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. **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:

      8-1-16 HOMELAND SECURITY GRANT REQUEST.PDF

   D. **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

E. 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

F. 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

G. Pay Estimates For August 1, 2016

Pay Estimate Schedule for August 1, 2016

Documents:

PAY ESTIMATES 08-01-16.PDF

H. 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

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 Blaalid, 515 East Spruce Street, Mitchell, South Dakota to Jeanne Blaalid, 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

CITY OF MITCHELL
DEPARTMENT OF PUBLIC SAFETY
FIREWORKS PUBLIC DISPLAY PERMIT
A PERMIT TO OPERATE A DISPLAY OF FIREWORKS

PERMIT NUMBER 2016-05

Name of Applicant All Star Fireworks Phone # 605-999-8882

Address 5000 S Nevada Ave City Sioux Falls State SD Zip 57108

PERSON(S) ACTUALLY IN CHARGE OF FIRING THE DISPLAY:

Name Jennifer Starr Address 5000 S Nevada Ave #213 State SD Zip 57108

Name _____ Address Sioux Falls State _____ Zip _____

Date of Display 8-27-2016 Time of Day After the Football Game

Exact Location of Display Joe Quintal Field - Kernel Bowl Football Game

A copy of the insurance certificate on file with Human Resources? _____ (yes or no)

TYPE OF FIREWORKS:

_____ Class B Explosive (Special Fireworks) ✓ Class C Common Fireworks

I, _____, declare and affirm under the penalty of perjury that this Fireworks Display Permit has been examined by me and to the best of my knowledge and belief is true and correct.

Dated this _____ day of _____, 20_____. x _____ Signature of Applicant

Subscribed and sworn to (or affirmed) before me this _____ day of _____, 20_____.

_____
Notary Public

My Commission expires: _____

Fire Marshall Reviewed: _____

Permit Authorized By: _____

Title: _____

Location of Issuing Authority: _____

Issued subject to all applicable laws and regulations, SDCL 34-36, SDCL 34-37 and National Fire Protection Association Pamphlet #1123 (2000 edition). This permit may not be assigned or transferred.

DEPARTMENT OF PUBLIC SAFETY
201 W 1ST AVE., MITCHELL SD 57301

COPIES: WHITE-Permit Holder; YELLOW-Fireworks Wholesaler; PINK-Issuing Authority

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).

PRODUCER

Ryder Rosacker McCue & Huston (MGD by Hull & Compa
509 W Koenig St
Grand Island NE 68802

CONTACT NAME: Kristy Wolfe
PHONE (A/C, No, Ext): 308-382-2330 FAX (A/C, No): 308-382-7109
E-MAIL ADDRESS: kwolfe@ryderinsurance.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : SCOTTSDALE INS CO	41297
INSURER B :	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

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

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

CERTIFICATE HOLDER

City of Mitchell
612 N Main St.
Mitchell SD 57301

CANCELLATION

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

Jodi Faulkner

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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 10th, 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 Blaalid to transfer Retail (On-Off Sale) Malt Beverage License RB-20236 and Retail (On-Off Sale) Wine License RW-20237 from Jeanne Blaalid, 515 East Spruce Street, Mitchell, South Dakota to Jeanne Blaalid, 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 20th, 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 20th, 2016 for the Shriner's 60th Anniversary,
   4. on August 27th, 2016 for a wedding, and
   5. on September 8th, 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 6th and Main for the Judd Hoos concert.

i. Gas & Diesel Fuel Competitive Quotations:

Farmers Alliance	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

Country Pride	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 6th Street Plaza Project #2016-18 contracted to Confluence,

Pay Estimate #6 in the amount of $38,421.15 for 5th 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-Geary, 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 20th 2016 at 12th, 23rd, 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 6th Avenue and 7th 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 4th and 5th 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 5th 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 2nd 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 4th 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 11th 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 5th 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 5TH 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 5TH 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 5th 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 5TH 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 5TH 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 5th 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 5TH 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 5TH 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 5th 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 5TH 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 5TH 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 5th 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 5TH 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 5TH 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 5th 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 5TH 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 5TH 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 18th 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.

<u>EXECUTIVE SESSION:</u>

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

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 4th 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 ~~2~~ 3 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 5th 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 5th 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 5th 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 2nd Addition, and a portion of Collette Street, a subdivision of the SE ¼ of Section 31, T 104 N, R 60 W of the 5th 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 5th 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 5th 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 5th 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 2nd 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 5th 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.

Jay C. Larson

Chairman

07-25-16

Date

TRAFFIC COMMISSION
Minutes
612 North Main
Mitchell SD 57301
July 18th, 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 18th, 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 18th, 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 7th on August 20th, 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 20th, 2016 at 9:30am for a police escort and traffic control at 12th & 23rd 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 6th & 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 6th Avenue and 7th 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 (7th-6th) from 4:30am to 5:00pm for the annual Sturgis Biker event, August 4th & 5th, 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 1st to 7th on Tuesday, August 23rd at 4:30am to Monday, August 29th at 4:30am. Closure of the west half of City Hall Parking from 4:30am on Tuesday August 23rd to 4:30am on Monday, August 29th. Closure of the 5th and Main Parking lot on Tuesday, August 23rd at 4:30am to Monday, August 29th 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 15th, 2016. The time will be announced at a later date.

Minutes prepared by Cindy Titze.

CITY OF MITCHELL

City Council Meeting
Agenda Item Request

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

Mitchell
SOUTH DAKOTA

Meeting Date Requested: 08/01/2016

Requested By: L. Overweg

Desired Action of City Council

- [x] Authorization
- [x] Approval
- [ ] Resolution
- [ ] Ordinance
- [ ] Citizen Request
- [ ] Discussion

Amount budgeted in current fiscal year for this item (if applicable): 0

Agenda Item: Request to purchase traffic bollards with Homeland Security Grant funds

Explanation/Background of Agenda Item Requested:

We have been notified that we have been approved to receive $17,500 to be used to install traffic bollards (barriers) at the Department of Public Safety building. No money has been allocated in the city budget for this project so if this project is approved it would be paid for out of line-item and then a supplement would be made back to that line-item when the reimbursement check is received from the federal government. This grant will cover 100% pay back up to $17,500.

As a reminder, when I applied for this grant the council approved us to apply for this project and portable radios, the council approved the application and purchase of the radios if approved, and I was directed to come back to the council to receive permission to go forward with the bollard project. The radios were also approved ($14,400) and will be purchased in the near future and an automatic supplement will be requested once we receive the reimbursement check for them.

CITY OF MITCHELL

City Council Meeting
Agenda Item Request

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

Mitchell
SOUTH DAKOTA

Meeting Date Requested: 08/01/2016 Requested By: CINDY ROTH

Desired Action of City Council
- ☐ Authorization
- ☑ Approval
- ☐ Resolution
- ☐ Ordinance
- ☐ Citizen Request
- ☐ Discussion

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

Agenda Item: Set Date of 08-15-16

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 Recieved_____ 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 [X] No

Do you own [X] 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) X 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 finance 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.

ERIN ELIZABETH ZANDER
Notary Public
SEAL
South Dakota

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

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

Approving Officer's Telephone number 6054301132 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_____

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. [X]

State of South Dakota)

:ss

County of Davison)

Affidavit

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 Rapid City, SD 57701

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? 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
Josh Holdinghausen		703 Main St. Ste 205 Rapid City, SD 57701	owner

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 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.

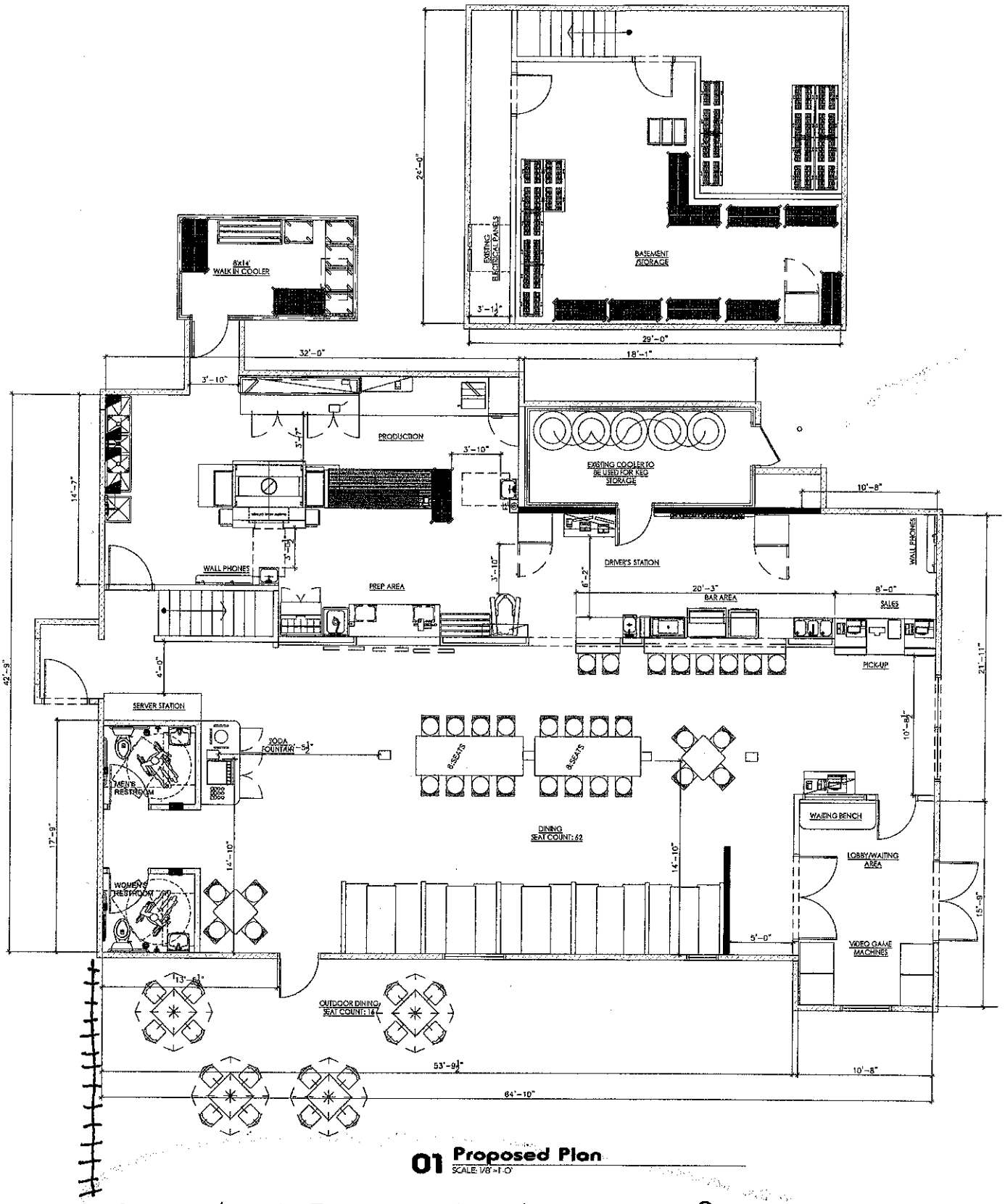
ERIN ELIZABETH ZANDER
Notary Public
SEAL
South Dakota

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

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.

modis
4955 SW 75th Avenue

Marco's Pizza

description:
Plan Review

project info:
Mitchell, SD

project no.:	date:	dwg by:
#15628	02-22-2016	

scale:	plan no.:
3/32" = 1'-0"	PR1.9

Date Recieved_____
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
- [X] 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 & N½ 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 [X] No

Do you own [X] 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? X 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, municipalities, airports, solicitors, dispensers, carriers, transportation companies, and farm wineries.

ERIN ELIZABETH ZANDER
Notary Public
SEAL
South Dakota

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

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

Approving Officer's Telephone number 6054301132 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**_____

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. ☒

Affidavit

State of South Dakota)
:ss
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 except as expressly set forth above. If company stock is to be transferred we ask for approval of such voluntary stock transfer.

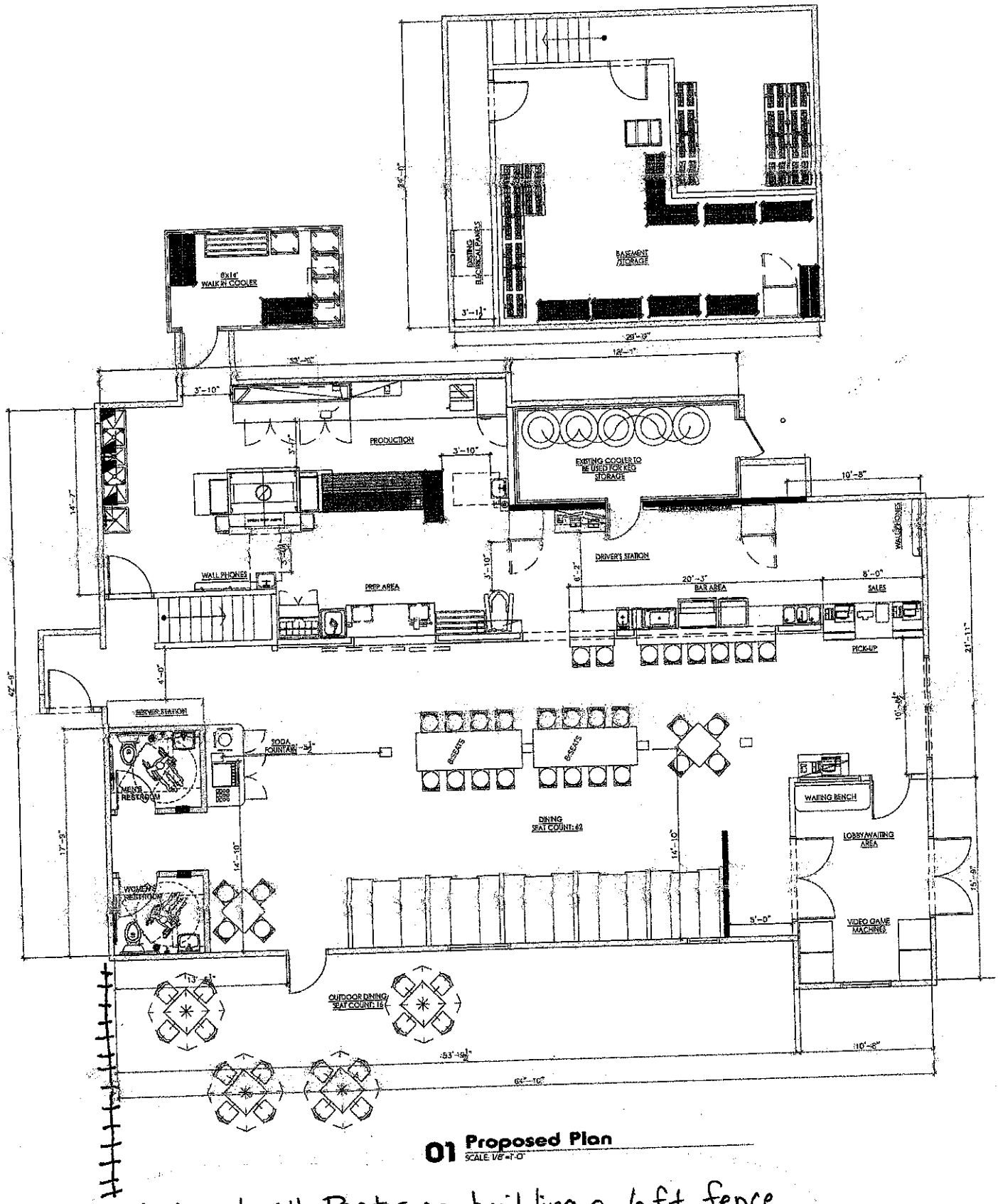
ERIN ELIZABETH ZANDER
Notary Public
SEAL
South Dakota

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

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.

modis
4955 SW 75th Avenue

Marco's Pizza

description:
Plan Review

project info:
Mitchell, SD

project no.:	date:	dwg by:
#15628	02-22-2016	

scale: 3/32"=1'-0" | plan no.: PR1.0

SD EForm - 0873 V6

Date Recieved _____

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 Achers
Box 111
Alexandria, SD 57311

Owner's Telephone #: NA

B. Business Name and Address

Same

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 SPECIAL EVENT AUGUST 20, 2016 FOR WEDDING
- [ ] Transfer Fee $150.00

Number of other Package Liquor Licenses held: None

Number of other On-sale Liquor Licenses held: None

Is this License in active use? [ ] Yes [X] No

D. Legal description of licensed premise:

[illegible] Airport Road - National Guard Armory
S 1/2 of Lot 33 Township 104 R 60
Ex platted Lot, Mitchell, South Dakota

Have you ever been convicted of a felony? [ ] Yes [X] No

Do you own [X] 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? [X] 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 Waldeira Trea.

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? [X] Yes [ ] No County: _____

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

Approving Officer's Telephone number _____ Signature: Mary Letcher

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	Transferred (State Use)
(Seal) _____ Mayor or Chairman If disapproved, endorse reason thereon and return to applicant	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)
:ss
County of)

Affidavit

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

Name of corporation/partnership/LP/LLC James River Ruchers

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
Ward Tuttle	Pres.	42205 261st St	Alexandria S.D. 57311
Jerry Smith	Vice Pres.	220 7th St.	Alexandria SD 57311
Rich Waldera	Treas	Box 53	Alexandria S.D 57311
Adam Popp	Sec.		

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

Name	Address	Occupation
Neil Waldera	511 3rd St Alexandria S.D 57311	Mgr
Jeremy Zens	42378 296th St Alexandria S.D 57311	Laborer
Rob Nicholson	720 3rd St Alexandria, S.D 57311	Laborer

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

Name	Address	Percentage of Shares
N A		

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
N A	

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 Waldera - 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 Waldera - Treas

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

My commission expires 9-21-18 Mary Fletcher (Notary Public)

SD EForm - 0873 V6

Date Recieved_____ License No._____

Date Issued_____

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

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

B. Business Name and Address

Palace City Lions Club
PO Box 841
Mitchell SD 57301

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

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:

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? [ ]

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 Jane 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? [X] Yes [ ] No County: Davison

This application was subscribed and sworn to before me this 18th 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_____

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. ☐

Affidavit

State of South Dakota)
: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 Weiland	Sec/Treas.		
Craig Bennett	[redacted] President		
~~Jeff Peart~~ 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 Daniel A Larson

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

My commission expires 11-3-2017 Cynthia Roth
(Notary Public)

CYNTHIA ROTH 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

Mitchell
SOUTH DAKOTA

Meeting Date Requested: 08/01/2016

Requested By: Kevin Roth

Desired Action of City Council

- [x] Authorization
- [ ] Approval
- [ ] Resolution
- [ ] Ordinance
- [ ] Citizen Request
- [ ] Discussion

Amount budgeted in current fiscal year for this item (if applicable): 80,000

Agenda Item: Set Bid Date for Annual Supply of Rock Salt - City Project #2016-27

Explanation/Background of Agenda Item Requested:

Set Bid Date on August 1, 2016

1:30 PM - August 22, 2016 to open bids for:
#2016-27 Annual Supply of Rock Salt

CITY OF MITCHELL

City Council Meeting
Agenda Item Request

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

Mitchell
SOUTH DAKOTA

Meeting Date Requested: 08/01/2016

Requested By: Jerry Toomey/Tim McGannon

Desired Action of City Council

- [x] Authorization
- [ ] Approval
- [ ] Resolution
- [ ] Ordinance
- [ ] Citizen Request
- [ ] Discussion

Amount budgeted in current fiscal year for this item (if applicable): Supply Budgets in all City Departments

Agenda Item: Set date for Bid Opening for Janitorial Supplies - on August 22, 2016 - 1:30 PM

Explanation/Background of Agenda Item Requested:

Set date on August 1, 2016 for a 3 year Janitorial Supply Contract to be opened on August 22, 2016.
This will allow all Departments to purchase from one vendor at bid prices for janitorial supplies.

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 ANNUAL BUDGET	LINE ITEM BUDGET AVAILABLE	LINE ITEM OVER BUDG	GROUP BUDGET ANNUAL BUDGET	GROUP BUDGET AVAILABLE	GROUP BUDGET OVER 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

Mitchell
SOUTH DAKOTA

Meeting Date Requested: 08/01/2016

Requested By: Cindy Roth

Desired Action of City Council

- ☐ Authorization
- ☑ Approval
- ☐ Resolution
- ☐ Ordinance
- ☐ Citizen Request
- ☐ Discussion

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

Agenda Item: Hearings

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 Blaalid, 515 East Spruce Street, Mitchell, South Dakota to Jeanne Blaalid, 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.

SD EForm - 0873 V6

Date Recieved _____

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.

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
- [X] 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 [X] No

D. Legal description of licensed premise:

BLK 13 Ex A

Have you ever been convicted of a felony? [ ] Yes [X] No

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

E. State Sales Tax Number: 1030-4138-5T

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

G. New license? [ ] Transfer? ($150) [X] 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 12th 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: Davison

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

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

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 $ 75.00

Forwarded with application $ 75.00

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)
: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 Blaalid

Subscribed and sworn to before me this 12th of July 2016 Dawson County, State of South Dakota.

My commission expires 11-03-20 Cynthia Roth
(Notary Public)

CYNTHIA ROTH
NOTARY PUBLIC
SOUTH DAKOTA
SEAL

SD EForm - 0873 V6

Date Recieved _____

Date Issued _____

License No. RW-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
- [X] 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 [X] No

D. Legal description of licensed premise:

BLK 13 Ex A

Have you ever been convicted of a felony? [ ] Yes [X] No

Do you own [X] 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) [X] 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 12th 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: Davison

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

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

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—

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)
: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 Blasdell

Subscribed and sworn to before me this 12th of July 2016 Dawson County, State of South Dakota

My commission expires 11-3-2017 Cynthia Roth (Notary Public)

CYNTHIA ROTH
NOTARY PUBLIC
SOUTH DAKOTA
SEAL

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).

- [X] 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
- [X] 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, Blk 61, M H Rowley, 1ST Addition to Mitchell, SD

Have you ever been convicted of a felony? [ ] Yes [X] No

Do you own [ ] or lease [X] 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? X 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: Davison

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

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

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**_____

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)
ss
County of ☐)

Affidavit

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 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	Type of License, Financial Interest Held, and 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

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 _____

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

My commission expires 11-03-2017

Cynthia Roth
(Notary Public)

CYNTHIA ROTH
NOTARY PUBLIC
SOUTH DAKOTA
SEAL

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).

- [X] 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
- [X] 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, Blk 61, M H Rowley, 1st Addition to Mitchell, SD

Have you ever been convicted of a felony? [ ] Yes [X] No

Do you own [ ] or lease [X] 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? X 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? [X] Yes [ ] No County: Davison

This application was subscribed and sworn to before me this 13th 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 [ ]
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)
ss
County of ☐)

Affidavit

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	4020 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 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	Type of License, Financial Interest Held, and 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

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 13th of July 2016 Davison County, State of South Dakota.

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

CYNTHIA ROTH
NOTARY PUBLIC
SOUTH DAKOTA
SEAL SEAL

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).

- [X] 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
- [X] Other (please classify) NRA 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 5 & 6, Blk 61, M H Rowley, 1st Addition to Mitchell, SD

Have you ever been convicted of a felony? [ ] Yes [X] No

Do you own [ ] or lease [X] 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? X 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: Davison

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

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

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**_____

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)
ss
County of ☐)

Affidavit

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 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	Type of License, Financial Interest Held, and 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

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)

CYNTHIA ROTH
NOTARY PUBLIC
SOUTH DAKOTA
SEAL

SD EForm - 0873 V6

Date Received _____ License No. _____

Date Issued _____

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

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

B. Business Name and Address

(
(

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 aug 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 30th day of June 2016 Signature David Emment

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? [X] Yes [ ] No County: Davison

This application was subscribed and sworn to before me this 30th day of June 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 $ 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. ☐

Affidavit

State of South Dakota)
: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 Weiland	Sec/Treas.		
~~Craig Bennett~~ Bob Lorenz	Vice President		
~~Jeff Pearl~~ 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 30th of June 2016, Davison County, State of South Dakota

My commission expires 11-3-2017

Cynthia Roth
(Notary Public)

CYNTHIA ROTH
NOTARY PUBLIC
SOUTH DAKOTA
SEAL

CITY OF MITCHELL

City Council Meeting
Agenda Item Request

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

Mitchell
SOUTH DAKOTA

Meeting Date Requested: 08/01/2016

Requested By: Neil Putnam

Desired Action of City Council

- ☐ Authorization
- ☑ Approval
- ☐ Resolution
- ☐ Ordinance
- ☐ Citizen Request
- ☐ Discussion

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

Agenda Item: Board of Adjustment: Set date for Hearing 8/15/2016

Explanation/Background of Agenda Item Requested:

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

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

Mitchell
SOUTH DAKOTA

Meeting Date Requested: 08/01/2016

Requested By: Neil Putnam

Desired Action of City Council

- ☐ Authorization
- ☑ Approval
- ☐ Resolution
- ☐ Ordinance
- ☐ Citizen Request
- ☐ Discussion

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

Agenda Item: Board of Adjustment: Set date for Hearing 8/15/2016

Explanation/Background of Agenda Item Requested:

Angela and Bonnie Jones (applicant) and Boyd & Kay Reimnitz (owner) have made an application for a conditional use permit to operate a home occupation/retail business and display of artwork in the applicants' home located at 414 W. 7th Avenue, 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

CONNECTEXPLORER

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

Mitchell
SOUTH DAKOTA

Meeting Date Requested: 08/01/2016

Requested By: Neil Putnam

Desired Action of City Council

- ☐ Authorization
- ☑ Approval
- ☐ Resolution
- ☐ Ordinance
- ☐ Citizen Request
- ☐ Discussion

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

Agenda Item: Board of Adjustment: Hearing on Brad Bauer, 2501 Anthony Ave, Mitchell, SD

Explanation/Background of Agenda Item Requested:

Brad Bauer has made an application for a height variance of 25' of 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.

Planning Commission recommends approval. See July 25, 2016 minutes.

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 2nd 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 2nd 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 11th of July, 2016.

Brady J Bauer
APPLICANT

Brady J Bauer
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.

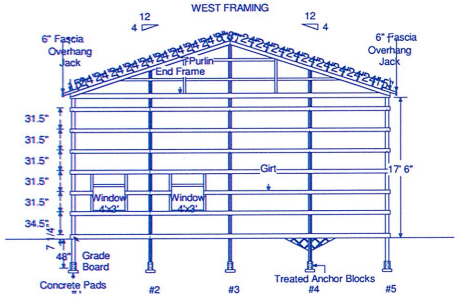
Thanks you,
Brad Bauer

Brad Bauer
605 996-6521 work
605 770-6322 cell
bjbauer@mac.com

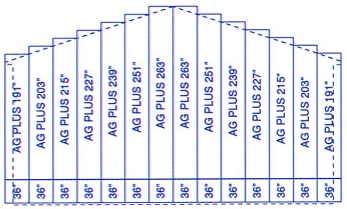
BRAD BAUER

mitchell/~~MT VERNON~~, SD

WEST FRAMING



WEST STEEL



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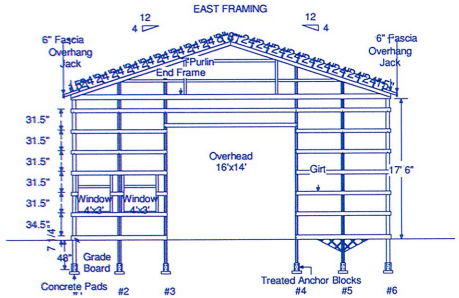
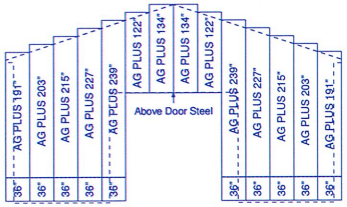
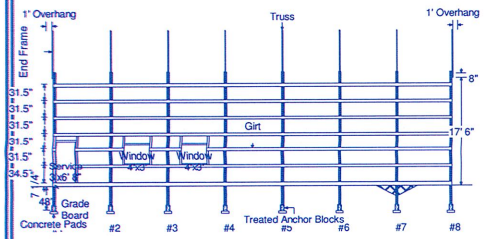


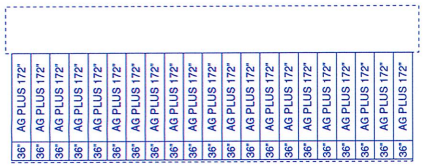
EAST STEEL



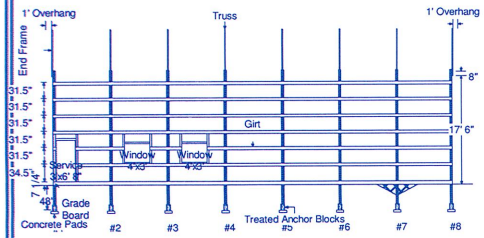
NORTH FRAMING



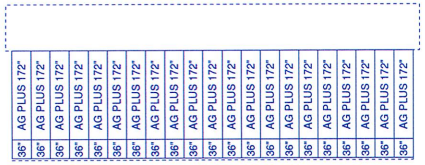
NORTH STEEL



SOUTH FRAMING

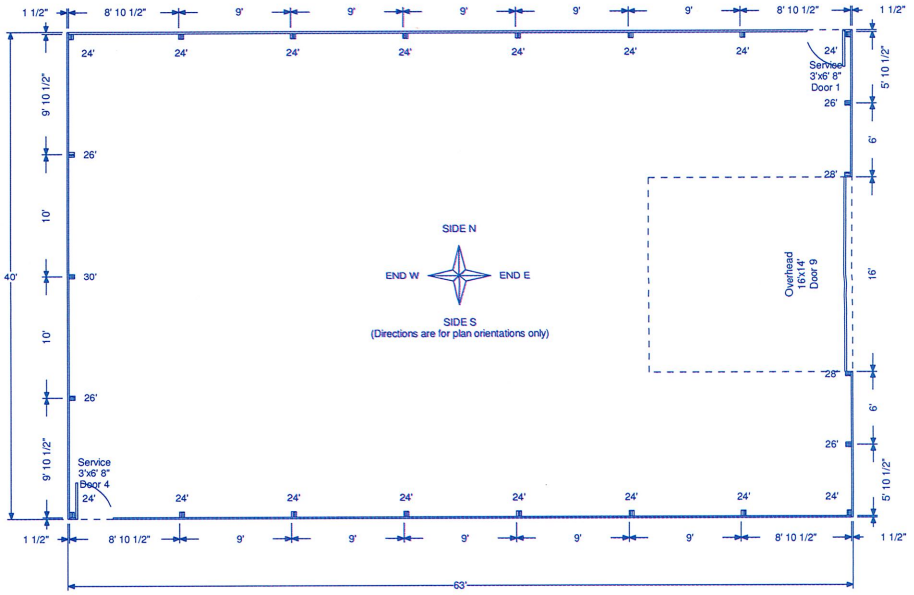


SOUTH STEEL



Service Doors and Windows Shown for Representation Only. Please Confirm Exact Location at Time of Construction.

FLOOR PLAN



MIDWEST

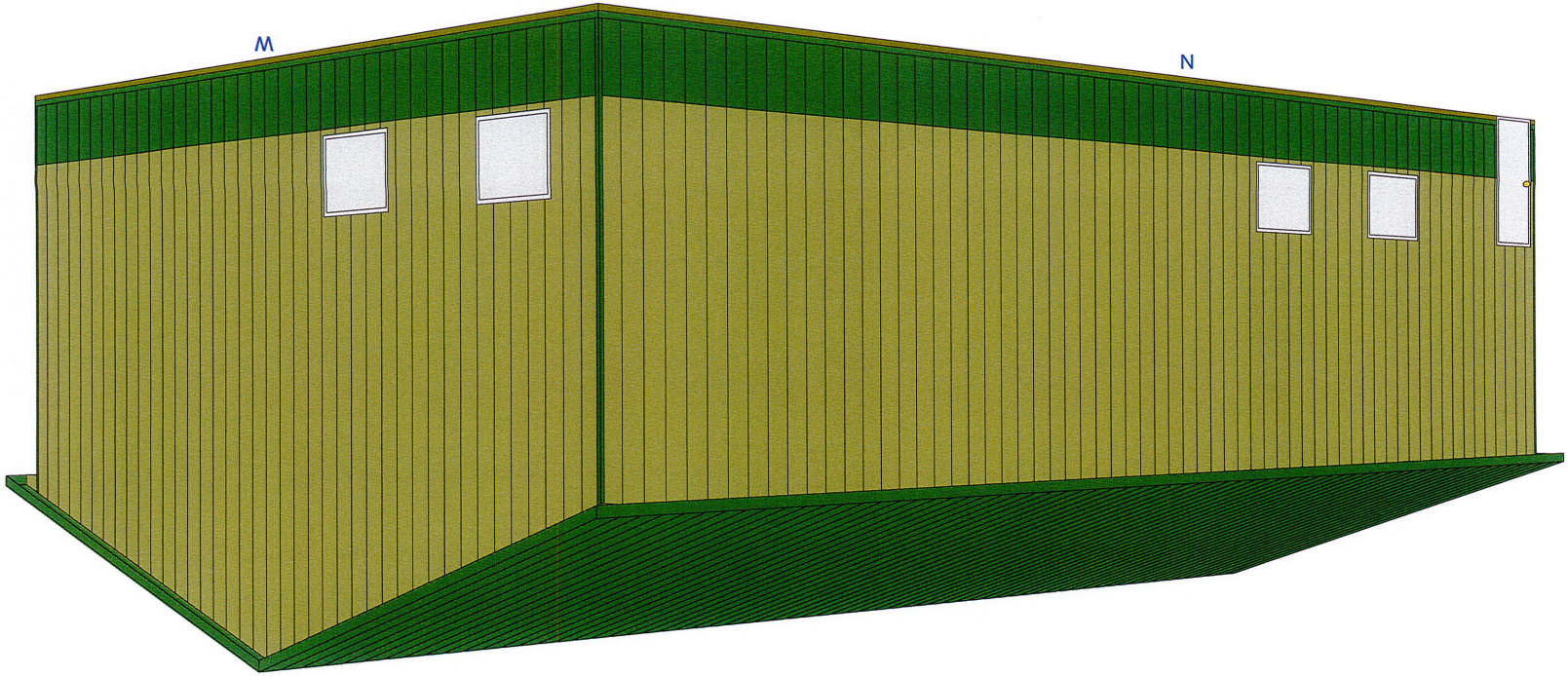
MINI PRINT

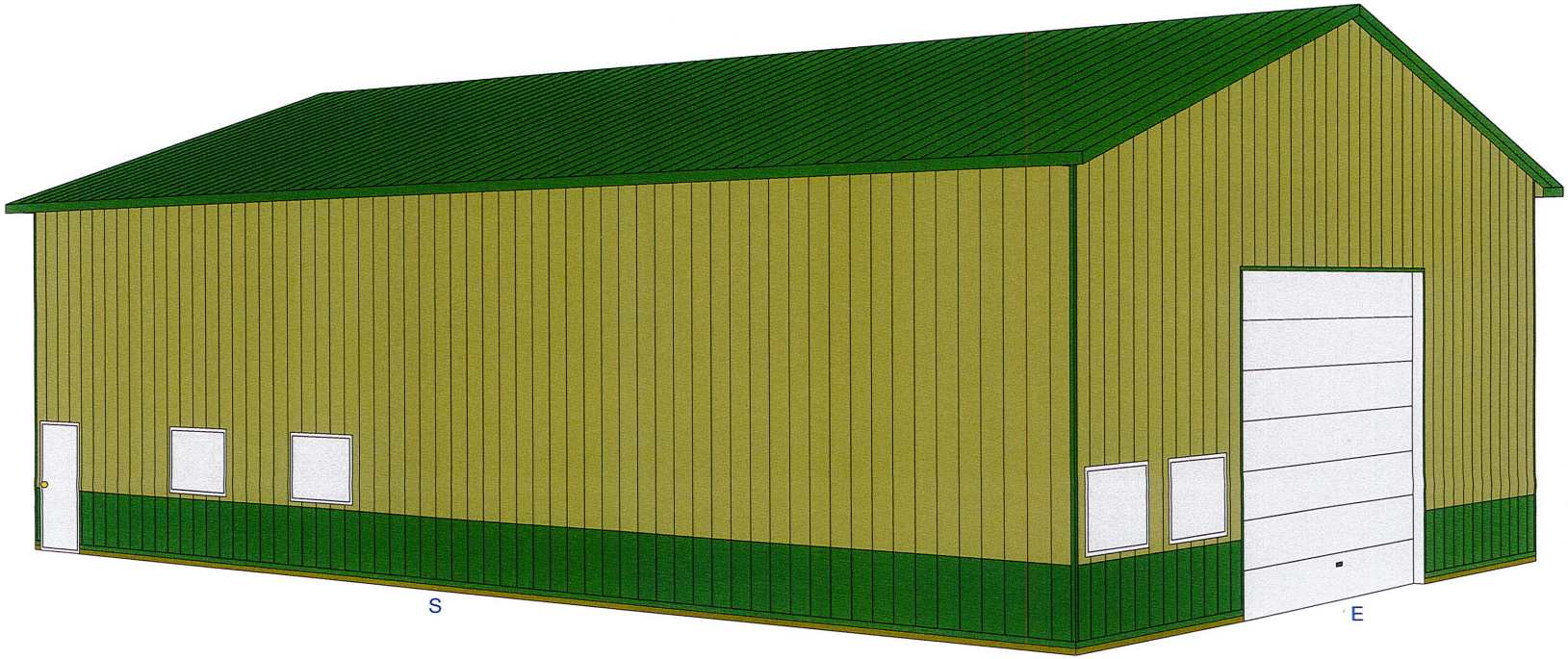
FILE NUMBER: M554710

DIMENSIONS
Material views, steel views, and floor plan are not to scale.

ERRORS AND OMISSIONS
MENARD INC. is unable to accept liability for any errors or omissions in excess of the original purchase price for these plans. Consequently, builders must carefully check all details and information in these drawings including dimensioning, material quantities and availability of the products specified. Any errors or omissions found should be reported immediately to Midwest Manufacturing, 5311 Kane Road, Eau Claire, WI 54703

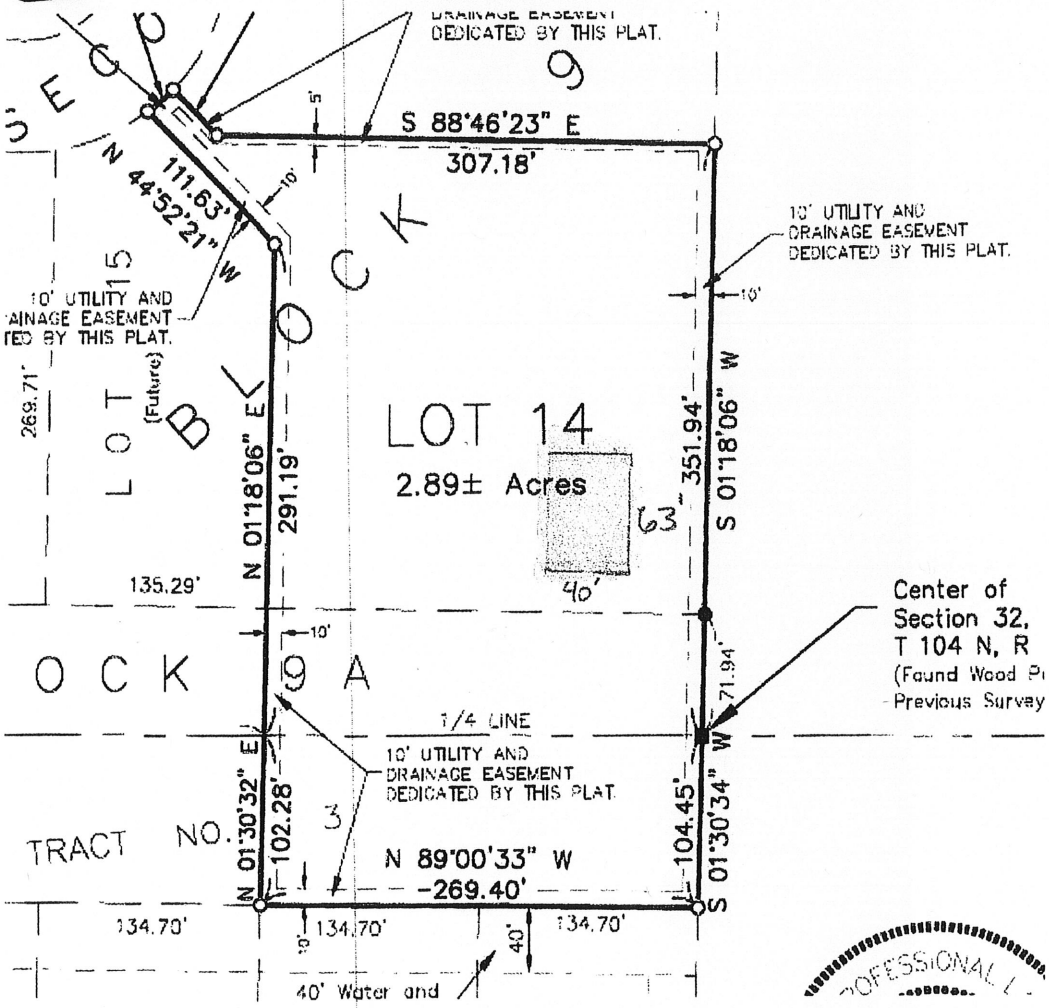
ADAPTATION AND UTILIZATION OF THIS PLAN
These plans have been professionaly prepared to conform to most generally accepted construction requirements throughout North America, however due to local codes, regulations, and building practices and or because of specific site conditions, these drawings may not be suitable or legal for use in the construction of this building in all localities. Consequently, these drawings are not to be used as a guide for construction unless the builder has confirmed their suitability or until the drawings have been brought into conformity with all local requirements.

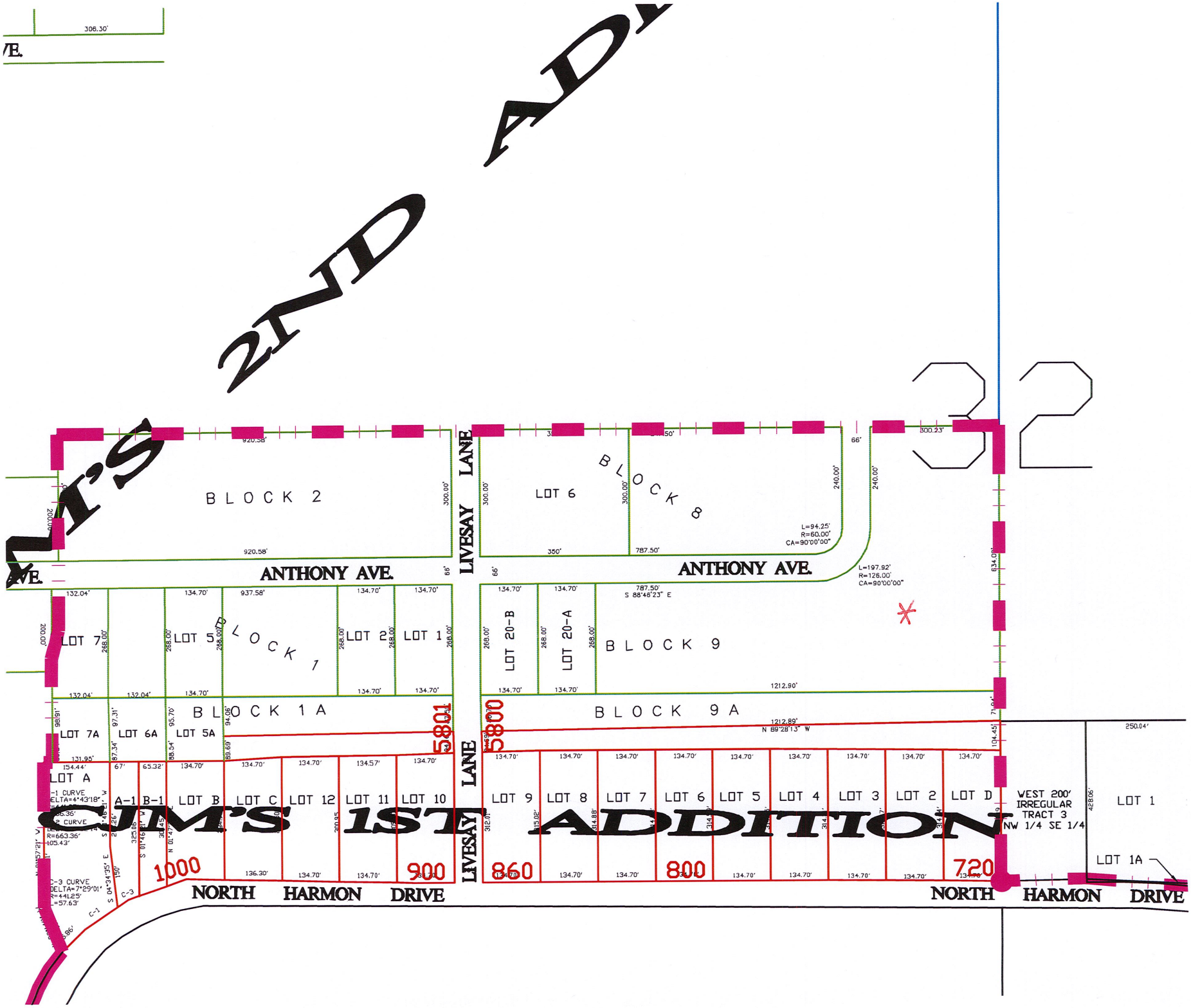

W
N


S
E

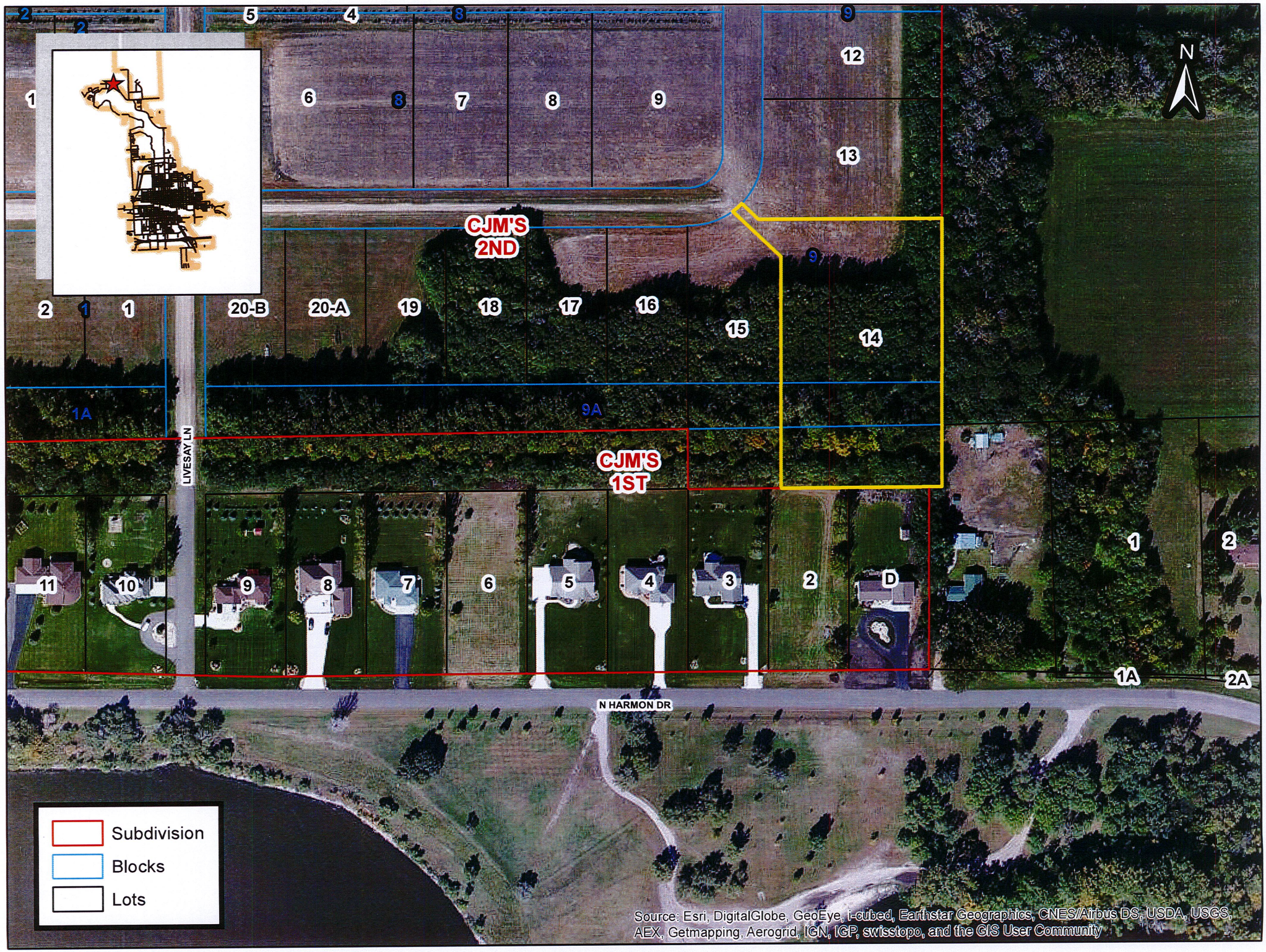
2101
Anthony
Ave
Approx
B123
shadows
from trees

[redacted]


DRAINAGE EASEMENT
DEDICATED BY THIS PLAT.
S 88°46'23" E
307.18'
N 44°52'21" W
111.63'
10' UTILITY AND
DRAINAGE EASEMENT
DEDICATED BY THIS PLAT.
10' UTILITY AND
DRAINAGE EASEMENT
DEDICATED BY THIS PLAT.
LOT 15
(Future)
LOT 14
2.89± Acres
N 01°18'06" E
291.19'
S 01°18'06" W
351.94'
269.71'
135.29'
Center of
Section 32,
T 104 N, R
(Found Wood P
Previous Survey
1/4 LINE
10' UTILITY AND
DRAINAGE EASEMENT
DEDICATED BY THIS PLAT.
N 01°30'32" E
102.28'
S 01°30'34" W
104.45'
TRACT NO.
N 89°00'33" W
269.40'
134.70'
134.70'
134.70'
40' Water and



2ND ADD
32
BLOCK 2
LOT 6
BLOCK 8
ANTHONY AVE.
ANTHONY AVE.
LIVESAY LANE
LIVESAY LANE
LOT 7
LOT 5
BLOCK 1
LOT 2
LOT 1
LOT 20-B
LOT 20-A
BLOCK 9
BLOCK 1A
BLOCK 9A
LOT 7A
LOT 6A
LOT 5A
LOT A
A-1
B-1
LOT B
LOT C
LOT 12
LOT 11
LOT 10
LOT 9
LOT 8
LOT 7
LOT 6
LOT 5
LOT 4
LOT 3
LOT 2
LOT D
WEST 200' IRREGULAR TRACT 3 NW 1/4 SE 1/4
LOT 1
LOT 1A
5801
5800
1000
900
860
800
720
NORTH HARMON DRIVE
NORTH HARMON DRIVE
CJM'S 1ST ADDITION


N
CJM'S 2ND
CJM'S 1ST
LIVESAY LN
N HARMON DR
20-B
20-A
1A
9A
1A
2A
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

City of Mitchell | Public Works
612 North Main Street | Mitchell, SD 57301
Phone: 605-995-8433 | Fax: 605-995-8410
CityOfMitchell.org

Mitchell
SOUTH DAKOTA
Outside expectations

July 13, 2016

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED Brad Bauer is are applying for a height variance of 25 feet vs 23 feet for construction of a building to be located at 2501 Anthony Ave, legally described as Lot 14, Block 9, CJM 2nd Addition, IT # 3, NW ¼ of Section 32, T 104 N, R 60 W, City of Mitchell, Davison County, South Dakota. The said real property is zoned (PD) Planned Development District.

YOU ARE FURTHER NOTIFIED, that public hearings will be held by the Planning Commission on July 25, 2016, 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.

I/We CJM Community Inc
OWNER

ADDRESS

X APPROVE

_____ DISAPPROVE

No response will indicate approval.

COMMENTS: Brad is in the far corner of PD & will have no effect on anything

CASEY KIDS CAMP
8508 E 35TH
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 407TH AVE
MITCHELL SD 57301

GLENN & JILL NYDAM
720 N HARMON DR
MITCHELL SD 57301

PENNY ROYALS
1100 W 5TH 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

UNIVERSAL. UNV-80102
Laser printer labels

CITY OF MITCHELL

City Council Meeting
Agenda Item Request

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

Mitchell
SOUTH DAKOTA

Meeting Date Requested: 08/01/2016 Requested By: Justin Johnson

Desired Action of City Council
- ☐ Authorization
- ☐ Approval
- ☐ Resolution
- ☑ Ordinance
- ☐ Citizen Request
- ☐ Discussion

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

Agenda Item: Ordinance revising the lodgings, alcoholic beverages and food tax

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 1st 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: _____

City of Mitchell | **City Administrator**
612 North Main Street | Mitchell, SD 57301
Phone: 605-995-8143
CityOfMitchell.org

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 27th 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 1st.

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

City of Mitchell | **City Administrator**
612 North Main Street | Mitchell, SD 57301
Phone: 605-995-8143
CityOfMitchell.org

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:

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

City of Mitchell | **City Administrator**
612 North Main Street | Mitchell, SD 57301
Phone: 605-995-8143
CityOfMitchell.org

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.

Highlighted Column Shows Entertainment Taxable Items

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.

[1] 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.

[2] 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.

[3] Campgrounds include: campgrounds, camping cabins, camping resorts, commercial picnic grounds, organizational camps, park units, recreational vehicle parks, trailer parks, and youth camps.

[4] 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)
Total	**$ 13,042,452.62**	**$ 4,175,872.92**	**$ 1,294,003.11**	**$ 784,693.96**	**$ 5,098,968.63**	**$ 1,688,913.99**

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 2nd 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 5th 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 2nd Addition IT #3, NW ¼ Section 32, T 104 N, R 60 W of the 5th 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