

## **City Council Agenda**

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

May 21, 2018

*Committee Meetings (if any) will be first; immediately followed by the City Council Meeting.*

### **1. 6:00 P.M. Public Health And Safety**

Documents:

[PUBLIC HEALTH AND SAFETY PACKET 05-21-18.PDF](#)

### **2. Traffic Commission**

Documents:

[TRAFFIC COMMISSION - MAY 21, 2018.PDF](#)

### **3. Pledge Of Allegiance**

### **4. Invocation: Mitchell Wesleyan**

### **5. Roll Call**

### **6. 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:

[CITY COUNCIL MINUTES 05 07 18.PDF](#)

#### **B. Committee Meeting Minutes**

Documents:

[PLANNINGCOMMMIN492018.PDF](#)

[PUBLIC HEALTH AND SAFETY MINUTES 05-07-18.PDF](#)

#### **C. Department Reports**

Documents:

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

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

[BUILDING PERMITS APRIL 2018.PDF](#)

[POLICE \(APRIL\).PDF](#)

[EMS \(APRIL\).PDF](#)

[FIRE \(APRIL\).PDF](#)

[FIRE EMS COMBINED \(APRIL\).PDF](#)

[MITCHELL PUBLIC LIBRARY APRIL 2018.PDF](#)

[PARK BOARD 3-15-18.PDF](#)

[PARK BOARD 4-12-18.PDF](#)

[PALACE TRANSIT MARCH 2018 RIDERSHIP.PDF](#)

[PALACE TRANSIT APRIL 2018 RIDERSHIP.PDF](#)

[COMMUNITY SERVICES REPORT - MAY 2018.PDF](#)

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

[WATER APRIL.PDF](#)

**D. Raffle Permits**

*Dakota Wesleyan University Football with the drawings to be held on August 23, September 15, 22, October 13, November 3, 10, 2018*  
*Mitchell Area Optimist Club with the drawing to be held on August 4, 2018*

Documents:

DWU RAFFLE.PDF  
MITCHELL OPTIMIST RAFFLE.PDF

**E. Authorize Application For West Nile Prevention Grant Funds**

Documents:

AGENDA ITEM REQUEST - WEST NILE GRANT.PDF  
2018 WNV GRANTS ANNOUNCEMENT (2).PDF  
WNV GRANTS OPPORTUNITY 2018.PDF

**F. Set Date Of 06-04-18 For Hearings**

*On the following applications for new (On-Off Sale) Malt Beverage Licenses*

*All Star Convenience Meyers Oil Company*  
*Arnie's NIEW LLC*  
*Casey's General Store #3321 Casey's Retail Company*  
*Coborn's #2025 Coborn's Incorporated*  
*Cornerstone Too Cornerstone Coffee House LLC*  
*County Fair Food & Fuel* *County Fair Inc*  
*Cubby's Mitchell East Cubby's Inc*  
*Cubby's Mitchell West Cubby's Inc*  
*The Depot Leisure Time Inc.*  
*Easy Come Easy Go Ruth Reif*  
*Freedom Valu Jay Ambe-1 LLC*  
*Graham's Interstate BP Graham's Oil*  
*Marlins Family Restaurant Hungry's Restaurant Inc.*  
*Northside Sinclair TEAM Haus Inc*  
*Rob's Short Stop* *Jackie & Beverly Robinson*  
*Shopko #022 Shopko Stores Operating*  
*Tokyo Japanese Cuisine Tokyo Japanese Cuisine*  
*Walgreen #10347 Walgreens Company*  
*Westside Sinclair TEAM Haus Inc.*

Documents:

STAFF REPORT NEW ON OFF SALE MALT BEVERAGES1.PDF  
APPL ALL STAR.PDF  
APPL ARNIES.PDF  
APPL CASEYS 3321.PDF  
APPL COBORNS.PDF  
APPL CORNERSTONE TOO.PDF  
APPL COUNTY FAIR FOOD AND FUEL.PDF  
APPL CUBBYS EAST1.PDF  
APPL CUBBYS WEST.PDF  
APPL DEPOT.PDF  
APPL EASY COME EASY GO.PDF  
APPL FREEDOM VALUE.PDF  
APPL GRAHAMS.PDF  
APPL MARLINS.PDF  
APPL NORTHSIDE SINCLAIR.PDF  
APPL ROBS SHORT STOP.PDF

APPL SHOPKO.PDF  
APPL TOKYO.PDF  
APPL WALGREENS2.PDF  
APPL WESTSIDE SINCLAIR.PDF

**G. Set Date Of 06-04-18 For Hearings**

*On the application of Overtime Steakhouse & Sports Bar for a Special Event Liquor License located at the Overtime Event Center for June 9, 2018 for a Wedding*

*On the application of Overtime Steakhouse & Sports Bar for a Special Event Liquor License located at the Overtime Event Center for June 16, 2018 for a Wedding*

*On the application of Overtime Steakhouse & Sports Bar for a Special Event Liquor License located at the Overtime Event Center for June 23, 2018 for a Reunion*

*On the application of Overtime Steakhouse & Sports Bar for a Special Event Liquor License located at the Overtime Event Center for June 30, 2018 for a Wedding*

Documents:

STAFF REPORT OVERTIME2.PDF  
OVERTIME 06 09 18.PDF  
OVERTIME 06 16 18.PDF  
OVERTIME 06 23 18.PDF  
OVERTIME 06 30 18.PDF

**H. Authorization To Purchase Electrical Services From NWPS Per SDCL 5-18A & SDCL 5-18A-22 (5)**

Documents:

STAFF REPORT UTILITIES.PDF  
CUSTOMER DRAWING - OPTION 2.PDF  
CORN PALACE PLAZA QUOTE.PDF

**I. Authorization To Use Remaining Funds From Roofing Project**

Documents:

AGENDA ITEM REQUEST - LOCKER ROOM REMODEL.PDF

**J. Gas & Fuel Quotation**

Documents:

MAY 21, 2018 MEETING.PDF  
MAY 2, 2018 FUEL.PDF

**K. Pay Estimates May 21, 2018**

Documents:

PAY ESTIMATE SCHEDULE 05-21-18 STAFF REPORT .PDF  
PAY ESTIMATE SCHEDULE 05-21-18.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:

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

**8. 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.*

**9. Committee Reports**

*Public Health & Safety  
Traffic Commission*

**10. Hearings**

*On the application of Corn Palace Shrine Club for a Special Event Liquor License on June 2, 2018 for a wedding dance*

*On the application to transfer Retail (On-Sale) Liquor License RL-5761 from Bates Enterprises LLC, dba Big Dummy's/Longhorn Bar, 108-112 North Main, Mitchell, South Dakota to Bates Enterprises LLC, dba Big Dummy's/Longhorn Bar, 108-112 North Main, Mitchell, South Dakota due to configuration of liquor license*

*On the application to transfer Retail (On-Sale) Liquor License RL-5764 from Bates Enterprises LLC, dba Brew Parlor, 400 North Main Street STE 210, Mitchell, South Dakota to Bates Enterprises LLC, dba Brew Parlor, 108 North Main Suite A, Mitchell, South Dakota*

*On the application to transfer Retail (On-Sale) Liquor License RL-5766 from R.R. Enterprises Inc. dba Sneaker's Peanut Bar, 1514 N Sanborn Blvd Ste A, Mitchell, South Dakota to MG Oil Company dba Village Bowl, 1500 N Duff Ste A, Mitchell, South Dakota*

*On the application to transfer Retail (On-Sale) Wine License RW-23600 from R.R. Enterprises Inc. dba Village Casino, 1500 N Duff Ste E, Mitchell, South Dakota to MG Oil Company dba Village Bowl, 1500 N Duff Ste A, Mitchell, South Dakota (License is inactive)*

*On the application to transfer Retail (On-Sale) Wine License RW-6464 from R.R. Enterprises Inc. dba Village Bowl-Spare Change Casino, 1500 N Duff Ste C, Mitchell, South Dakota to MG Oil Company dba Village Bowl 3, 1500 N Duff Ste C, Mitchell, South Dakota*

*On the application to transfer Retail (On-Off Sale) Malt Beverage License RB-23601 from R.R. Enterprises Inc. dba Lucky Lady II, 1500 N Duff Ste 3, Mitchell, South Dakota to MG Oil Company dba Village Bowl 5, 1500 N Duff Ste E, Mitchell, South Dakota*

*On the application to transfer Retail (On-Off Sale) Malt Beverage License RB-2844 from R.R. Enterprises Inc. dba Lucky Lady Casino, 1500 N Duff Ste D, Mitchell, South Dakota to MG Oil Company dba Village Bowl 4, 1500 N Duff Ste D, Mitchell, South Dakota*

*On the application to transfer Retail (On-Off Sale) Malt Beverage License RB-2828 from R.R. Enterprises Inc. dba Village Bowl & Lge/Spare Change Casino, 1500 N Duff Ste B, Mitchell, South Dakota to MG Oil Company dba Village Bowl 2, 1500 N Duff Ste B, Mitchell, South Dakota*

Documents:

STAFF HEARING 2.PDF  
CP SHRINE APPLICATION.PDF  
RL 5761.PDF  
RL 5764.PDF  
RL 5766.PDF  
RW 23600.PDF  
RW 6464.PDF  
RB 23601.PDF  
RB 2844.PDF  
RB 2828.PDF  
MG OIL MAP.PDF

#### **11. Action To Approve Applications For Renewal Of Malt Beverage Licenses**

Documents:

MALT BEVERAGE RENEWAL STAFF REPORT1.PDF  
2018 2019 RENEWAL MALT BEVERAGE LICENSE.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 6/4/2018**

*Radke Construction is requesting an oversize variance of 4,000 vs 2,000 square feet as required and a height variance of 24' vs 22' as required at the property located in 2001 Block of W 5th Ave, legally described as The 84' of the North 100' of Irregular Tract No. 9 and The W 16' of the North 100' of Vacated Dupree Street Abutting and Lying South of West 5th Avenue and Abutting Irregular Tract No. 9, Davison County, South Dakota. The said real property is zoned (R4) High Density Residential District.*

Documents:

AGENDAREQUESTRADKEVAR.PDF  
RADKEVAR.PDF

#### **14. Hearing On Danielle Bultje, 508 E 12th Ave, Mitchell, SD**

*Danielle Bultje has applied for a conditional use permit to operate a family residential child care center in her home located at 508 E 12th Ave. legally described as Lot 5, Block 1, Shepards Addition, City of Mitchell, Davison County, South Dakota. The property is zoned (R2) Single Family Residential District.*

Documents:

AGENDAREQUESTBULTJE.PDF  
BULTJEAPP.PDF  
BULTJENOH.PDF  
BULTJENEIGHBORS.PDF  
BULTJENEIGHBORLETTER.PDF  
BULTJEFIREINSPECTION.PDF  
BULTJEMAP.PDF  
508E12THAERIAL.PDF

#### **15. Hearing On Joseph & Heidi Geppert, 700 E 2nd Ave, Mitchell, SD**

*Joseph & Heidi Geppert have applied for a side yard on a corner variance of 18 feet vs 20 feet as required and a side yard variance of 2 feet 6 inches vs 3 feet as required for construction of a detached garage at their home located at 700 E 2nd Ave, legally described as Lot 7, Block 16, FM Greene Addition, City of Mitchell, Davison County,*

*South Dakota. The property is R2 Single Family Residential District.*

Documents:

AGENDAREQUESTGEPPERTVAR.PDF  
GEPPARTAPP.PDF  
GEPPARTPLAN.PDF  
GEPPARTNOH.PDF  
GEPPARTNEIGHBOR.PDF  
GEPPARTNEIGHBORLETTER.PDF  
GEPPARTNEIGHBORLETTER2.PDF  
GEPPARTMAP.PDF  
700E2NDAERIAL.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. Action On Resolution #R2018-22, A Plat Of Lot 9, Block 3 Of The Woods First Addition, A Subdivision Of The East 1/2 Of The SW 1/4 Of Section 23, T 103 N, R 60 W Of The 5th P.M., City Of Mitchell, Davison County, South Dakota**

Documents:

AGENDAREQUESTR2018-22PLAT.PDF  
R2018-22.PDF  
PLATL9B3WOODS.PDF  
L9B3WOODSAERIAL.PDF

**18. Action On Resolution #R2018-23, A Plat Of Lots 1 And 2 Of AJB Subdivision In The NE 1/4 Of Section 12, T 103 N, R 60 W Of The 5th P.M., Davison County, South Dakota**

Documents:

AGENDAREQUESTR2018-23PLAT.PDF  
R2018-23.PDF  
PLATR2018-23.PDF  
PLATAJBAERIAL.PDF

**19. Action On Resolution #R2018-24, A Plat Of Lots 1 And 2 Of Goldsteel Addition An Addition In The Northeast Quarter (NE1/4) Of Section 23, T 103 N, R 60 W Of The 5th P.M., Davison County, South Dakota**

Documents:

AGENDAREQUESTR2018-24PLAT.PDF  
R2018-24.PDF  
PLATGOLDSTEELADDN.PDF  
GOLDSTEELARIAL.PDF

**20. Action On Resolution #R2018-25, A Plat Of Lots 1 And 2 In The Replat Of Tract E, Wild Oak Golf Club Addition To The City Of Mitchell, Davison County, South Dakota**

Documents:

AGENDAREQUESTR2018-25PLAT.PDF  
R2018-25PLAT.PDF  
PLATL1 2WILDOAK.PDF  
L12TRACTEWILDOAK.PDF

**21. First Reading On Ordinance #O2018-05, Creating Business Improvement District #3**

Documents:

[AGENDA ITEM- ORDINANCE O2018-05-CREATING BID 3.PDF](#)  
[ORDINANCE O2018-05- CREATING BID 3.PDF](#)  
[RESOLUTION R2018-14- RESOLUTION OF INTENT TO CREATE BUSINESS IMPROVEMENT DISTRICT 3.PDF](#)  
[PROJECT PLAN- BID 3.PDF](#)  
[MAIN STREET BID 3- PARCEL MAP.PDF](#)

**22. First Reading On Ordinance #O2018-06, Amending Mitchell City Code Section 5-6-1: Fireworks**

Documents:

[AGENDA ITEM- ORDINANCE O2018-06, AMENDING MITCHELL CITY CODE SECTION 5-6-1 FIREWORKS.PDF](#)  
[ORDINANCE O2018-06, AMENDING MITCHELL CITY CODE SECTION 5-6-1 FIREWORKS.PDF](#)  
[ORDINANCE O2018-06 ALT A, AMENDING MITCHELL CITY CODE SECTION 5-6-1 FIREWORKS.PDF](#)

**23. First Reading Of Ordinance #O2018-07, That The City Of Mitchell Municipal Code, Title 10, Article C, Urban Development District, 10-8C-3 Conditional Uses, Be Amended.**

Documents:

[AGENDAREQUESTO2018-07.PDF](#)  
[O2018-07.PDF](#)

**24. Executive Session: Motion To Enter Into Executive Session In Accordance With SDCL 1-25-2(3) Contractual-Legal.**

**25. Action On Resolution #R2018-21, Declaring A Nuisance At 301 N Main**

Documents:

[AGENDA ITEM- RESOLUTION R2018-21, NUISANCE AT 301 N MAIN.PDF](#)  
[RESOLUTION R2018-21, NUISANCE AT 301 NORTH MAIN.PDF](#)  
[301 N MAIN- ORDER TO CORRECT.PDF](#)  
[301 NORTH MAIN ASSESSMENT REPORT 2018-060.PDF](#)  
[301 N MAIN PHOTOS- REDUCED FILE SIZE.PDF](#)

**26. Motion To Adjourn**

**27. FOR COUNCIL INFORMATION: Planning Commission Minutes 05/14/2018**

Documents:

[PLANNINGCOMMINUTES5142018.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.