

**City Council Agenda**  
City Council Chambers, City Hall, 612 N. Main Street  
June 6, 2022

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

**2. Pledge Of Allegiance**

**3. Invocation: Assembly Of God**

**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 05 16 2022.PDF](#)

**B. Committee Reports**

Documents:

[PLANNING COMMISSION SIGNED MINUTES 5-9-22.PDF](#)

[COMMUNITY SERVICES MAY ADVISORY BOARD MEETING MINUTES.PDF](#)

**C. Agreement #A2022-25, American Rescue Plan Grant For South WWTP Project #2022-1 With DANR**

Documents:

[DANR AMERICAN RESCUE PLAN ACT GRANT AGREEMENT STAFF REPORT.PDF](#)

[A2022-25 DANR AMERICAN RESCUE PLAN ACT GRANT.PDF](#)

**D. Agreement #A2022-26, Consolidated Water Facility Construction Grant South WWTP Project #2022-1with DANR**

Documents:

[A2022-26 DANR CONSOLIDATED WATER FACILITIES CONSTRUCTION PROGRAM GRANT AGREEMENT STAFF REPORT.PDF](#)

[A2022-26 DANR CONSOLIDATED WATER FACILITY CONSTRUCTION GRANT 5.23.22.PDF](#)

**E. Approve Volunteer Board Appointments**

- To reappoint Mark Graham to the Golf & Cemetery Board for a term to run July 2022- June 2025.
- To reappoint Lynette Shattuck to the Golf & Cemetery Board for a term to run July 2022- June 2025.
- To reappoint Joe Schlimgen to the Golf & Cemetery Board for a term to run July 2022- June 2025.
- To reappoint Emma Devos to the Mitchell Library Board of Trustees for a term to run July 2022- June 2025.

- To reappoint Dianna Goldhammer to the Mitchell Library Board of Trustees for a term to run July 2022- June 2025.
- To reappoint Andy Jerke to the Parks & Recreation Board for a term to run July 2022- June 2025.
- To reappoint Larry Jirsa to the Planning & Zoning Commission for a term to run July 2022 -June 2027.
- To appoint Jon Schmitz to the Planning & Zoning Commission for a term to run July 2022 - June 2027.
- To appoint Al Jacklin to the Community Services Advisory Board (JVCC) for a term to run July 2022- June 2025.

**F. Change Order #3 To Top Grade Concrete For Concrete Bid Schedule A Project #2021-4**

Documents:

[TOP GRADE CONCRETE BID SCHEDULE A CHANGE ORDER 3 STAFF REPORT.PDF](#)  
[2021-4 BID SCHEDULE A CHANGE ORDER NO. 3.PDF](#)

**G. Set Date For Hearing On June 21, 2022 For The Following Alcohol Licenses**

*On the application of Palace City Lions Club for a Special Event Liquor License located at the Horsemans Sports Arena for July 14, 15, 16 & 17, 2022 for the Corn Palace Stampede Rodeo*

*On the application of the Exchange Club of Mitchell for a Special Event Liquor License located at Cadwell Park for August 3rd through August 14th, 2022 for the State Amateur Baseball Tournament*

Documents:

[STAFF FOR SET DATE.PDF](#)  
[PALACE CITY LIONS CLUB APPLICATION.PDF](#)  
[EXCHANGE CLUB APPLICATION.PDF](#)

**H. Pay Estimates 06-06-2022**

Documents:

[AGENDA REQUEST ITEM FOR PAY ESTIMATES 06-06-2022.PDF](#)  
[PAY ESTIMATE SCHEDULE 06-06-22.PDF](#)

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

Documents:

[AP REGULAR DEPARTMENT PAYMENT REGISTER-06062022.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 On An Application For Volesky**

*Tara Volesky has applied for a front yard setback variance of 19' vs 25' for a front porch addition; located at 409 E 7th Ave, legally described as Lot 4, Block 4, Burrs Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R2 Single Family Residential District.*

Documents:

[VOLESKY-STAFF REPORT-BOA HEARING.PDF](#)  
[VOLESKY-APPLICATION.PDF](#)  
[VOLESKY-GIS.PDF](#)  
[VOLESKY-NOTICE OF HEARING.PDF](#)  
[VOLESKY-NEIGHBORS.PDF](#)  
[VOLESKY-LETTERS FROM NEIGHBORS.PDF](#)

**10. Set Date For Board Of Adjustment Hearing 6-21-22**

Jason Bates has applied for a variance for maximum lot coverage of 50% vs 45% to construct a detached garage located at 1112 N Rowley St, legally described as the Lot 16, Block 4, D.A. Scotts Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R2 Single Family Residential District.

Documents:

[BATES-STAFF REPORT-BOA SET DATE.PDF](#)  
[BATES-APPLICATION.PDF](#)  
[BATES-GIS.PDF](#)  
[BATES-SITE PLAN.PDF](#)

**11. Action To Set Date For Board Of Adjustment Hearing 6-21-22**

DAK Properties LLC has applied for a variance for side corner yard setback of 12' vs 20' to construct an unattached 24' x 24' garage on a 43' wide lot located at 1001 E 4<sup>th</sup> Ave, legally described as the W 7 ½' of Lot 9 and all of Lot 10, Block 9, Gleeson's Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R2 Single Family Residential District.

Documents:

[DAK PROPERTIES LLC-STAFF REPORT-BOA SET DATE.PDF](#)  
[DAK PROPERTIES LLC-APPLICATION.PDF](#)  
[DAK PROPERTIES LLC-GIS.PDF](#)

**12. Action To Set Date For Board Of Adjustment Hearing 6-21-22**

Thiesse Chiropractic has applied for a Conditional Use Permit for a Parking Facility located at 317 W 13<sup>th</sup> Ave, legally described as Lot 5, Block 27, Capital Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R4 High Density Residential District.

Documents:

[THIESSE CHIROPRACTIC-STAFF REPORT-BOA SET DATE.PDF](#)  
[THIESSE CHIROPRACTIC-APPLICATION.PDF](#)

**13. Action To Set Date For Board Of Adjustment Hearing 6-21-22**

Maxwell Rysdon of Watchfire Signs on behalf of Krall Eye Clinic has applied for a conditional use permit to install and operate a electric message center in a residential district located at 1415 N Sanborn Blvd, legally described as the Lots 1 thru 6 & E ½ of Vacated Edmunds Street, Block 12, Capital Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R2 Single Family Residential District and R4 High Density Residential District.

Documents:

[KRALL EYE CLINIC-STAFF REPORT-BOA SET DATE.PDF](#)  
[KRALL EYE CLINIC-APPLICATION.PDF](#)  
[KRALL EYE CLINIC-GIS.PDF](#)  
[KRALL EYE CLINIC-SITE LOCATION.PDF](#)

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

**15. Hearings And Actions On The Following Alcohol License Applications**

On the application of 2nd & Lawler dba Main St. Mercantile, 615 North Main, Mitchell for a new Retail (On-Off Sale) Malt Beverage & SD Farm Wine (does not include video lottery) effective July 1, 2022

On the application of 2nd & Lawler dba Main St. Mercantile, 615 North Main, Mitchell for a new Retail (On-Off Sale) Wine and Cider (does not include video lottery) effective July 1, 2022

Documents:

[HEARINGS ON ALCOHOL LICENSES .PDF](#)  
[2ND LAWLER MALT BEVERAGE APPLICATION.PDF](#)  
[2ND LAWLER WINE AND CIDER APPLICATION.PDF](#)  
[MAIN ST MERCANTILE MAP.PDF](#)

**16. Action To Approve Applications For Renewal Of Alcohol Licenses**

Documents:

[STAFF REPORT FOR RENEWALS.PDF](#)  
[RENEWAL OF MALT BEVERAGE LICENSES.PDF](#)

**17. Action To Approve Noise Permit For Brian And Chris Hildebrandt June 17, 2022**

Documents:

[HILDEBRANDT NOISE PERMIT 6.6.22 \(003\).PDF](#)  
[HILDEBRANDT NOISE PERMIT APPLICATION 6.6.22 \(003\).PDF](#)

**18. Action To Approve An Increase To The Smart Meter Penalty**

Documents:

[INCREASE SMART METER PENALTY STAFF REPORT.PDF](#)

**19. Action To Approve Application For A DANR Local Freight Truck Rebate Program**

Documents:

[REQUEST TO APPROVE APPLICATION FOR DANR LOCAL FREIGHT TRUCK REBATE PROGRAM STAFF REPORT.PDF](#)

**20. Action To Approve Stormwater Discharge And Pipeline License With BNSF**

Documents:

[ACTION TO APPROVE STORMWATER DISCHARGE AND PIPELINE LICENSE WITH BNSF STAFF REPORT.PDF](#)  
[BNSF DISCHARGE PERMIT.PDF](#)  
[BNSF LOCATION MAP.PDF](#)

**21. Approval Of Bid And Authorization For Replacement Of 1 Patrol Car**

Documents:

[AGENDA ITEM REQUEST KHP CAR 2022.PDF](#)  
[COPY OF CITY OF MITCHELL SD 5-10-22.PDF](#)

**22. Action To Award Quote For Rowley Watermain Project #2022-14**

Documents:

[APPROVE QUOTE TO MENNING EXCAVATE FOR ROWLEY WATER MAIN STAFF REPORT.PDF](#)  
[ROWLEY WATER MAIN MENNING QUOTE.PDF](#)  
[ROWLEY WATER MAIN LOCATION MAP.PDF](#)

**23. Action To Award Bid For Paving & Overlay Project #2022-15**

Documents:

[ROWLEY WATER MAIN LOCATION MAP.PDF](#)  
[2022-15 PAVING AND OVERLAY BID TAB.PDF](#)

**24. Action To Award Bid For Nuisance Mowing Project #2022-43**

Documents:

[2022-43 NUISANCE MOWING BID AWARD STAFF REPORT.PDF](#)  
[2022-43 BID TAB FOR NUISANCE MOWINGS.PDF](#)

**25. Action To Approve Amendment #2 To Dailey Drive Lift Station Design Agreement #A2019-51 With SPN & Associates**

Documents:

[DAILEY DRIVE LIFT STATION AMENDMENT NO. 2 WITH SPN STAFF REPORT.PDF](#)  
[DAILY DRIVE LIFT STATION AMENDMENT 2 WITH SPN.PDF](#)

**26. Action To Approve Agreement #A2022-21, NAWCA Grant Coop Agreement With Matthew And Michaela Doerr**

Documents:

[NAWCA DOERR PROJECT AGREEMENT STAFF REPORT.PDF](#)  
[A2022-21 NAWCA GRANT COOP AGREEMENT MATTHEW AND MIKAELA DOERR 4-25-22.PDF](#)  
[DOERR PROJECT LOCATION.PDF](#)

**27. Action To Approve Agreement #A2022-24, Tax Increment District #27 Developer's**

## **Agreement**

Documents:

[AGENDA ITEM- A2022-24, APPROVING DEVELOPER AGREEMENT FOR TID 27.PDF](#)  
[A2022-24, CONTRACT FOR PRIVATE DEVELOPMENT TID 27.PDF](#)

### **28. Action To Approve Resolution #R2022-28, Amending The 2022 Compensation Plan For The City Of Mitchell**

Documents:

[STAFF REPORT AMENDING PAYROLL RESOLUTION.PDF](#)  
[2022 COMPENSATION PLAN RESOLUTION AMENDMENT 1.PDF](#)

### **29. Action To Approve Resolution #R2022-29, Transfer Of Lot 1, Block 1, Fullerton Properties 2nd Addition**

Documents:

[AGENDA ITEM- RESOLUTION R2022-29. TRANSFER OF LOT 1, BLOCK 1, FULLERTON PROPERTIES 2ND ADDITION.PDF](#)  
[RESOLUTION R2022-29, TRANSFER OF LOT 1, BLOCK 1, FULLERTON PROPERTIES 2ND ADDITION.PDF](#)

### **30. Action To Approve Resolution #R2022-31, Plat Of NCBC Tract 2 In The SW ¼ Of Section 13, T 104 N, R 61 W Of The 5th P.M., Davison County, South Dakota; As Requested By Gregory Plamp**

Documents:

[RESOLUTION R2022-31-PLAMP-STAFF REPORT.PDF](#)  
[RESOLUTION R2022-31-PLAMP.PDF](#)  
[PLAMP-PLAT.PDF](#)  
[PLAMP-GIS.PDF](#)

### **31. Action On Resolution #R2022-34, Historic Preservation Findings In Relation To The Property At 1200 W University Ave**

Documents:

[AGENDA ITEM- R2022-34, 1200 W UNIVERSITY AVE - HISTORIC PRESERVATION FINDINGS.PDF](#)  
[RESOLUTION R2022-34, 1200 W UNIVERISTY AVE - HISTORIC PRESERVATION FINDINGS.PDF](#)  
[DWUCASE REPORT 9-27-21.PDF](#)  
[DWU-LETTER.PDF](#)  
[DWU-HUGHES SCIENCE HALL-PHOTOS.PDF](#)  
[HISTORIC PRESERVATION COMMISSION UNSIGNED MINUTES 3-3-22.PDF](#)  
[11.1CASE\\_REPORTFORM-DWU-SIGNED.PDF](#)  
[DWU CASE REPORT 5-13-22.PDF](#)

### **32. First Reading On Ordinance #O2022-08, Amending Mitchell City Code Section 6-1-1 Regarding Animals At Large**

Documents:

[AGENDA ITEM- ORDINANCE O2022-08, AMENDING MCC SECTION 6-1-1 REGARDING ANIMALS AT LARGE.PDF](#)  
[ORDINANCE O2022-08, AMENDING MCC SECTION 6-1-1 REGARDING ANIMALS AT LARGE.PDF](#)

### **33. First Reading On Ordinance #O2022-09, Amending Mitchell City Code Chapter 6-1A Regarding Vicious Animals**

Documents:

[AGENDA ITEM- ORDINANCE O2022-09, AMENDING MCC CHAPTER 6-1A REGARDING VICIOUS ANIMALS.PDF](#)

[ORDINANCE O2022-09, AMENDING MCC CHAPTER 6-1A REGARDING VICIOUS ANIMALS.PDF](#)

**34. Executive Session According To 1-25-2 (3) Legal And 1-25-2 (4) Employee Negotiations**

**35. Adjourn**

**36. FOR COUNCIL INFORMATION: Planning Commission Unsigned Minutes 5-23-22**

Documents:

[PLANNING COMMISSION UNSIGNED MINUTES 5-23-22.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.