

City Council Agenda

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

August 15, 2016

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 Properties

Documents:

[PUBLIC PROPERTIES AGENDA 08-15-16.PDF](#)

3. 6:40 P.m. Traffic Commission

Documents:

[AUGUST 15, 2016 TRAFFIC COMMISSION.PDF](#)

4. Call To Order

5. Pledge Of Allegiance

6. Invocation: First Presbyterian

7. Roll Call

8. 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.

9. City Council Minutes

Documents:

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

[08-08-16.PDF](#)

10. Committee Minutes:

Planning Commission July 25, 2016

Public Health & Safety August 01, 2016

Documents:

[PLANNINGCOMMMIN07-25-16.PDF](#)

[PUBLIC HEALTH AND SAFETY MINUTES 08-01-16.PDF](#)

11. Department Reports

Documents:

[FINANCE DEPARTMENT REPORT-JULY.PDF](#)

[SALES TAX COLLECTIONS-JULY.PDF](#)

[AIRPORT BOARD \(JUNE\).PDF](#)

[AIRPORT \(JULY\).PDF](#)

[TOTAL BIDE/CITY HALL JULY 2016 PDF](#)

TOTAL RIDGE (CITY HALL) JULY 2016.PDF
PARK AND REC (JUNE).PDF
BUILDING PERMITS - JULY 2016.PDF
WATER (JULY).PDF
JULY FIRE COMPARISON REPORT.PDF
JULY FIRE AND EMS.PDF
JULY EMS COMPARISON REPORT.PDF
JULY 2016 POLICE REPORT.PDF
LM MINUTES 7-12-16.PDF

12. Appointment Of Nikki Frederiksen To The Corn Palace Committee

13. Raffle Permits

Dakota Wesleyan University with the drawings to be held on August 26, 2016, September 3, 2016, September 17, 2016, October 15, 2016, October 22, 2016, and October 29, 2016

Dakota Wesleyan University with drawing to be held on September 17, 2016

Documents:

DWU FOOTBALL.PDF
DWU-HOMECOMING.PDF

14. Set Date Of 09-06-16 For Hearing

Hearing on the application of Overtime Steakhouse & Sports Bar for a Special Event Liquor License located at the Overtime Event Center, 812 North Rowley, Mitchell on September 17, 2016 for a Christmas party

Documents:

OVERTIME-SPECIAL EVENT1.PDF

15. Approval Of Special Event License

Approval on the application of OutKasts Car Club for a Special Event for a parade permit and to close Main Street from 1st to 7th Avenue and the ½ block of all side streets excluding 1st, 5th, and 7th for the Outkasts Cruise In and Car Show on September 24, 2016. The street closures will begin at 4:00 a.m. except the 600 block of North Main and the 100 block of East 6th Avenue. Those streets will remain closed until the end of the dance

Documents:

STAFF REPORT-OUTKAST.PDF
OUTKAST CAR CLUB.PDF

16. Gas & Diesel Competitive Quotations

Documents:

JULY 28 2016 FUEL.PDF

17. Pay Estimates For August 15, 2016

Documents:

PAY ESTIMATES 08-15-16.PDF

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

Payment of Accounting and Other Expenses in Advance is approved by the
Finance Officer

Documents:

[AP PAYMENT REGISTER-08-15-16.PDF](#)

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

20. Citizens Input

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

21. Committee Reports: Entertain A Motion To Approve The Committee Reports

Public Properties

Traffic Commission

22. HEARINGS: Special Malt Beverage And Liquor Licenses

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.*

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.

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.

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-HEARINGS.PDF](#)
[MARCOS PATIO APP.PDF](#)
[MARCOS WINE APP.PDF](#)
[NATIONAL GUARD.PDF](#)
[LIONS CLUB-BULL BASH.PDF](#)

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

24. Hearing On Sara Bailey, 308 E 7th Ave

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

Documents:

[DOC080816-08082016152545 PDF](#)

DOC080216-08022016112516.PDF
DOC080216-08022016112502.PDF
DOC080216-08022016112556.PDF
DOC080216-08022016113312.PDF

25. Hearing On Angela & Bonnie Jones, 414 W 7th Ave

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

Documents:

DOC080816-08082016154007.PDF
DOC080816-08082016154018.PDF
DOC080816-08082016154031.PDF
DOC080816-08082016154049.PDF
DOC080816-08082016154100.PDF

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

27. Action On Resolution #3374:

*CJM Consulting LLC is petitioning to annex the following property:
The North 740.06 feet of the South 1,446.00 feet of the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota; specifically including previously platted portions of Livesay Lane and Jamaicas Avenue, in the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota, as recorded in Plat Book 30 on Page 20; but specifically excepting the following parcels: Lot 7, Block 2 of CJM Second Addition in the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota, as recorded in Plat Book 30 on Page 10; Lot 12, Block 2 of CJM Second Addition, in the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota, as recorded in Plat Book 31 on Page 20; Lots 4 and 5, Block 8 of CJM Second Addition, in the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota, as recorded in Plat Book 30 on Page 20; Lot 6, Block 8 of CJM Second Addition, in the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota, as recorded in Plat Book 21 on Page 42; Lot 7, Block 8 of CJM Second Addition, in the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota, as recorded in Plat Book 32 on Page 14; Lot 9, Block 8 of CJM Second Addition, in the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota, as recorded in Plat Book 31 on Page 37; Lot 12, Block 9 of CJM Second Addition, in the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota, as recorded in Plat Book 29 on Page 25; and Block 2 and Block 9 of CJM Second Addition, and a portion of Anthony Avenue and a portion of Livesay Lane, A Subdivision of the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota, as recorded in Plat Book 18 on Page 59.*

Documents:

DOC080816-08082016155112.PDF
DOC080816-08082016155535.PDF
DOC080816-08082016155124.PDF

28. Action On Resolution #3375, "Addendum To Agreement":

A RESOLUTION APPROVING THE ADDENDUM TO AGREEMENT RELATING TO A LAND SWAP TRANSACTION CONCERNING A PORTION OF WEST 19TH AVENUE AND WEST 20TH AVENUE BETWEEN NORTH OHLMAN STREET AND PHEASANT STREET

Documents:

AGENDA ITEM- RESOLUTION ON ADDENDUM.PDF
RESOLUTION APPROVING ADDENDUM.PDF
CJM-CONSULTING-CITY-ADDENDUM.PDF

29. 2nd Reading & Adoption Of Ordinance 2548 Creating Standard Cable Franchise:

AN ORDINANCE REVISING AND REORGANIZING Mitchell City Code Chapter 8-10 and the Articles thereof by ESTABLISHING a standard franchise agreement for cable systems providing video programming in the City of Mitchell, SD; setting forth conditions accompanying the grant of a franchise; providing for regulation and use of the system; and prescribing penalties for the violation of its provisions.

Documents:

AGENDA ITEM- STANDARD CABLE FRANCHISE.PDF
MITCHELL- ORDINANCE CREATING STANDARD CABLE FRANCHISE (FINAL REVISION).PDF
MITCHELL- EXHIBIT 1 TO STANDARD CABLE FRANCHISE- TECHNOLOGY GRANT.PDF
MITCHELL- EXHIBIT 2 TO STANDARD CABLE FRANCHISE- LOCATIONS.PDF

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

31. 2nd Reading & Adoption Of Ordinance #2549 Granting Mitchell Telecom Franchise:

AN ORDINANCE RENEWING the Mitchell Telecom Franchise Agreement on terms consistent with Mitchell's Standard Cable Franchise.

Documents:

AGENDA ITEM- MITCHELL TELECOM FRANCHISE AGREEMENT.PDF
MITCHELL TELECOM INDIVIDUAL CABLE FRANCHISE.PDF
MITCHELL TELECOM- EXHIBIT 1 TO INDIVIDUAL CABLE FRANCHISE- TECHNOLOGY GRANT.PDF
MITCHELL TELECOM- EXHIBIT 2 TO INDIVIDUAL CABLE FRANCHISE- LOCATIONS.PDF

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

33. 2nd Reading & Adoption Ordinance #2550 Granting Midco Franchise:

AN ORDINANCE RENEWING the Midco Franchise Agreement on terms consistent with Mitchell's Standard Cable Franchise.

Documents:

[AGENDA ITEM- MIDCO FRANCHISE AGREEMENT.PDF](#)
[MIDCO INDIVIDUAL CABLE FRANCHISE.PDF](#)
[MIDCO- EXHIBIT 1 TO INDIVIDUAL CABLE FRANCHISE- TECHNOLOGY GRANT.PDF](#)
[MIDCO- EXHIBIT 2 TO INDIVIDUAL CABLE FRANCHISE- LOCATIONS.PDF](#)

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

35. Action To Approve Community Services Department Procurement Policy

South Dakota DOT and FTA require all Transit Agencies receiving State & Federal funds to have a procurement policy in place.

Documents:

[COMMUNITY SERVICES DEPARTMENT PROCUREMENT POLICY.PDF](#)
[PROCUREMENT POLICY.PDF](#)

36. 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.

37. Motion To Adjourn

38. FOR COUNCIL INFORMATION: Planning Commission Minutes August 8, 2016

Documents:

[PLANNINGCOMMMINUTES882016.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.