

**City Council Agenda**  
City Council Chambers, City Hall, 612 N. Main Street  
April 5, 2021

**1. 6:00 P.m. Call To Order**

**2. Pledge Of Allegiance**

**3. Invocation: Mitchell Wesleyan**

**4. Roll Call**

**5. Approval Of Consent Agenda Items**

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

**A. City Council Minutes**

Documents:

[COUNCIL MINUTES 03 15 2021.PDF](#)  
[WORK SESSION MINUTES 03 29 21.PDF](#)

**B. Committee Reports**

Documents:

[PLANNINGCOMMINUTES382021.PDF](#)

**C. Automatic Supplement To The Park Fund From A Donation Of Funds**

Documents:

[AGENDA ITEM REQUEST - AUTO SUPPLEMENT BENCH DONATION.PDF](#)  
[SUPPLEMENTAL APPROPRIATION - BENCH DONATION.PDF](#)

**D. Close Fund #720-Street Construction And Transfer Remaining Funds To Fund #216-Special Assessment Revolving Fund**

Documents:

[STAFF REPORT-SPECIAL ASSESS.PDF](#)

**E. Surplus Self-Contained Breathing Apparatus "SCBA"**

Documents:

[AGENDA ITEM REQUEST - SURPLUS SCBA.PDF](#)  
[SCBA ASSET LIST.PDF](#)

**F. Reserved Parking And Noise Permit For The Back 40 Third Friday Night-Bike Night Events**

Documents:

[THE BACK 40 STREET PARKING CLOSURE STAFF REPORT.PDF](#)  
[BACK 40 PERMIT APPLICATION.PDF](#)  
[BACK 40 CLOSURE FIGURE.PDF](#)

## **G. Corn Palace Plaza Parking Lot Closure For DWU Graduation May 9, 2021**

Documents:

[CORN PALACE PARKING LOT CLOSURE DWU MAY 9 2021 STAFF REPORT.PDF](#)  
[PARKING LOT CLOSURE - CP PLAZA PARKING LOT LOCATION MAP.PDF](#)

## **H. Street And Parking Lot Closures, Parade Permit, Noise Permit, Consumption Permit And Associated Costs For The Big Friend Little Friend Of The Mitchell Area Annual Street Festival On May 29, 2021**

Documents:

[BIG FRIEND LITTLE FRIEND STREET CLOSURE STAFF REPORT.PDF](#)  
[BIG FRIEND LITTLE FRIEND APP.PDF](#)  
[BIG FRIEND LITTLE FRIEND LOCATION MAP.PDF](#)

## **I. Raffle Permits**

*Palace City Lions Club with the drawing to be held on May 1, 2021*  
*Michell Regional Habitat for Humanity with the drawings to be held on June 4, 2021 and June 9, 2021*  
*Mitchell Area Safehouse with the drawing on every Friday starting April 30, 2021*  
*Heart & Sole with the drawing to be held on June 18, 2021*  
*VFW Post #2750 with the drawing to be held on July 15, 2021*  
*MHS Football with the drawing to be held on October 8, 2021*  
*Mitchell Masonic Lodge with the drawing to be held on October 29, 2021*

Documents:

[PALACE CITY LIONS RAFFLE.PDF](#)  
[MITCHELL REGIONAL HABITAT FOR HUMANITY RAFFLE.PDF](#)  
[MITCHELL AREA SAFEHOUSE RAFFLE.PDF](#)  
[HEART SOLE RAFFLE.PDF](#)  
[VFW POST 2750 RAFFLE.PDF](#)  
[MHS FOOTBALL RAFFLE.PDF](#)  
[MITCHELL MASONIC LODGE RAFFLE.PDF](#)

## **J. Set Date For Hearings On April 19, 2021 For The Following Alcohol Licenses**

*a. On the application to transfer RB-26523 Retail (On-Off Sale) Malt Beverage & SD Farm Wine license from West Coast Tacos, 108 N Main St., Mitchell to Jose L Haro Valencia dba LA Catrina LLC, 108 N Main St., Mitchell*

*b. On the application of Jose L Haro Valencia dba La Catrina LLC for a new Retail (On-Off Sale) Wine and Cider license, located at 108 N Main St., Mitchell*

*c. On the application of Logan Luxury Theatres Corporation for a new Retail (On-Off Sale) Malt Beverage & SD Farm Wine license, located at 209 North Lawler St., Mitchell*

Documents:

[STAFF SET DATE FOR HEARINGS.PDF](#)  
[RB 26523 APPLICATION.PDF](#)  
[NEW WINE APPLICATION.PDF](#)  
[MAP.PDF](#)  
[LOGAN LUXURY THEATRES APPLICATION.PDF](#)  
[LOGAN MAP.PDF](#)

## **K. Pay Estimates 04-05-2021**

Documents:

[04-05-2021 PAY ESTIMATE - STAFF REPORT.PDF](#)  
[PAY ESTIMATES 04-05-2021.PDF](#)

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

Documents:

[AP PAYMENT REGISTER.PDF](#)

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

### **7. Citizens Input**

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

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

### **9. Hearing And Action For Nancy Getty, 1511 Pebble Beach Rd**

*Nancy Getty has applied for a conditional use permit to operate a family residential childcare center in her home at 1511 Pebble Beach Road, legally described as Lot 6, Block 5, Lakeview 1st Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential District.*

Documents:

[AGENDA ITEM- REQUEST FORMGETTYCUP.PDF](#)  
[GETTYAPP.PDF](#)  
[GETTYNOH.PDF](#)  
[GETTYNEIGHBORS.PDF](#)  
[GETTYLETTERS.PDF](#)  
[AERIAL1511PEBBLEBEACH.PDF](#)

### **10. Hearing And Action For Ryan Kirkpatrick, 823 E. 5th Ave**

*Ryan Kirkpatrick has applied for a side-yard on a corner variance of 11 feet vs. 20 feet as required to construct a new home at 823 E 5th Ave, legally described as Lot 1, Block 11, F.M. Greene Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential District.*

Documents:

[AGENDA ITEM- REQUEST FORMKIRKPATRICKVAR.PDF](#)  
[APPKIRKPATRICK.PDF](#)  
[NOHKIRKPATRICK.PDF](#)  
[NEIGHBORSKIRKPATRICK.PDF](#)  
[KIRKPATRICKLETTERS.PDF](#)  
[AERIAL823E5THAVE.PDF](#)

### **11. Action To Set Date For Board Of Adjustment Hearing 4/19/2021**

*Darin Richey has applied for a side-yard on a corner variance of 13 feet vs. 20 feet as required and a height variance of 25 feet vs 22 feet as required to construct a detached garage at 801 E Hanson Ave, legally described as Lot 6, Block 5, Applegate Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family*

*Residential District.*

Documents:

[AGENDA ITEM- REQUEST FORMRICHEY2021.PDF](#)

**12. Action To Set Date For Board Of Adjustment Hearing 4/19/2021**

*Gregory & Kerry Brosz have applied for a back yard variance of 7 feet vs 25 feet as required for construction on an attached garage at 409 S Wallace Street, legally described as Parcel A in Lot A of Section 23, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota and Lot 3, Block 6, Sunnybrook Estates, City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential District.*

Documents:

[AGENDA ITEM- REQUEST FORMBROSZ2021.PDF](#)

**13. Action To Set Date For Board Of Adjustment Hearing 4/19/2021**

*Abbott House Inc has made an application for a side-yard on a corner variance of 8 feet vs 20 feet for the purpose of constructing a detached garage. The property is located at 1001 S Main St, legally described as Lots 1 & 2 & N 50' of Lot 3, Block 14 University Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R3 Medium Density Residential District.*

Documents:

[AGENDA ITEM- REQUEST FORMABBOTTHOUSE.PDF](#)

**14. Action To Set Date For Board Of Adjustment Hearing 4/19/2021**

*Mueller Lumber Company has applied for a back yard variance of 24 feet vs 25 feet as required for construction a twin home with attached garages at 804 & 806 W. Pine Ave, legally described as Lot 5 & W 42' of Lot 4, Block 6, MLC Addition, A Subdivision of Lot 4A, Morningview Addition, City of Mitchell, Davison County, South Dakota. The property is zoned Planned Development District.*

Documents:

[AGENDA ITEM- REQUEST FORMMLC2021.PDF](#)

**15. Action To Set Date For Board Of Adjustment Hearing 4/19/2021**

*Paul Groeneweg has applied for a conditional use permit for construction of a building housing a childcare/preschool at 1101 Commerce Street, legally described as Lot 5-B, Block 7, Westwood First Addition, A Subdivision of SW ¼ of Section 16, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. The property is zoned TWC Transportation, Warehousing, and Commercial District.*

Documents:

[AGENDA ITEM- REQUEST FORMGROENEWEGCUP2021.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. Hearing On The Application Of The Mitchell Area Big Friend Little Friend For A Special Event Liquor/Malt Beverage License Located On Main Street For May 29, 2021 For The Memorial Weekend In Mitchell**

Documents:

[STAFF FOR BIG FRIEND LITTLE FRIEND.PDF](#)

[MITCHELL AREA BIG FRIEND LITTLE FRIEND APPLICATION.PDF](#)

**18. Action To Approve Designating \$2,590,837 In The General Fund Reserves For Community Projects: Capital Improvements**

- *\$480,000 from the 2020 General Fund Budget & Cash Balance*
- *\$2,110,838 from the 2020 General Fund Cash Balance (from CARES act reimbursements)*

**19. Project Update For The Davison County Pre-Disaster Mitigation Plan**

Documents:

[CITY OF MITCHELL PROJECT UPDATE FOR THE DAVISON COUNTY PRE-DISASTER MITIGATION PLAN STAFF REPORT.PDF](#)

**20. Action To Approve Agreement #A2021-18, Construction Observation For East Central Phase II Project #2019-39 With IDG**

Documents:

[A2021-18 AGREEMENT WITH IDG FOR EAST CENTRAL PHASE II SERVICES STAFF REPORT.PDF](#)  
[2019-39 IDG PROPOSAL -031021-EAST CENTRAL-CA - COUNCIL.PDF](#)  
[A2021-18 AGREEMENT WITH IDG-EAST CENTRAL PHASE II.PDF](#)  
[2019-39 EAST CENTRAL PH II LOCATION MAP.PDF](#)

**21. Action To Approve Agreement #A2021-20, Asbestos Remediation At 124 East 1st With Horsley Specialities**

Documents:

[A2021-20 APPROVE AGREEMENT WITH HORSELY FOR ASBESTOS REMEDIATION 124 E. 1ST STAFF REPORT.PDF](#)  
[QUOTE TABULATION ON 124 EAST FIRST AVENUE.PDF](#)  
[PROPOSAL FOR HORSLEY 124 E.1ST PDF.PDF](#)  
[LOUIES ESTIMATE 124 EAST 1ST 16586 PRINTOUT.PDF](#)

**22. Action To Approve Agreement #A2021-21, P25 Radios And Tower Upgrade Equipment And Installation**

Documents:

[AGENDA ITEM - AGREEMENT A2021-21 P25 RADIOS AND TOWER UPGRADE EQUIPMENT AND INSTALLATION AGREEMENT.PDF](#)  
[COPY OF MITCHELL SD 27 APX6000XE AND 7 APX6500 STATE PRICING ITEMIZED.PDF](#)  
[FINAL MITCHELL POLICE DEPARTMENT SD \(1\).PDF](#)  
[WHY MIGRATE TO P25 DIGITAL LMR WHITE PAPER GLOBAL.PDF](#)

**23. Action To Approve Agreement #A2021-22, Sewer Televising Service Project #2021-40 With Bender Sewer And Drain**

Documents:

[A2021-22 AGREEMENT WITH BENDER SEWER AND DRAIN FOR SEWER TELEVISIONING SERVICES.PDF](#)  
[CITY OF MITCHELL AGREEMENT.PDF](#)  
[WATER-SEWER MAP.PDF](#)

**24. Action To Approve Agreement #A2021-23, Preliminary Design With Barr Engineering For The Lake Mitchell Development Project**

Documents:

[AGENDA ITEM REQUEST - BARR ENGINEERING CONTRACT APRIL 5 2021.PDF](#)

**25. Action To Approve Resolution #R2021-18, A Plat Of Lot 1, Block 5A, A Subdivision Of Block 4 Of Westwood First Addition In The NW 1/4 Of Section 16, T 103 N, R 60 W Of The 5th P.M., City Of Mitchell, Davison County, South Dakota**

Documents:

[AGENDA ITEM- REQUEST FORMR2021-18PLAT.PDF](#)  
[R2021-18PLAT.PDF](#)  
[PLATLOT15AWESTWOOD.PDF](#)  
[AERIAL1B5AWESTWOOD.PDF](#)

**26. Action To Approve Resolution #R2021-19, A Plat Of Tract 1 Of Carstensen Addition, An Addition In The Northeast Quarter (NE 1/4) Of Section 2, Township 103 North, Range 61 West Of The 5th P.M., Davison County, South Dakota**

Documents:

[AGENDA ITEM- REQUEST FORMR2021-19PLAT.PDF](#)  
[R2021-19PLAT.PDF](#)  
[PLATCARTENSENS.PDF](#)  
[AERIALCARTENSENPLAT.PDF](#)

**27. Action To Approve Resolution #R2021-20, Authorizing Agreement #A2021-17, Agreement With SDDOT For General Sidewalk**

Documents:

[R2021-20 AND A2021-17 AGREEMENT WITH SD DOT FOR INSTALLATION OF SIDEWALK STAFF REPORT.PDF](#)  
[RESOLUTION R2021-20 - SD DOT SIDEWALK AGREEMENT \(002\).PDF](#)  
[A2021-17 AGREEMENT WITH SDDOT - SIDEWALK AGREEMENT.PDF](#)  
[SDDOT - SIDEWALK PROJECT FIGURE.PDF](#)

**28. Action To Approve Resolution #R2021-21, A Resolution Amending Resolution #R2020-82, The 2021 Compensation Plan For The City Of Mitchell**

Documents:

[STAFF REPORT- AMENDING RESOLUTION 2020-82.PDF](#)  
[RESOLUTION 2021 - AMENDING 2020-82 PAYROLL RESOLUTION.PDF](#)

**29. Action To Approve Resolution #R2021-22, Annexation Of Real Property For The Ethan Co-Op Lumber Project (Fossness Property)**

Documents:

[AGENDAREQUESTFOSSNESS.PDF](#)  
[FOSSNESSANNEX.PDF](#)  
[ETHANANNEXEXHIBIT.PDF](#)  
[PRELIM LAYOUT 3.04.21.PDF](#)  
[AERIALETHANPROJECT2021.PDF](#)

**30. Action To Approve Resolution #R2021-23 Residential City Wide Cleanup**

Documents:

[RESOLUTION R2021-23 RESIDENTIAL CITY WIDE SPRING CLEANUP STAFF REPORT.PDF](#)  
[RESOLUTION R2021-23 SPRING CLEANUP.PDF](#)

**31. Second Reading Of Ordinance #02021-03, An Ordinance Changing The Name Of Home Federal Avenue To Iverson Ave**

Documents:

[AGENDA ITEM- REQUEST FORMIVERSONAVEO2021-03.PDF](#)  
[IVERSONAVEORDO2021-03.PDF](#)  
[PLATB21P5IVERSON.PDF](#)  
[AERIALIVERSON.PDF](#)

**32. Motion To Adopt Ordinance #O2021-03, Request Public Comment, Roll Call**

**33. First Reading On Ordinance #O2021-04, Supplemental Appropriation Ordinance**

Documents:

[ORDINANCE 2021-04 OVERVIEW.PDF](#)  
[O2021-04 SUPPLEMENTAL APPROPRIATIONS FOR FY 2021.PDF](#)

**34. Adjourn**

**35. FOR COUNCIL INFORMATION: 3/22/2021 City Planning Commission Minutes**

Documents:

[PLANNINGCOMMINUTES3222021.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 or the City Administrator.