  
STATE LIQUOR AUTHORITY: APPROVAL \_\_\_\_\_ REVIEW \_\_\_\_\_

**Company supplement information  
(For corporate/partnership/LP/LLC applicants)**

If supplement unchanged from last year check this box and sign below.

State of South Dakota )

**Affidavit**

County of )

We, the undersigned, being first duly sworn upon oath, supply the following information:

Name of corporation/partnership/LP/LLC \_\_\_\_\_

Address of office and principal place of business of corporation/partnership/LP/LLC \_\_\_\_\_

Date of incorporation \_\_\_\_\_

Date of last report filed with Secretary of State \_\_\_\_\_

Are all managing officers of this corporation/partnership/LP/LLC of good moral character? \_\_\_\_\_

Have any of the managing officers of this corporation/partnership/LP/LLC ever been convicted of a felony? \_\_\_\_\_

Name, title of office, occupation and address of each of the officers/owners of the corporation, partnership, LP or LLC:

Name	Office	Address	Occupation
Dave Emmert	Membership Chair		
Donna Weiland	Sec/Treas.		
Craig Bennett	President		
<del>John</del> Rick Easton	President	Vice President	

Name, address and occupation of each of the directors of the corporation:

Name	Address	Occupation

Name and address of each of the stockholders and percentage of shares owned or held by each:

Name	Address	Percentage of Shares

Name of any officers, directors, partners or stockholders of applicant having a financial interest or capital stock in any other retail liquor outlet:

Name	Type of License, Financial Interest Held, and Address of Retail Outlet

Where and with whom are all company records kept, such as charter, by-laws, minutes, accounts, notes payable, and notes and accounts receivable, etc?

**With signature the applicant agrees to the following:**

That the applicant company will comply with all provisions of ARSD chapter No. 64:75:02 of the Department of Revenue, relating to the transfer of stock and prior approval of the transfer of such stock by the Secretary of Revenue and violation of any of the provisions of said regulation or failure to comply therewith, whether by the undersigned corporation, partnership/LP/LLC or by any stockholder thereof, or by anyone interested in said company, shall constitute cause for revocation or suspension of any license issued pursuant to and in reliance on this application, or for refusal to renew such license upon expiration thereof.

We the undersigned officers and directors of the applicant company acknowledge that the within supplement application form is true and correct in every respect and that there exists no financial arrangement concerning this or any other alcoholic beverage license than that expressly set forth above. If company stock is to be transferred we ask for approval of such voluntary stock transfer.

Signature of Authorized Officer/Director/Partner *James P. Larson*

Subscribed and sworn to before me this 18<sup>th</sup> of July 2017  Davison  County, State of South Dakota.

My commission expires 11-3-2017

*James P. Larson*  
Notary Public  
South Dakota

# 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:

# 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:

## PAY ESTIMATES FOR AUGUST 1, 2016

CONTRACTORS	PROJECT	P.E. #	AMOUNT	PAID TO DATE	CONTRACT AMOUNT
Top Grade Concrete	#2016-4A Sidewalk	#2	\$ 425.33		
Top Grade Concrete	#2016-4A Sidewalk	#3	\$ 13,981.36	\$ 24,255.90	\$ 46,799.55
Big "O" Concrete	#2016-4B Sidewalk	#4	\$ 28,512.24	\$ 96,375.27	\$ 88,687.75
Top Grade Concrete	#2016-4D Sidewalk	#2	\$ 55.50		
Top Grade Concrete	#2016-4D Sidewalk	#3	\$ 5,654.37	\$ 7,780.15	\$ 17,142.00
MSH Architects	#2016-11 Swimming Pool	#4B	\$ 15,125.28	\$ 96,531.63	\$ 590,000.00 *
H&W Contracting, LLC	#2016-12 WWTP Force Main Phase II	#3	\$ 78,957.00	\$ 549,208.38	\$ 599,197.50
Rexwinkel Concrete	#2016-14 Curb & Gutter-Sched. A	#2	\$ 55,085.60	\$ 56,545.60	\$ 86,009.40
B&B Contracting Inc.	#2016-19 5th Street & Utilities Improv.	#4	\$ 212,623.11	\$ 665,187.93	\$ 1,268,161.40
Leggette, Brashears & Gra	#2016-28 Old Landfill Leachate Monitoring	#2	\$ 1,702.47	\$ 5,701.02	\$ 15,622.00
Leggette, Brashears & Gra	#2016-29 New Landfill Monitoring	#3	\$ 226.95	\$ 3,790.19	\$ 16,608.00
			\$412,349.21	\$1,505,376.07	\$2,728,227.60

Prepared by Deb Hanson-Sudbeck

\* PLUS REIMBURSEABLES

PACKET: 04169 7/27/16 MANUAL

VENDOR SET: 01

FUND : 652 HEALTH INSURANCE

DEPARTMENT: 1970 HEALTH INSURANCE

BANK: APBNK

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-08480	UNITED STATES TREASURY					
		I-72716	652-41970-42180	PCO RESEARCH PCORI FEE 2ND QUARTER	163340	622.79
				DEPARTMENT 1970 HEALTH INSURANCE	TOTAL:	622.79
				FUND 652 HEALTH INSURANCE	TOTAL:	622.79
					REPORT GRAND TOTAL:	622.79

\*\* G/L ACCOUNT TOTALS \*\*

YEAR	ACCOUNT	NAME	AMOUNT	=====LINE ITEM=====			=====GROUP BUDGET=====	
				ANNUAL BUDGET	BUDGET AVAILABLE	OVER BUDG	ANNUAL BUDGET	BUDGET OVER AVAILABLE BUDG
2016-2017	652-41970-42180	PCO RESEARCH FEE	622.79	0	622.79-	Y		
** 2016-2017 YEAR TOTALS **			622.79					

\*\* DEPARTMENT TOTALS \*\*

ACCT	NAME	AMOUNT
652-1970	HEALTH INSURANCE	622.79
-----		
652 TOTAL	HEALTH INSURANCE	622.79
-----		
** TOTAL **		622.79

NO ERRORS

\*\* END OF REPORT \*\*

# 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

<input type="checkbox"/> Authorization	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Resolution
<input type="checkbox"/> Ordinance	<input type="checkbox"/> Citizen Request	<input type="checkbox"/> Discussion

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

Agenda Item:

Explanation/Background of Agenda Item Requested:

On the applications to transfer Retail (On-Off Sale) Malt Beverage License RB-20236 and Retail (On-Off Sale) Wine License RW-20237 from Jeanne Blaaid, 515 East Spruce Street, Mitchell, South Dakota to Jeanne Blaaid, 800 West Spruce Street, Mitchell, South Dakota. Licenses will be inactive. Background check was recently completed on their Malt Beverage Renewal. Property Taxes are current.

On the applications of the Mitchell Elks Lodge #1059 for a Special Event Liquor License, located at the Masonic Lodge on:

- On August 20th, 2016 for the Shriner's 60th Anniversary
- On August 27th, 2016 for a Wedding
- On September 8th, 2016 for the NRA Banquet

On the application of the Palace City Lions Club for a Special Event Malt Beverage License, located at the Southwest corner of the Hitchcock Park on August 20th, 2016 for the Tour de Corn.

Date Received \_\_\_\_\_  
Date Issued \_\_\_\_\_

License No. RB-20236

## Uniform Alcoholic Beverage License Application

Mail this copy to: Department of Revenue, Special Tax Division 445 East Capitol Ave Pierre, SD 57501-3100.

<p><b>A. Owner Name and Address</b></p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> <p><i>Jeanne Blaalid</i> <i>800 W Spruce</i> <i>Mitchell, SD 57301</i></p> </div> <p>Owner's Telephone #: <u>605-996-3193</u></p> <p><b>C. Indicate the class of license being applied for</b> (submit separate application for each class of license).</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Retail (on-sale) Liquor</li> <li><input type="checkbox"/> Retail (on-sale) Liquor - Restaurant</li> <li><input type="checkbox"/> Retail (on-off sale) Wine</li> <li><input type="checkbox"/> Package (off-sale) Liquor</li> <li><input checked="" type="checkbox"/> Retail (on-off sale) Malt Beverage</li> <li><input type="checkbox"/> Retail (on-off sale) Malt Beverage &amp; SD Farm Wine</li> <li><input type="checkbox"/> Package (off sale) Malt Beverage</li> <li><input type="checkbox"/> Package (off sale) Malt Beverage &amp; SD Farm Wine</li> <li><input type="checkbox"/> Other (please classify) _____</li> <li><input type="checkbox"/> Transfer Fee \$150.00</li> </ul> <p>Number of other Package Liquor Licenses held: _____ Number of other On-sale Liquor Licenses held: _____ Is this License in active use? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p><b>B. Business Name and Address</b></p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> <p><i>Jeanne Blaalid</i> <i>800 W Spruce</i> <i>Mitchell, SD 57301</i></p> </div> <p>Business Telephone #: <u>605-996-3193</u></p> <p><b>D. Legal description of licensed premise:</b></p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> <p><i>BLK 13 Ex A</i></p> </div> <p>Have you ever been convicted of a felony? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Do you own <input checked="" type="checkbox"/> or lease <input type="checkbox"/> this property? (Check one)</p> <p><b>E. State Sales Tax Number:</b> <u>1030-4138-5T</u></p> <p><b>F. Remember to obtain a Federal Alcohol Stamp, for help call TTB at 1-800-937-8864.</b></p> <p><b>G. New license?</b> <input type="checkbox"/> <b>Transfer? (\$150)</b> <input checked="" type="checkbox"/> <b>Re-issuance?</b> <input type="checkbox"/></p>
---	--

**H. CERTIFICATE:** The undersigned applicant certifies under the penalties of perjury that all statements provided herein are true and correct; that the said applicant complies with all of the statutory requirements for the class of license being applied for and in addition agrees to permit agents of the Department of Revenue access to the licensed premises and records as provided in SDCL 35-2-2.1, and agrees this application shall constitute a contract between applicant and the State of South Dakota entitling the same or any peace officers to inspect the premises, books and records at any time for the purpose of enforcing the provisions of Title 35 SDCL, as amended.

Signed this 12<sup>th</sup> day of July Signature Jeanne Blaalid

**I.** Any Application required to be submitted to a local governing board must be signed in the presence of the city or county auditor, the town clerk or notary public. This applies to ALL applications EXCEPT the following: distillers, manufacturers, wholesalers, municipalities, airports, solicitors, dispensers, carriers, transportation companies, and farm wineries.

Place of business is located in a municipality?  Yes  No County: Dawson

This application was subscribed and sworn to before me this 12<sup>th</sup> day of July 2016

Approving Officer's Telephone number 605-995-8416 Signature: Candice Kottel

**J. APPROVAL OF LOCAL GOVERNING BODY** - Notice of hearing was published on \_\_\_\_\_ . Public hearing on the application was held \_\_\_\_\_, not less than SEVEN (7) days after official publication. The governing body by majority vote recommends the approval and granting of this license and certifies that requirements as to location and suitability of premises and applicant have been reviewed and conform to the requirements of local and South Dakota law.

Application approved for Sunday on-sale operation?  Yes  No

Are real property taxes paid to date?  Yes  No

Ineligible for video lottery

Number of video lottery terminals on licensed premise: \_\_\_\_\_

Amount of fee collected with application \$	<u>150.00</u>
Amount of fee retained \$	<u>75.00</u>
Forwarded with application \$	<u>75.00</u>

**For Local Government Use**

(Seal) \_\_\_\_\_

Mayor or Chairman

If disapproved, endorse reason thereon and return to applicant

**Transferred (State Use)**

From: \_\_\_\_\_

Sales tax approval \_\_\_\_\_ Date \_\_\_\_\_

**STATE LIQUOR AUTHORITY: APPROVAL \_\_\_\_\_ REVIEW \_\_\_\_\_**

**Company supplement information  
(For corporate/partnership/LP/LLC applicants)**

If supplement unchanged from last year check this box and sign below.

State of South Dakota )  
  ) :ss  
County of )

**Affidavit**

We, the undersigned, being first duly sworn upon oath, supply the following information:

Name of corporation/partnership/LP/LLC \_\_\_\_\_  
Address of office and principal place of business of corporation/partnership/LP/LLC \_\_\_\_\_  
Date of incorporation \_\_\_\_\_  
Date of last report filed with Secretary of State \_\_\_\_\_  
Are all managing officers of this corporation/partnership/LP/LLC of good moral character? \_\_\_\_\_  
Have any of the managing officers of this corporation/partnership/LP/LLC ever been convicted of a felony? \_\_\_\_\_

Name, title of office, occupation and address of each of the officers/owners of the corporation, partnership, LP or LLC:

Name	Office	Address	Occupation

Name, address and occupation of each of the directors of the corporation:

Name	Address	Occupation

Name and address of each of the stockholders and percentage of shares owned or held by each:

Name	Address	Percentage of Shares

Name of any officers, directors, partners or stockholders of applicant having a financial interest or capital stock in any other retail liquor outlet:

Name	Type of License, Financial Interest Held, and Address of Retail Outlet

Where and with whom are all company records kept, such as charter, by-laws, minutes, accounts, notes payable, and notes and accounts receivable, etc?

**With signature the applicant agrees to the following:**

That the applicant company will comply with all provisions of ARSD chapter No. 64:75:02 of the Department of Revenue, relating to the transfer of stock and prior approval of the transfer of such stock by the Secretary of Revenue and violation of any of the provisions of said regulation or failure to comply therewith, whether by the undersigned corporation, partnership/LP/LLC or by any stockholder thereof, or by anyone interested in said company, shall constitute cause for revocation or suspension of any license issued pursuant to and in reliance on this application, or for refusal to renew such license upon expiration thereof.

We the undersigned officers and directors of the applicant company acknowledge that the within supplement application form is true and correct in every respect and that there exists no financial arrangement concerning this or any other alcoholic beverage license than that expressly set forth above. If company stock is to be transferred we ask for approval of such voluntary stock transfer.

Signature of Authorized Officer/Director/Partner Jeanne Blasdel

Subscribed and sworn to before me this 12<sup>th</sup> of July 2016 Davison County, State of South Dakota.

My commission expires 11-03-2017  
CYNTHIA ROTH  
Cynthia Roth  
(Notary Public)



Date Received \_\_\_\_\_  
Date Issued \_\_\_\_\_

License No. 2W-20237

### Uniform Alcoholic Beverage License Application

Mail this copy to: Department of Revenue, Special Tax Division 445 East Capitol Ave Pierre, SD 57501-3100.

**A. Owner Name and Address**

JEANNE BLAALID  
800 W Spruce  
Mitchell, SD 57301

Owner's Telephone #: 605-996-3193

**B. Business Name and Address**

Jeanne Blaalid  
800 W Spruce  
Mitchell, SD 57301

Business Telephone #: 605-996-3193

**C. Indicate the class of license being applied for (submit separate application for each class of license).**

- Retail (on-sale) Liquor
- Retail (on-sale) Liquor - Restaurant
- Retail (on-off sale) Wine
- Package (off-sale) Liquor
- Retail (on-off sale) Malt Beverage
- Retail (on-off sale) Malt Beverage & SD Farm Wine
- Package (off sale) Malt Beverage
- Package (off sale) Malt Beverage & SD Farm Wine
- Other (please classify) \_\_\_\_\_
- Transfer Fee \$150.00

Number of other Package Liquor Licenses held: \_\_\_\_\_

Number of other On-sale Liquor Licenses held: \_\_\_\_\_

Is this License in active use?  Yes  No

**D. Legal description of licensed premise:**

BLK 13 EX A

Have you ever been convicted of a felony?  Yes  No

Do you own  or lease  this property? (Check one)

E. State Sales Tax Number: 1030-7138-ST

F. Remember to obtain a Federal Alcohol Stamp, for help call TTB at 1-800-937-8864.

G. New license?  Transfer? (\$150)  Re-issuance?

**H. CERTIFICATE:** The undersigned applicant certifies under the penalties of perjury that all statements provided herein are true and correct; that the said applicant complies with all of the statutory requirements for the class of license being applied for and in addition agrees to permit agents of the Department of Revenue access to the licensed premises and records as provided in SDCL 35-2-2.1, and agrees this application shall constitute a contract between applicant and the State of South Dakota entitling the same or any peace officers to inspect the premises, books and records at any time for the purpose of enforcing the provisions of Title 35 SDCL, as amended.

Signed this 12<sup>th</sup> day of July Signature Jeanne Blaalid

**I.** Any Application required to be submitted to a local governing board must be signed in the presence of the city or county auditor, the town clerk or notary public. This applies to ALL applications EXCEPT the following: distillers, manufacturers, wholesalers, municipalities, airports, solicitors, dispensers, carriers, transportation companies, and farm wineries.

Place of business is located in a municipality?  Yes  No County: Dawson

This application was subscribed and sworn to before me this 12<sup>th</sup> day of July 2016

Approving Officer's Telephone number: 605-993-8416 Signature: Cindy Kall

**J. APPROVAL OF LOCAL GOVERNING BODY** - Notice of hearing was published on \_\_\_\_\_ . Public hearing on the application was held \_\_\_\_\_, not less than SEVEN (7) days after official publication. The governing body by majority vote recommends the approval and granting of this license and certifies that requirements as to location and suitability of premises and applicant have been reviewed and conform to the requirements of local and South Dakota law.

Application approved for Sunday on-sale operation?  Yes  No

Are real property taxes paid to date?  Yes  No

Ineligible for video lottery

Number of video lottery terminals on licensed premise: \_\_\_\_\_

Amount of fee collected with application \$ 150.00

Amount of fee retained \$ 150.00

Forwarded with application \$ 0.00

**For Local Government Use**

(Seal) \_\_\_\_\_

Mayor or Chairman

If disapproved, endorse reason thereon and return to applicant

**Transferred (State Use)**

From: \_\_\_\_\_

Sales tax approval \_\_\_\_\_ Date \_\_\_\_\_

STATE LIQUOR AUTHORITY: APPROVAL \_\_\_\_\_ REVIEW \_\_\_\_\_



Date Issued \_\_\_\_\_

License No. \_\_\_\_\_

# Uniform Alcoholic Beverage License Application

Mail this copy to: Department of Revenue, Special Tax Division 445 East Capitol Ave Pierre, SD 57501-3100.

A. Owner Name and Address  
 Mitchell Elks Lodge #1059  
 PO Box 87  
 Mitchell, SD 57301  
 Owner's Telephone #: 605-630-5506

B. Business Name and Address  
 Masonic Lodge  
 112 E 5th Ave  
 Mitchell, SD 57301  
 Business Telephone #: 605-996-4724

- C. Indicate the class of license being applied for (submit separate application for each class of license).
- Retail (on-sale) Liquor
  - Retail (on-sale) Liquor - Restaurant
  - Retail (on-off sale) Wine
  - Package (off-sale) Liquor
  - Retail (on-off sale) Malt Beverage
  - Retail (on-off sale) Malt Beverage & SD Farm Wine
  - Package (off sale) Malt Beverage
  - Package (off sale) Malt Beverage & SD Farm Wine
  - Other (please classify) Shriner's 60th Anniversary Aug 20th, 2016
  - Transfer Fee \$150.00
- Number of other Package Liquor Licenses held: 0  
 Number of other On-sale Liquor Licenses held: 0  
 Is this License in active use?  Yes  No

D. Legal description of licensed premise:  
 Lots 5 & 6, Bk 6, M H Rowley,  
 1st Addition to Mitchell, SD

Have you ever been convicted of a felony?  Yes  No

Do you own  or lease  this property? (Check one)

E. State Sales Tax Number: 1059-6797-5T

F. Remember to obtain a Federal Alcohol Stamp, for help call TTB at 1-800-937-8864.

G. New license?  Transfer? (\$150) \_\_\_\_\_ Re-issuance? \_\_\_\_\_

H. CERTIFICATE: The undersigned applicant certifies under the penalties of perjury that all statements provided herein are true and correct; that the said applicant complies with all of the statutory requirements for the class of license being applied for and in addition agrees to permit agents of the Department of Revenue access to the licensed premises and records as provided in SDCL 35-2-2.1, and agrees this application shall constitute a contract between applicant and the State of South Dakota entitling the same or any peace officers to inspect the premises, books and records at any time for the purpose of enforcing the provisions of Title 35 SDCL, as amended.

Signed this 13 day of July, \_\_\_\_\_ Signature [Signature]

I. Any Application required to be submitted to a local governing board must be signed in the presence of the city or county auditor, the town clerk or notary public. This applies to ALL applications EXCEPT the following: distillers, manufacturers, wholesalers, municipalities, airports, solicitors, dispensers, carriers, transportation companies, and farm wineries.

Place of business is located in a municipality?  Yes  No County: Dawson

This application was subscribed and sworn to before me this 13th day of July 2016

Approving Officer's Telephone number 605-998-8416 Signature: [Signature]

J. APPROVAL OF LOCAL GOVERNING BODY - Notice of hearing was published on \_\_\_\_\_ Public hearing on the application was held \_\_\_\_\_, not less than SEVEN (7) days after official publication. The governing body by majority vote recommends the approval and granting of this license and certifies that requirements as to location and suitability of premises and applicant have been reviewed and conform to the requirements of local and South Dakota law.

Application approved for Sunday on-sale operation?  Yes  No

Are real property taxes paid to date?  Yes  No

Ineligible for video lottery

Number of video lottery terminals on licensed premise: \_\_\_\_\_

Amount of fee collected with application \$ 200.00  
 Amount of fee retained \$ 200.00  
 Forwarded with application \$ 20.00

**For Local Government Use**

(Seal) \_\_\_\_\_  
 Mayor or Chairman  
 If disapproved, endorse reason thereon and return to applicant

**Transferred (State Use)**

From: \_\_\_\_\_  
 Sales tax approval \_\_\_\_\_ Date \_\_\_\_\_  
 STATE LIQUOR AUTHORITY: APPROVAL \_\_\_\_\_ REVIEW \_\_\_\_\_

Please complete reverse side

**Company supplement information  
(For corporate/partnership/LP/LLC applicants)**

If supplement unchanged from last year check this box and sign below.

State of South Dakota )

**Affidavit**

County of )

ss



We, the undersigned, being first duly sworn upon oath, supply the following information:

Name of corporation/partnership/LP/LLC ELKS OF MITCHELL BLDG ASSN. TRUSTEES  
 Address of office and principal place of business of corporation/partnership/LP/LLC P.O. BOX 87, MITCHELL, SD 57301  
 Date of incorporation 10-12-2005  
 Date of last report filed with Secretary of State 1-20-2016  
 Are all managing officers of this corporation/partnership/LP/LLC of good moral character? YES  
 Have any of the managing officers of this corporation/partnership/LP/LLC ever been convicted of a felony? NO

Name, title of office, occupation and address of each of the officers/owners of the corporation, partnership, LP or LLC:

Name	Office	Address	Occupation
Jeff Ridgway	President	400 E 54th St Mitchell, SD	GAS STATION MANAGER
Dennis KAUS	Secretary	408 W. 12th Ave Mitchell, SD	Retired
Bekka Kelly	Trustee	402 W 2nd St Mt. Vernon, SD	Housewife

Name, address and occupation of each of the directors of the corporation:

Name	Address	Occupation
Bekka Kelly	402 W 2nd Ave Mt. Vernon, SD	Housewife
Randy Doescher	517 E 2nd Ave Mitchell, SD	Retired
Chad Titzer	914 E 5th Ave Mitchell SD	Car Salesman

Name and address of each of the stockholders and percentage of shares owned or held by each:

Name	Address	Percentage of Shares

Name of any officers, directors, partners or stockholders of applicant having a financial interest or capital stock in any other retail liquor outlet:

Name	Type of License	Financial Interest Held	Address of Retail Outlet
NONE			

Where and with whom are all company records kept, such as charter, by-laws, minutes, accounts, notes payable, and notes and accounts receivable, etc?

Dennis KAUS 408 W. 12th Ave Mitchell, SD 57301  
Bekka Kelly 402 W 2nd St Mt. Vernon, SD

With signature the applicant agrees to the following:

That the applicant company will comply with all provisions of ARSD chapter No. 64:75:02 of the Department of Revenue, relating to the transfer of stock and prior approval of the transfer of such stock by the Secretary of Revenue and violation of any of the provisions of said regulation or failure to comply therewith, whether by the undersigned corporation, partnership/LP/LLC or by any stockholder thereof, or by anyone interested in said company, shall constitute cause for revocation or suspension of any license issued pursuant to and in reliance on this application, or for refusal to renew such license upon expiration thereof.

We the undersigned officers and directors of the applicant company acknowledge that the within supplement application form is true and correct in every respect and that there exists no financial arrangement concerning this or any other alcoholic beverage license than that expressly set forth above. If company stock is to be transferred we ask for approval of such voluntary stock transfer.

Signature of Authorized Officer/Director/Partner [Signature]

Subscribed and sworn to before me this \_\_\_\_\_ of \_\_\_\_\_ County, State of South Dakota.

My commission expires 11-03-2017

Cynthia Roth  
(Notary Public)



# Uniform Alcoholic Beverage License Application

Mail this copy to: Department of Revenue, Special Tax Division 445 East Capitol Ave Pierre, SD 57501-3100.

**A. Owner Name and Address**  
 Mitchell Elks Lodge #1059  
 P O Box 87  
 Mitchell, SD 57301  
 Owner's Telephone #: 605-630-5506

**B. Business Name and Address**  
 Masonic Lodge  
 112 E 5<sup>th</sup> Ave  
 Mitchell, SD 57301  
 Business Telephone #: 605-996-4724

**C. Indicate the class of license being applied for**  
 (submit separate application for each class of license).  
 Retail (on-sale) Liquor  
 Retail (on-sale) Liquor - Restaurant  
 Retail (on-off sale) Wine  
 Package (off-sale) Liquor  
 Retail (on-off sale) Malt Beverage  
 Retail (on-off sale) Malt Beverage & SD Farm Wine  
 Package (off sale) Malt Beverage  
 Package (off sale) Malt Beverage & SD Farm Wine  
 Other (please classify) Weddings Aug 27, 2016  
 Transfer Fee \$150.00

Number of other Package Liquor Licenses held: 0  
 Number of other On-sale Liquor Licenses held: 0  
 Is this License in active use?  Yes  No

**D. Legal description of licensed premise:**  
Lots 5 & 6, Birkh, MH Rowley, 1st Addition to Mitchell, SD

Have you ever been convicted of a felony?  Yes  No

Do you own  or lease  this property? (Check one)

**E. State Sales Tax Number:** 1059-6797-55

**F. Remember to obtain a Federal Alcohol Stamp, for help call TTB at 1-800-937-8864.**

**G. New license?**  **Transfer? (\$150)**  **Re-issuance?**

**H. CERTIFICATE:** The undersigned applicant certifies under the penalties of perjury that all statements provided herein are true and correct; that the said applicant complies with all of the statutory requirements for the class of license being applied for and in addition agrees to permit agents of the Department of Revenue access to the licensed premises and records as provided in SDCL 35-2-2.1, and agrees this application shall constitute a contract between applicant and the State of South Dakota entitling the same or any peace officers to inspect the premises, books and records at any time for the purpose of enforcing the provisions of Title 35 SDCL, as amended.

Signed this 13 day of July, Signature [Signature]

**I. Any Application required to be submitted to a local governing board must be signed in the presence of the city or county auditor, the town clerk or notary public. This applies to ALL applications EXCEPT the following: distillers, manufacturers, wholesalers, municipalities, airports, solicitors, dispensers, carriers, transportation companies, and farm wineries.**

Place of business is located in a municipality?  Yes  No County: Dawson

This application was subscribed and sworn to before me this 13<sup>th</sup> day of July 2016

Approving Officer's Telephone number 605-995-8416 Signature: Cindy Root

**J. APPROVAL OF LOCAL GOVERNING BODY** - Notice of hearing was published on \_\_\_\_\_ Public hearing on the application was held \_\_\_\_\_, not less than SEVEN (7) days after official publication. The governing body by majority vote recommends the approval and granting of this license and certifies that requirements as to location and suitability of premises and applicant have been reviewed and conform to the requirements of local and South Dakota law.

Application approved for Sunday on-sale operation?  Yes  No  
 Are real property taxes paid to date?  Yes  No  
 Ineligible for video lottery

Amount of fee collected with application \$ 200.00  
 Amount of fee retained \$ 200.00  
 Forwarded with application \$ 0

Number of video lottery terminals on licensed premise: \_\_\_\_\_

**For Local Government Use**

(Seal) \_\_\_\_\_  
 Mayor or Chairman

If disapproved, endorse reason thereon and return to applicant

**Transferred (State Use)**

From: \_\_\_\_\_  
 Sales tax approval \_\_\_\_\_ Date \_\_\_\_\_  
 STATE LIQUOR AUTHORITY: APPROVAL \_\_\_\_\_ REVIEW \_\_\_\_\_

Please complete reverse side

**Company supplement information  
(For corporate/partnership/LP/LLC applicants)**

If supplement unchanged from last year check this box and sign below.

State of South Dakota

**Affidavit**

County of   

We, the undersigned, being first duly sworn upon oath, supply the following information:

Name of corporation/partnership/LP/LLC LEIKS OF MITCHELL BLDG ASSN. TRUSTEES  
 Address of office and principal place of business of corporation/partnership/LP/LLC P.O. BOX 87, MITCHELL, SD 57301  
 Date of incorporation 10-12-2005  
 Date of last report filed with Secretary of State 1-20-2016  
 Are all managing officers of this corporation/partnership/LP/LLC of good moral character? YES  
 Have any of the managing officers of this corporation/partnership/LP/LLC ever been convicted of a felony? NO

Name, title of office, occupation and address of each of the officers/owners of the corporation, partnership, LP or LLC:

Name	Office	Address	Occupation
Jeff Ridgway	President	400 E 54 <sup>TH</sup> ST Mitchell, SD	GAS STATION MANAGER
Dennis KAUS	Secretary	408 W. 12 <sup>TH</sup> Ave Mitchell, SD	Retired
Bekka Kelly	Trustee	402 W 2 <sup>ND</sup> ST MT. VERNON, SD	Housewife

Name, address and occupation of each of the directors of the corporation:

Name	Address	Occupation
Bekka Kelly	402 W 2 <sup>ND</sup> Ave MT. Vernon, SD	Housewife
Randy Doescher	517 E 2 <sup>ND</sup> Ave Mitchell, SD	Retired
Chad Titz	914 E 5 <sup>TH</sup> Ave Mitchell, SD	Car Salesman

Name and address of each of the stockholders and percentage of shares owned or held by each:

Name	Address	Percentage of Shares

Name of any officers, directors, partners or stockholders of applicant having a financial interest or capital stock in any other retail liquor outlet:

Name: NONE type of License, Financial Interest Held, and Address of Retail Outlet

Where and with whom are all company records kept, such as charter, by-laws, minutes, accounts, notes payable, and notes and accounts receivable, etc?

Dennis KAUS 408 W 12<sup>TH</sup> Ave Mitchell, SD 57301  
Bekka Kelly 402 W 2<sup>ND</sup> ST MT. VERNON, SD

With signature the applicant agrees to the following:

That the applicant company will comply with all provisions of ARSD chapter No. 64:75:02 of the Department of Revenue, relating to the transfer of stock and prior approval of the transfer of such stock by the Secretary of Revenue and violation of any of the provisions of said regulation or failure to comply therewith, whether by the undersigned corporation, partnership/LP/LLC or by any stockholder thereof, or by anyone interested in said company, shall constitute cause for revocation or suspension of any license issued pursuant to and in reliance on this application, or for refusal to renew such license upon expiration thereof.

We the undersigned officers and directors of the applicant company acknowledge that the within supplement application form is true and correct in every respect and that there exists no financial arrangement concerning this or any other alcoholic beverage license than that expressly set forth above. If company stock is to be transferred we ask for approval of such voluntary stock transfer.

Signature of Authorized Officer/Director/Partner [Signature]

subscribed and sworn to before me this 13<sup>th</sup> of July 2016, Davison County, State of South Dakota.

My commission expires 11-03-2017  
[Signature]  
 (Notary Public)



# Uniform Alcoholic Beverage License Application

Mail this copy to: Department of Revenue, Special Tax Division 445 East Capitol Ave Pierre, SD 57501-3100.

**A. Owner Name and Address**  
 Mitchell Elks Lodge #1059  
 PO Box 87  
 Mitchell, SD 57301  
 Owner's Telephone #: 605-630-5506

**B. Business Name and Address**  
 Masonic Lodge  
 112 E 5th Ave  
 Mitchell, SD 57301  
 Business Telephone #: 605-996-4724

**C. Indicate the class of license being applied for**  
 (submit separate application for each class of license).  
 Retail (on-sale) Liquor  
 Retail (on-sale) Liquor - Restaurant  
 Retail (on-off sale) Wine  
 Package (off-sale) Liquor  
 Retail (on-off sale) Malt Beverage  
 Retail (on-off sale) Malt Beverage & SD Farm Wine  
 Package (off sale) Malt Beverage  
 Package (off sale) Malt Beverage & SD Farm Wine  
 Other (please classify) N RA BANQUET Sept 8, 2016  
 Transfer Fee \$150.00

Number of other Package Liquor Licenses held: 0  
 Number of other On-sale Liquor Licenses held: 0  
 Is this License in active use?  Yes  No

**D. Legal description of licensed premise:**  
 Lots 506, B1K6, M H Rowley,  
 1st Addition to Mitchell, SD

Have you ever been convicted of a felony?  Yes  No  
 Do you own  or lease  this property? (Check one)

**E. State Sales Tax Number:** 1059-6797-55

**F. Remember to obtain a Federal Alcohol Stamp, for help call TTB at 1-800-937-8864.**

**G. New license?**  **Transfer? (\$150)**  **Re-issuance?**

**H. CERTIFICATE:** The undersigned applicant certifies under the penalties of perjury that all statements provided herein are true and correct; that the said applicant complies with all of the statutory requirements for the class of license being applied for and in addition agrees to permit agents of the Department of Revenue access to the licensed premises and records as provided in SDCL 35-2-2.1, and agrees this application shall constitute a contract between applicant and the State of South Dakota entitling the same or any peace officers to inspect the premises, books and records at any time for the purpose of enforcing the provisions of Title 35 SDCL, as amended.

Signed this 13 day of July Signature [Signature]

**I. Any Application required to be submitted to a local governing board must be signed in the presence of the city or county auditor, the town clerk or notary public. This applies to ALL applications EXCEPT the following: distillers, manufacturers, wholesalers, municipalities, airports, solicitors, dispensers, carriers, transportation companies, and farm wineries.**

Place of business is located in a municipality?  Yes  No County: Dawson  
 This application was subscribed and sworn to before me this 13th day of July 2016  
 Approving Officer's Telephone number 605-993-8416 Signature: [Signature]

**I. APPROVAL OF LOCAL GOVERNING BODY** - Notice of hearing was published on \_\_\_\_\_ Public hearing on the application was held \_\_\_\_\_, not less than SEVEN (7) days after official publication. The governing body by majority vote recommends the approval and granting of this license and certifies that requirements as to location and suitability of premises and applicant have been reviewed and conform to the requirements of local and South Dakota law.

Application approved for Sunday on-sale operation?  Yes  No  
 Are real property taxes paid to date?  Yes  No  
 Ineligible for video lottery   
 Number of video lottery terminals on licensed premise: \_\_\_\_\_

Amount of fee collected with application \$ 200.00  
 Amount of fee retained \$ 200.00  
 Forwarded with application \$ 0

**For Local Government Use**

(Seal) \_\_\_\_\_  
 Mayor or Chairman  
 If disapproved, endorse reason thereon and return to applicant

**Transferred (State Use)**

From: \_\_\_\_\_  
 Sales tax approval \_\_\_\_\_ Date \_\_\_\_\_  
**STATE LIQUOR AUTHORITY: APPROVAL \_\_\_\_\_ REVIEW \_\_\_\_\_**

Please complete reverse side

**Company supplement information  
(For corporate/partnership/LP/LLC applicants)**

If supplement unchanged from last year check this box and sign below.

State of South Dakota

**Affidavit**

County of \_\_\_\_\_

We, the undersigned, being first duly sworn upon oath, supply the following information:

Name of corporation/partnership/LP/LLC ELKS OF MITCHELL BLDG ASSN. TRUSTEES  
 Address of office and principal place of business of corporation/partnership/LP/LLC P.O. BOX 87, MITCHELL, SD 57301  
 Date of incorporation 10-12-2005  
 Date of last report filed with Secretary of State 1-20-2016  
 Are all managing officers of this corporation/partnership/LP/LLC of good moral character? YES  
 Have any of the managing officers of this corporation/partnership/LP/LLC ever been convicted of a felony? NO

Name, title of office, occupation and address of each of the officers/owners of the corporation, partnership, LP or LLC:

Name	Office	Address	Occupation
Jeff Ridgway	President	400 E 54TH ST Mitchell, SD	GAS STATION MANAGER
Dennis KAUS	Secretary	408 W. 12TH Ave Mitchell, SD	Retired
Bekka Kelly	Trustee	400 W 2ND ST MT. VERNON, SD	Housewife

Name, address and occupation of each of the directors of the corporation:

Name	Address	Occupation
Bekka Kelly	402 W 2ND Ave M.T. VERNON, SD	Housewife
Randy Doesch	517 E 2ND Ave Mitchell, SD	Retired
Chad Titze	914 E 5TH Ave Mitchell, SD	Car Salesman

Name and address of each of the stockholders and percentage of shares owned or held by each:

Name	Address	Percentage of Shares

Name of any officers, directors, partners or stockholders of applicant having a financial interest or capital stock in any other retail liquor outlet:

Name: NONE Type of License, Financial Interest Held, and Address of Retail Outlet

Where and with whom are all company records kept, such as charter, by-laws, minutes, accounts, notes payable, and notes and accounts receivable, etc?

Dennis KAUS 408 W 12TH Ave Mitchell, SD 57301  
Bekka Kelly

With signature the applicant agrees to the following:

That the applicant company will comply with all provisions of ARSD chapter No. 64:75:02 of the Department of Revenue, relating to the transfer of stock and prior approval of the transfer of such stock by the Secretary of Revenue and violation of any of the provisions of said regulation or failure to comply therewith, whether by the undersigned corporation, partnership/LP/LLC or by any stockholder thereof, or by anyone interested in said company, shall constitute cause for revocation or suspension of any license issued pursuant to and in reliance on this application, or for refusal to renew such license upon expiration thereof.

We the undersigned officers and directors of the applicant company acknowledge that the within supplement application form is true and correct in every respect and that there exists no financial arrangement concerning this or any other alcoholic beverage license than that expressly set forth above. If company stock is to be transferred we ask for approval of such voluntary stock transfer.

Signature of Authorized Officer/Director/Partner [Signature]

Subscribed and sworn to before me this \_\_\_\_\_ of \_\_\_\_\_ County, State of South Dakota.

My commission expires 11-03-2017

Cynthia Roth  
(Notary Public)



Date Received \_\_\_\_\_  
Date Issued \_\_\_\_\_

License No. \_\_\_\_\_

### Uniform Alcoholic Beverage License Application

Mail this copy to: Department of Revenue, Special Tax Division 445 East Capitol Ave Pierre, SD 57501-3100.

**A. Owner Name and Address**  
Palace City Lions Club  
PO Box 841  
Mitchell SD 57301

**B. Business Name and Address**  
(  
(

Owner's Telephone #: (605) 996-5593

Business Telephone #: \_\_\_\_\_

- C. Indicate the class of license being applied for**  
(submit separate application for each class of license).
- Retail (on-sale) Liquor
  - Retail (on-sale) Liquor - Restaurant
  - Retail (on-off sale) Wine
  - Package (off-sale) Liquor
  - Retail (on-off sale) Malt Beverage
  - Retail (on-off sale) Malt Beverage & SD Farm Wine
  - Package (off sale) Malt Beverage
  - Package (off sale) Malt Beverage & SD Farm Wine
  - Other (please classify) *Special Event Malt Beverage License Tour de Corn aux 20th*
  - Transfer Fee \$150.00
- Number of other Package Liquor Licenses held: 0  
 Number of other On-sale Liquor Licenses held: 0  
 Is this License in active use?  Yes  No

**D. Legal description of licensed premise:**  
 South West Corner Hitchcock Park  
 Shelter behind baseball field

Have you ever been convicted of a felony?  Yes  No

Do you own  or lease  this property? (Check one)

**E. State Sales Tax Number:** \_\_\_\_\_

**F. Remember to obtain a Federal Alcohol Stamp, for help call TTB at 1-800-937-8864.**

**G. New license?**  **Transfer? (\$150)**  **Re-issuance?**

**H. CERTIFICATE:** The undersigned applicant certifies under the penalties of perjury that all statements provided herein are true and correct; that the said applicant complies with all of the statutory requirements for the class of license being applied for and in addition agrees to permit agents of the Department of Revenue access to the licensed premises and records as provided in SDCL 35-2-2.1, and agrees this application shall constitute a contract between applicant and the State of South Dakota entitling the same or any peace officers to inspect the premises, books and records at any time for the purpose of enforcing the provisions of Title 35 SDCL, as amended.

Signed this 30<sup>th</sup> day of June 2016 Signature David Emmert

**I. Any Application required to be submitted to a local governing board must be signed in the presence of the city or county auditor, the town clerk or notary public. This applies to ALL applications EXCEPT the following: distillers, manufacturers, wholesalers, municipalities, airports, solicitors, dispensers, carriers, transportation companies, and farm wineries.**

Place of business is located in a municipality?  Yes  No County: Davison

This application was subscribed and sworn to before me this 30<sup>th</sup> day of June 2016

Approving Officer's Telephone number 605-995-8420 Signature: Candy Rott

**J. APPROVAL OF LOCAL GOVERNING BODY - Notice of hearing was published on \_\_\_\_\_ Public hearing on the application was held \_\_\_\_\_, not less than SEVEN (7) days after official publication. The governing body by majority vote recommends the approval and granting of this license and certifies that requirements as to location and suitability of premises and applicant have been reviewed and conform to the requirements of local and South Dakota law.**

Application approved for Sunday on-sale operation?  Yes  No  
 Are real property taxes paid to date?  Yes  No  
 Ineligible for video lottery?   
 Number of video lottery terminals on licensed premise: \_\_\_\_\_

Amount of fee collected with application \$ 200.00  
 Amount of fee retained \$ 200.00  
 Forwarded with application \$ 0

**For Local Government Use**

(Seal) \_\_\_\_\_  
 Mayor or Chairman  
 If disapproved, endorse reason thereon and return to applicant

**Transferred (State Use)**

From: \_\_\_\_\_  
 Sales tax approval \_\_\_\_\_ Date \_\_\_\_\_  
**STATE LIQUOR AUTHORITY: APPROVAL \_\_\_\_\_ REVIEW \_\_\_\_\_**

**Company supplement information  
(For corporate/partnership/LP/LLC applicants)**

If supplement unchanged from last year check this box and sign below.

State of South Dakota )

**Affidavit**

:ss

County of )

We, the undersigned, being first duly sworn upon oath, supply the following information:

Name of corporation/partnership/LP/LLC \_\_\_\_\_

Address of office and principal place of business of corporation/partnership/LP/LLC \_\_\_\_\_

Date of incorporation \_\_\_\_\_

Date of last report filed with Secretary of State \_\_\_\_\_

Are all managing officers of this corporation/partnership/LP/LLC of good moral character? \_\_\_\_\_

Have any of the managing officers of this corporation/partnership/LP/LLC ever been convicted of a felony? \_\_\_\_\_

Name, title of office, occupation and address of each of the officers/owners of the corporation, partnership, LP or LLC:

Name	Office	Address	Occupation
Dave Emmert	Membership Chair		
Donna Welland	Sec/Treas.		
<del>Craig Bennett</del> Bob Lorenz	Vice President		
<del>Jeff Deane</del> Rick Easton	President		

Name, address and occupation of each of the directors of the corporation:

Name	Address	Occupation

Name and address of each of the stockholders and percentage of shares owned or held by each:

Name	Address	Percentage of Shares

Name of any officers, directors, partners or stockholders of applicant having a financial interest or capital stock in any other retail liquor outlet:

Name	Type of License, Financial Interest Held, and Address of Retail Outlet

Where and with whom are all company records kept, such as charter, by-laws, minutes, accounts, notes payable, and notes and accounts receivable, etc?

**With signature the applicant agrees to the following:**

That the applicant company will comply with all provisions of ARSD chapter No. 64:75:02 of the Department of Revenue, relating to the transfer of stock and prior approval of the transfer of such stock by the Secretary of Revenue and violation of any of the provisions of said regulation or failure to comply therewith, whether by the undersigned corporation, partnership/LP/LLC or by any stockholder thereof, or by anyone interested in said company, shall constitute cause for revocation or suspension of any license issued pursuant to and in reliance on this application, or for refusal to renew such license upon expiration thereof.

We the undersigned officers and directors of the applicant company acknowledge that the within supplement application form is true and correct in every respect and that there exists no financial arrangement concerning this or any other alcoholic beverage license than that expressly set forth above. If company stock is to be transferred we ask for approval of such voluntary stock transfer.

Signature of Authorized Officer/Director/Partner

*David Emmert*

Subscribed and sworn to before me this

30<sup>th</sup>

of

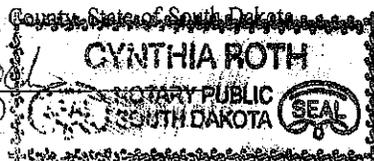
June 2016

Davison

County, State of South Dakota

My commission expires 11-3-2017

*Cynthia Roth*  
(Notary Public)



# 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:

# CONNECTEXPLORER



map: Auto 04/28/2013 (2013) image 1 of 4

# 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

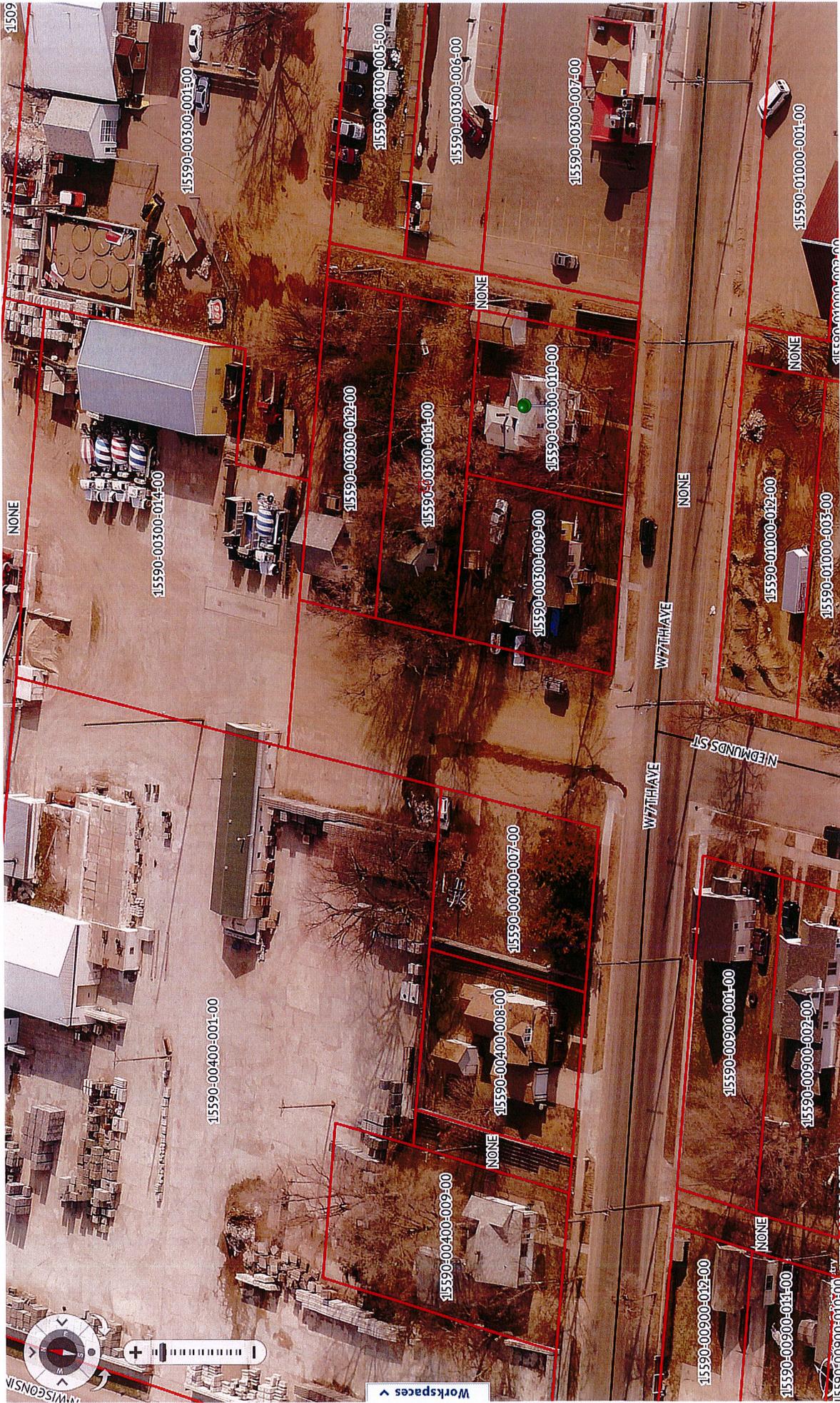
Approval  
Citizen Request

Resolution  
Discussion

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

Agenda Item:

Explanation/Background of Agenda  
Item Requested:



map: Auto 04/28/2013 (2013)

# 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:

## NOTICE OF HEARING

To: The Planning Commission, Board of Adjustment of the City of Mitchell, Mitchell South Dakota, and to the general public:

**YOU ARE HEREBY NOTIFIED**, Bradley Bauer has requested an application for an over-height variance of 25' vs. 23' for construction of a building to be located at 2501 Anthony Avenue, Lot 14, Block 9, CJM 2<sup>nd</sup> Addition, NW ¼, Section 32, T 104 N, R 60 W, City of Mitchell, Davison County, SD. The property is zoned Planned Development District.

**YOU ARE FURTHER NOTIFIED**, that public hearings will be held by the Planning Commission on July 25, 2016 at 12:00 P.M and the Board of Adjustment on August 1, 2016 at 6:30 P.M., at the Council Chambers, Mitchell City Hall. All interested parties may attend the public hearings and provide comments in regards to the applicant's request.

Dated at Mitchell, South Dakota, this the 11th day of July, 2016.

Michelle Bathke

---

FINANCE OFFICER

Publish once: July 15, 2016

**Approximate Cost:**

## APPLICATION FOR A VARIANCE

TO: THE MITCHELL PLANNING COMMISSION AND THE BOARD OF  
ADJUSTMENT THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.

The undersigned applicant(s) and owner(s), Brad Bauer hereby make(s) application for a height variance of 25 feet vs 23 feet as required for the construction of a building, pursuant to the provisions of the City of Mitchell Zoning Code as amended.

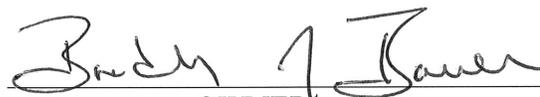
This Application is for the following described real property:  
Lot 14, Block 9, CJM 2<sup>nd</sup> Addition, NW1/4 of Section 32, T 104 N R 60 W, City of Mitchell, Davison County, South Dakota. (2501 Anthony Avenue). Zoned Planned Development District.

The names and addresses of the current property owners within one hundred and forty feet (140') of the applicant's property (excluding streets and alleys) will be notified upon the filing of this application.

Applicant(s) request that dates be set for public hearings before the Mitchell Planning Commission and the Board of Adjustment. Furthermore, the applicant(s) request the City of Mitchell to publish the appropriate notice(s) in accordance with the City of Mitchell's Ordinances.

Dated this 11<sup>th</sup> of July, 2016.

  
\_\_\_\_\_  
APPLICANT

  
\_\_\_\_\_  
OWNER

## Neil Putnam

---

**From:** Brad Bauer <bjbauer@mac.com>  
**Sent:** Thursday, July 07, 2016 3:41 PM  
**To:** John Hegg  
**Cc:** Neil Putnam  
**Subject:** new building

John,  
I stopped down and visited with Neil Putnam regarding a building I am planing on Anthony Ave. I left a map of the building on the plot as well as plans for the building with Neil.  
The general contractor will be Ryan Baker construction from MT Vernon. The electrician will be Hobach and the plumber will be Mitchell Plumbing.  
It looks like I am going to need a variance which I did not realize until I visited with Neil. The building height will be more then the 23 feet requirement. It will be 25 feet at the peek with 17'6" side walls. The two reasons I need that height is the possibility of large campers and other storage items but mainly as I eventually plan to add a storage loft on one end. I I put it ten feet off the floor I will have less that 7.5 feet of head space with the thickness of the loft floor. If I cut that by 2 feet it will get too tight.

In my ignorance I already ordered the materials so it would require cutting 2 feet of steel off of the entire building.

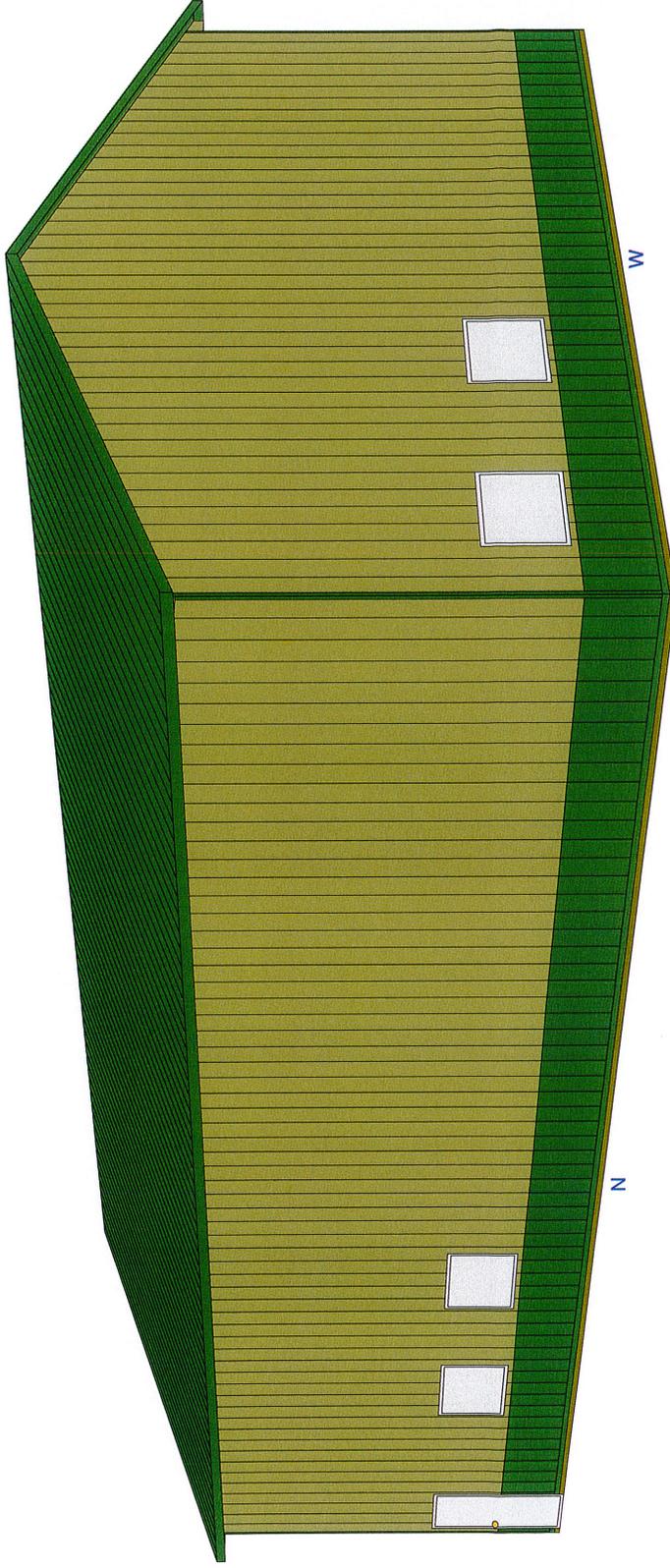
I talked to Chuck Macuiski who sold me the property and he does not have a problem with it. The building is kind of tucked back into a corner. It would block no ones view.

I would like to proceed with the process needed to get this done.

Thanks you,  
Brad Bauer

Brad Bauer  
605 996-6521 work  
605 770-6322 cell  
[bjbauer@mac.com](mailto:bjbauer@mac.com)





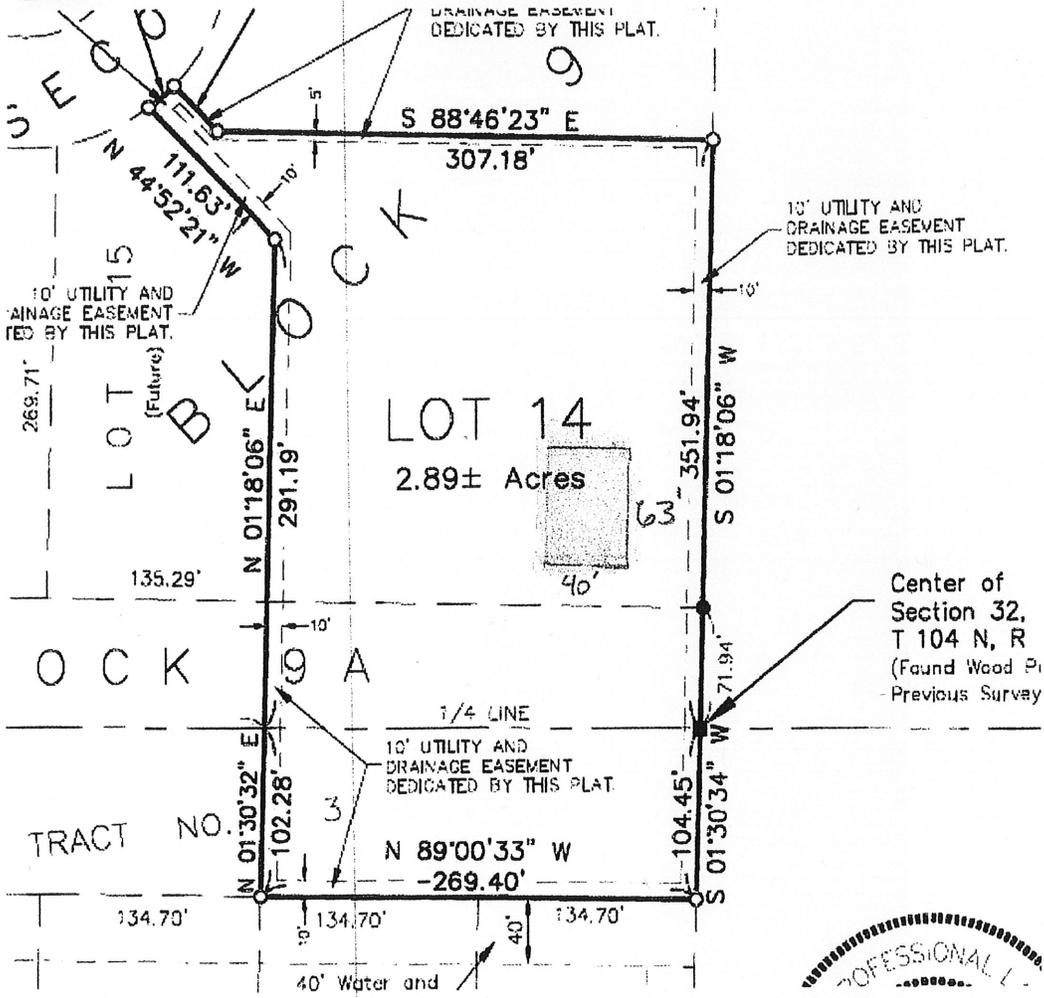
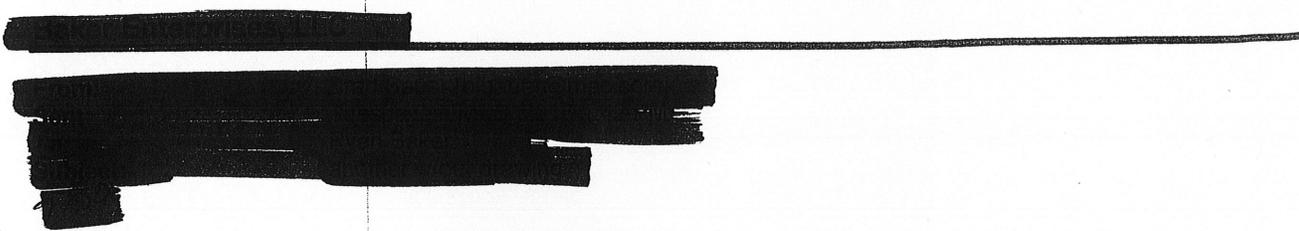


2601  
Anthony  
Ave

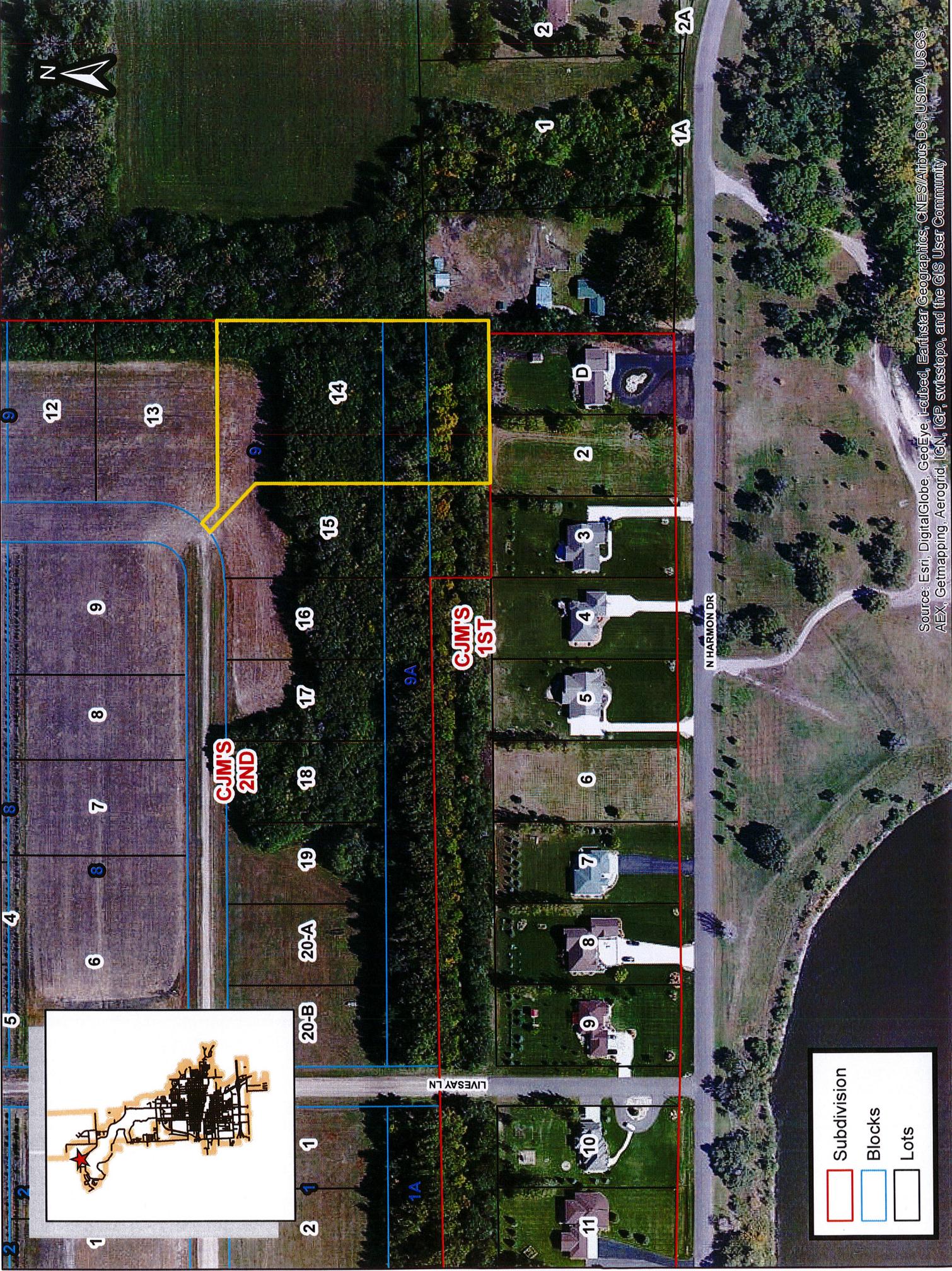


shadows  
from trees

Appt  
12/23







	Subdivision
	Blocks
	Lots

Source: Esri, DigitalGlobe, GeoEye, i-cubed, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



CASEY KIDS CAMP  
8508 E 35<sup>TH</sup>  
DENVER CO 80238

CJM CONSULTING INC  
1050 N HARMON DR *approved*  
MITCHELL SD 57301

DAVID & ASHLEY BRUA  
2921 N OHLMAN #2  
MITCHELL SD 57301

DUSTY & TAMI KUSSER  
25089 407<sup>TH</sup> AVE  
MITCHELL SD 57301

GLENN & JILL NYDAM  
720 N HARMON DR  
MITCHELL SD 57301

PENNY ROYALS  
1100 W 5<sup>TH</sup> AVE  
MITCHELL SD 57301

WILLIAM & SUSAN COCHRANE  
740 N HARMON DR  
MITCHELL SD 57301

JEFFREY & MARY CRAIN  
750 N HARMON DR  
MITCHELL SD 57301

LONNIE FAWCETT  
710 N HARMON DR  
MITCHELL SD 57301

# 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

<input type="checkbox"/> Authorization	<input type="checkbox"/> Approval	<input type="checkbox"/> Resolution
<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Citizen Request	<input type="checkbox"/> Discussion

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

Agenda Item:

Explanation/Background of Agenda Item Requested:

This ordinance revisions was requested by the Mayor and City Administrator. It makes two minor changes to the overall tax structure.

First, it extends the 1% tax to ticket sales or admissions to places of amusement, athletic, and cultural events, or any combination thereof. This was not previously included in the tax but is authorized by state law.

Second, it changes the appropriation language so that the council appropriates the money annually instead of the rates being fixed by ordinance.

## **ORDINANCE NO. 2547**

AN ORDINANCE AMENDING Sections 2-4-2 and 2-4-4 of the Mitchell City Code regarding the imposition of the Lodgings, Alcoholic Beverages and Prepared Food Tax and the appropriation of the funds thereof.

**BE IT ORDAINED BY THE CITY OF MITCHELL, SOUTH DAKOTA AS FOLLOWS:**

### Section 1.

That Mitchell City Code Section 2-4-2 be amended to read as follows:

#### 2-4-2: IMPOSITION OF TAX:

Notwithstanding the rate of tax established in subsection 2-2-2A of this title, there is hereby imposed a municipal tax which shall be measured at the rate of one percent (1%) upon the gross receipts of all leases or rentals of hotel, motel, campsites or other lodging accommodations within the city for periods of less than twenty eight (28) consecutive days, the sales of alcoholic beverages as defined at South Dakota Codified Laws 35-1-1 and establishments where the public is invited to eat, dine, or purchase and carry out prepared food for immediate consumption or ticket sales or admissions to places of amusement, athletic, and cultural events, or any combination thereof within the jurisdiction of the city.

### Section 2.

That Mitchell City Code Section 2-4-4 be amended to read as follows:

#### 2-4-4: DISPOSITION OF REVENUES:

All monies received and collected on behalf of the city pursuant to this chapter shall be used for the purpose of land acquisition, architectural fees, construction costs, payments for civic center, auditorium, or athletic facility buildings, including the maintenance, staffing, and operation of such facilities and the promotion and advertising of the city, its facilities, attractions, and activities.

Subject to the obligation of the city to apply revenues collected pursuant to this tax to the payment of principal and interest or other authorized charges in respect to revenue bonds issued by the city to be repaid with the revenues from this tax, whether or not such bonds are outstanding at the time of the enactment of this provision, all revenue received and collected by this tax on behalf of the City of Mitchell pursuant to this chapter shall be appropriated by the City Council on an annual basis.

### Section 3.

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 4.

The City Finance Officer shall cause notice of adoption of this ordinance to be published in the official newspaper and twenty (20) days after the completed publication, unless the referendum is invoked, this ordinance shall become effective and notice thereof shall be provided to the secretary of revenue in accordance with SDCL 10-52A-13.

Adopted by majority vote of the Mitchell SD City Council in regular session this 1<sup>st</sup> day of August, 2016.

---

Jerry Toomey – Mayor

Attest:

---

Michelle Bathke – City Finance Officer

(seal)

First Reading: July 18, 2016

Second Reading: August 1, 2016

Adoption: August 1, 2016

Published: \_\_\_\_\_



**TO:** Mayor Jerry Toomey  
City Council Members

**FROM:** Stephanie Ellwein, City Administrator  
**RE:** Entertainment Tax Overview

On the agenda for Monday is a proposed ordinance revision for the Entertainment Tax. The proposed revision would add a fourth allowable category to the Tax (ticket sales or admissions) and would change the allocation process from an automatic process to one that is done annually through the budget process at the same time as all other tax allocations. This was a requested item by the Council following the February 27<sup>th</sup> work session.

### **Entertainment Tax Background**

The Entertainment Tax was adopted in 1987 (Ordinance 1560) and revised in 2008 (Ordinance 2261). The ordinance has not been revised since 2008. The Current ordinance distributes the approximately \$722,000 of taxes that are collected based on a percentage breakdown. This is set by the ordinance as follows:

- 50% to the Corn Palace
- 35% to the CVB
- 10% to Industrial Development
- 5% to Regional Marketing

The collections for the entertainment tax were \$133,096.48 in 1987; \$597,285.01 in 2008; and estimated at \$722,000 for 2016. This is a 21% growth since the last time the Council discussed the distributions in 2008 and a 442% growth since the tax was first implemented.

When the City enacted the entertainment tax, the City applied the Entertainment Tax to three of the four allowable categories. State law allows the tax to be added to:

- Lodging
- Alcoholic Beverages
- Eating Establishments
- **Ticket Sales or Admissions to Places of Amusement, Athletic, and Cultural Events.**

The City did not apply the entertainment tax to the fourth category "Ticket Sales". The proposed ordinance would add that category to the collection. It is estimated that adding the fourth category could generate an additional \$ 60,000- \$80,000 in entertainment tax funds received annually.

I have sent a survey to other Cities asking which categories they have enacted. These are the Cities I have heard back from as of 7/27/16, and I will bring any additional ones to the Council Meeting Monday, August 1<sup>st</sup>.

- Brookings All Four Categories
- Hartford All Four Categories
- Huron All Four Categories
- Lead All Four Categories
- Spearfish All Four Categories
- Yankton All Four Categories



Below is a list of all of the municipalities that have enacted the entertainment tax. This list is provided by the SD Department of Revenue, but does not detail how many of the four categories they are applying the tax to. It just shows those municipalities that are collecting the entertainment tax:

<b>Aberdeen</b>	Corsica	Harrisburg	Martin	<b>Sioux Falls</b>
Baltic	Crooks	Hartford	Milbank	<b>Spearfish</b>
Belle Fourche	Custer	Highmore	Miller	Sturgis
Beresford	Dallas	Hill City	<b>Mitchell</b>	Summerset
Blunt	De Smet	Hot Springs	Mobridge	Tea
Box Elder	Deadwood	Humboldt	Mount Vernon	<b>Vermillion</b>
<b>Brandon</b>	Dell Rapids	<b>Huron</b>	Murdo	Wall
Britton	Eagle Butte	Irene	North Sioux City	Watertown
<b>Brookings</b>	Edgemont	Kadoka	Oacoma	White Lake
Canistota	Elk Point	Kennebec	Parkston	Whitewood
Canton	Faith	Keystone	<b>Pierre</b>	<b>Winner</b>
Centerville	Flandreau	Kimball	Platte	<b>Worthing</b>
Chamberlain	Fort Pierre	Lead	Quinn	<b>Yankton</b>
Chancellor	Garretson	Lemmon	<b>Rapid City</b>	
Clear Lake	Gettysburg	Lennox	Redfield	
Colome	Gregory	Letcher	Reliance	
Colton	Groton	<b>Madison</b>	Salem	

The Department of Revenue provides a guideline for what and is not covered under the entertainment tax. I have included that for your review at the end of this report. The applicable items are highlighted.

**Distribution of Taxes Collected**

Setting the distribution of the taxes by ordinance automatically appropriates them according to the ordinance without any discussion or oversight by the City Council, or any public input on how those taxes will be used. All other taxes collected by the City (property taxes, sales taxes) are discussed annually and distributed through the annual appropriation process including full public hearings at City Council Meetings adopting the budget.

The proposed ordinance would remove the automatic percentage distribution, and change the distribution to an annual appropriation by the Council during the budget process like all other taxes. We have been unable to find any other city distributing the entertainment tax automatically through percentage amounts established by City Ordinance. It is extremely unorthodox for public funds to be distributed without an annual review of the use of those funds or approval by the governing board annually.

If the ordinance is adopted changing the way the funds are distributed, it would not require the City to change the amounts currently going to the different entities. However, it would require the council to annually discuss how those funds are being distributed (just as the Council does with all other taxes through the budget appropriation process). The City’s annual appropriation process also gives the public the opportunity to comment on how those funds are being distributed through the formal hearing process at City Council meetings. It creates a transparent and accountable method for distributing taxes and would be the same process as the distribution of property taxes and sales taxes collected.

A historical account of taxes collected is included at the end of this report.



### Entertainment Tax Uses

State Law dictates what the entertainment tax can only be used for. The allowable items in State Law are:

- land acquisition
- architectural fees/construction costs
- payments for civic center, auditorium or athletic facility buildings including the maintenance, staffing and operations of such facilities
- the promotion and advertising of the municipality, its facilities, attractions or activities.

Many cities use some of the funds collected from the entertainment tax to distribute to the CVB to market their community. That amount varies by each city and is set during the annual appropriation (budget) process. I recently participated in a SDML survey that reported the following CVB contributions:

Yankton	\$173,000
Pierre	\$230,000
Aberdeen	\$420,000
Brookings	\$425,000

Other communities are also using the funds to finance civic centers (like our Corn Palace) if they have a civic center type facility. Another use of entertainment tax funds could be community improvements. For example, if the City had access to future growth in this that amount could be used as a debt service payment towards the streetscape project downtown. Finally, cities in South Dakota also reported that they are using the funds for beautification/wayfinding projects such as welcome signs or banners etc.

### In Summary

The proposed ordinance does two things: (1) changes the distribution of the taxes collected from an automatic distribution of the funds to an annual appropriation through the budget process and (2) adds the fourth category of the tax. The ordinance can be amended with one of the two items, or it can be amended with both items included. If the Council does not approve amending the ordinance the entertainment tax will stay as it currently is.

**Municipalities**

Service	State Sales Tax	Municipal Sales Tax (if within city limits)	Municipal Gross Receipts Tax (if within city limits)	Tourism Tax
Admissions to Visitor Attractions	X	X	X	X
Admissions to Spectator events	X	X	X	X
Campground Fees	X	X	X	X
Fitness center: Daily or weekly passes	X	X		
Fitness center: Memberships (except YMCA & YWCA)	X	X		
Fitness center: YWCA & YMCA	Exempt	Exempt	Exempt	Exempt
Golf - Driving ranges	X	X	X	X
Golf - Club rental	X	X		X
Golf - Membership fees and Green fees	X	X	X	
Museum, Admissions to	X	X	X	X
Picnic Equipment Rental	X	X		
Recreational Court Rental - tennis, racquetball, volleyball, ice skating. Equipment rented with a recreational court is also subject to tourism tax.	X	X		X
Recreational Equipment Rental - golf clubs, skis, snow shows, bumper cars, recreational water equipment.	X	X		X
Zoo, Admissions to	X	X	X	X
Swimming Pool, Admissions to	X	X	X	
Craft items or supply sales	X	X		
Woodshop use	X	X		
Pottery completion charges (use of kiln)	X	X		
Instruction fees for sports or other activities except ski instruction	X	X		
Ski instruction	X	X		X
Nonprofit historic sites, Admissions to	Exempt	Exempt	Exempt	Exempt
Repertory theater performances, Admissions to	Exempt	Exempt	Exempt	Exempt

Refer to SDCL 10-45D or the Tourism Tax Facts for a complete list of products and services subject to tourism tax.

<sup>1</sup> Visitor attractions include: aerial tramways, amusement parks, animal exhibits, animal shows, antique car exhibits, antique exhibits, arboreta, aquariums, batting cages, botanical gardens, bumper boats, bumper cars, bungee jumps, carnival rides, chuck wagon suppers, commercial playgrounds, go-cart raceways, gold mines, golf driving ranges, historic sites, human mazes, hunting preserves, miniature golf courses, museums, music shows, observation towers, outdoor dramas, pitch 'n putt golf courses, playhouses, racetracks, recreational gold mining, reptile exhibits, restorations, scenic railroads, shooting preserves, show caves, ski areas, spectator events, water slides, wave pools, wax figure exhibits, and zoological gardens. All businesses conducted on the site of a visitor attraction are subject to Tourism tax.

<sup>2</sup> Spectator events include: air shows, auto races, auto shows, balloon shows, boat races, car rallies, carnivals, circuses, concerts, dance festivals, draft horse contests, ethnic festivals, exhibitions, expositions, fairs, greyhound races, horse races, horse shows, monster truck shows, motorcycle expositions, motorcycle races, music festivals, rodeos, sporting events, stage performances, threshing bees, tractor pull contests, and water-skiing shows. All businesses conducted on the site of a spectator event are subject to Tourism tax.

<sup>3</sup> Campgrounds include: campgrounds, camping cabins, camping resorts, commercial picnic grounds, organizational camps, park units, recreational vehicle parks, trailer parks, and youth camps.

<sup>4</sup> The Tourism tax only applies to recreational equipment rented for twenty-eight days or less. Recreational equipment rentals include: all-terrain vehicles, beach chairs, bicycles, bumper boats, bumper cars, campers, camping trailers, firearms, fishing equipment, flotation devices, go carts, golf clubs, hunting dogs, hunting equipment, mopeds, motor coaches, motorcycles, pack animals, recreational courts and equipment, recreational gold mining equipment, recreational vehicles, recreational water equipment, rock climbing gear, roller blades, saddle horses, skis, snowboards, snowmobiles, snowmobile trailers, snowshoes, watercraft, and watercraft trailers.

Year	Total Collected	CVB	Industrial Development	Regional Marketing	Corn Palace	Other Corn Palace Debt Service/ Community Projects/ Fund Balance
1987	\$ 133,096.48	\$ 46,583.77	\$ 19,964.47	\$ 13,309.65	\$ 53,238.59	\$ -
1988	\$ 196,607.66	\$ 68,812.68	\$ 29,491.15	\$ 19,660.77	\$ 40,182.64	\$ 38,460.42
1989	\$ 220,599.20	\$ 77,209.76	\$ 33,089.88	\$ 22,059.90	\$ 88,239.66	\$ -
1990	\$ 255,650.54	\$ 70,000.00	\$ 30,000.00	\$ 20,000.00	\$ 80,000.00	\$ 55,650.54
1991	\$ 259,346.07	\$ 70,000.00	\$ 30,000.00	\$ 20,000.00	\$ 80,000.00	\$ 59,346.07
1992	\$ 276,913.78	\$ 70,000.00	\$ 30,000.00	\$ 20,000.00	\$ 80,000.00	\$ 76,913.78
1993	\$ 286,047.76	\$ 83,000.00	\$ 30,000.00	\$ 20,000.00	\$ 80,000.00	\$ 73,047.76
1994	\$ 316,565.82	\$ 104,466.74	\$ 31,656.57	\$ 22,159.58	\$ 158,282.93	\$ -
1995	\$ 328,196.22	\$ 108,304.83	\$ 32,819.65	\$ 22,973.74	\$ 164,098.00	\$ -
1996	\$ 344,045.70	\$ 115,000.00	\$ 35,000.00	\$ 24,500.00	\$ 169,545.70	\$ -
1997	\$ 346,381.15	\$ 114,305.75	\$ 34,638.13	\$ 24,246.71	\$ 173,190.56	\$ -
1998	\$ 363,615.37	\$ 119,993.10	\$ 36,361.58	\$ 25,453.03	\$ 181,807.66	\$ -
1999	\$ 381,606.21	\$ 122,100.00	\$ 37,000.00	\$ 25,900.00	\$ 185,000.00	\$ 11,606.21
2000	\$ 405,727.77	\$ 124,410.00	\$ 37,700.00	\$ 26,390.00	\$ 188,500.00	\$ 28,727.77
2001	\$ 423,948.28	\$ 136,950.00	\$ 41,500.00	\$ 29,050.00	\$ 207,500.00	\$ 8,948.28
2002	\$ 457,812.91	\$ 141,900.00	\$ 53,000.00	\$ 30,100.00	\$ 240,000.00	\$ (7,187.09)
2003	\$ 457,320.44	\$ 141,900.00	\$ 43,000.00	\$ 30,100.00	\$ 234,000.00	\$ 8,320.44
2004	\$ 494,711.82	\$ 144,900.00	\$ 43,000.00	\$ 30,100.00	\$ 176,500.00	\$ 100,211.82
2005	\$ 549,693.20	\$ 153,500.00	\$ 43,000.00	\$ 30,100.00	\$ 128,400.00	\$ 194,693.20
2006	\$ 586,563.78	\$ 141,900.00	\$ 43,000.00	\$ 30,100.00	\$ 154,690.00	\$ 216,873.78
2007	\$ 590,185.23	\$ 141,900.00	\$ 43,000.00	\$ 30,100.00	\$ 207,627.00	\$ 167,558.23
2008	\$ 597,285.01	\$ 212,100.00	\$ 60,600.00	\$ 30,300.00	\$ 209,827.00	\$ 84,458.01
2009	\$ 613,011.40	\$ 217,350.00	\$ 62,100.00	\$ 31,050.00	\$ 180,450.00	\$ 122,061.40
2010	\$ 664,564.41	\$ 217,350.00	\$ 62,100.00	\$ 31,050.00	\$ 183,300.00	\$ 170,764.41
2011	\$ 656,532.15	\$ 221,550.00	\$ 63,300.00	\$ 31,650.00	\$ 242,340.00	\$ 97,692.15
2012	\$ 697,676.11	\$ 254,750.00	\$ 73,500.00	\$ 36,750.00	\$ 236,570.00	\$ 96,106.11
2013	\$ 691,101.94	\$ 248,960.13	\$ 70,417.11	\$ 35,208.27	\$ 238,242.07	\$ 98,274.36
2014	\$ 725,646.21	\$ 253,976.16	\$ 72,564.57	\$ 36,282.32	\$ 352,100.00	\$ 10,723.16
2015	\$ 722,000.00	\$ 252,700.00	\$ 72,200.00	\$ 36,100.00	\$ 385,336.82	\$ (24,336.82)
<b>Total</b>	<b>\$ 13,042,452.62</b>	<b>\$ 4,175,872.92</b>	<b>\$ 1,294,003.11</b>	<b>\$ 784,693.96</b>	<b>\$ 5,098,968.63</b>	<b>\$ 1,688,913.99</b>

**CITY OF MITCHELL  
CITY PLANNING COMMISSION  
MINUTES, July 25, 2016**

**NOT APPROVED**

Call to Order: Chairman Larson called the July 25, 2016 planning commission meeting to order at 12:00 pm, Council Chambers, City Hall, 612 N Main St, Mitchell, SD

Members Present: Larson, Everson, Fergen, Griffith, Meyers, Molumby and Allen;

Member Absent: Schmucker

Others Present: Mayor Toomey, Putnam, J. Johnson, T. Johnson, Hegg, London, Laursen

Agenda: Motion by Everson, seconded by Griffith to approve the July 25, 2016 meeting as presented. All members present voting aye, motion carried.

Minutes: Motion by Everson, seconded by Griffith to approve the minutes of July 11, 2016 with a change on page 2, paragraph 2, line 2, replace two with three feet. All members present voting aye, motion carried.

Next Meeting: Motion by Molumby, seconded by Griffith to schedule the next meeting for August 8, 2016. All members present voting aye, motion carried.

Rezoning: (Withdrawn) Changing the zoning classification of the real property legally described as Block 2, Block 3, Block 7, Block 8 and Block 9 of CJM 2<sup>nd</sup> Addition, and portions of Michael Ave, Livesay Lane, and Jamaica Street in NW ¼ of Section 32, T 104 N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota from Urban Development District to a Planned Development District to be known as CJM Second Addition Planned Development District Number Two and changing the official zoning map accordingly.

Variance: Brad Bauer has made an application for a height variance of 25' vs 23' for construction of a building to be located at 2501 Anthony Avenue, legally described as Lot 14, Block 9, CJM 2<sup>nd</sup> Addition IT #3, NW ¼ Section 32, T 104 N, R 60 W of the 5<sup>th</sup> P.M., City of Mitchell, Davison County, SD. Zoned Planned Development District.

Applicant Bauer was present. No one other than staff and commission members testified in regards to this application. No objections have been received.

The public notice was published on July 15, 2016 in the *Mitchell Daily Republic* and letters to the neighboring property owners were sent July 13, 2016.

Motion by Molumby, seconded by Fergen to recommend the Board of Adjustment approve the variance. All members present voting aye, motion carried.

Other Business: Justin Johnson, City Attorney, briefed the commission on ex-parte and conflict of interest procedures for boards/commission that act in quasi-judicial capacities. He answered questions from the commission. No action taken.

Adjournment: Chairman Larson adjourned the meeting at 12:29 pm.

---

Chairman

---

Date