

City Council Agenda
City Council Chambers, City Hall, 612 N. Main Street
June 21, 2021

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

2. Pledge Of Allegiance

3. Invocation: First United Methodist

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 06 07 21.PDF](#)
[SPECIAL COUNCIL MINUTES 06 14 21.PDF](#)

B. Committee Reports

Documents:

[PLANNINGCOMMINUTES5242021 \(2\).PDF](#)
[COMMUNITY SERVICES JUNE 2021 ADVISORY BOARD MEETING MINUTES.PDF](#)

C. Department Reports

Documents:

[SALES TAX COLLECTIONS-MAY.PDF](#)
[FINANCE DEPARTMENT REPORT-MAY.PDF](#)
[BUILDING PERMITS \(MAY\).PDF](#)
[AIRPORT \(MAY\).PDF](#)
[DOC061521-06152021162956.PDF](#)
[2021 MONTHLY 6-10-21.PDF](#)
[TOTAL RIDER\(CITY HALL\) MAY 2021.PDF](#)
[WATER \(MAY\).PDF](#)

D. On-Street Parking Closure At 3rd Avenue Between Main And Lawler On July 23-24, 2021

Documents:

[3RD AND LAWLER TEMPORARY PARKING CLOSURE - STAFF REPORT.PDF](#)
[ON-STREET PARKING CLOSURE LOCATION.PDF](#)

E. Volunteer Board Appointments

- *Reappoint Kevin Genzlinger to the Planning & Zoning Board for a term to run July 2021-June 2026.*
- *Reappoint Terry Rietveld to the Golf/Cemetery Board for a term to run July 2021- June 2024.*
- *Reappoint Brian Johnson to the Golf/Cemetery Board for a term to run July 2021- June 2024.*

- *Reappoint Chris Retterath to the Park & Recreation Board for a term to run July 2021-June 2024.*
- *Appoint Austin Havlik to the Park & Recreation Board for a term to run July 2021-June 2024.*
- *Appoint Jeremy Gunkel to the Park & Recreation Board for a term to run July 2021- June 2024.*
- *Appoint Tonya Kligamon to the Community Services Board (JVCC) for a term to run July 2021- June 2024.*
- *Appoint Jan Quenzer to the Community Services Board (Nutrition) for a term to run July 2021-June 2024.*
- *Reappoint Lyle Swenson to the Historic Preservation Commission for a term to run July 2021- June 2024.*
- *Reappoint Patrick Clark to the Historic Preservation Commission for a term to run July 2021- June 2024.*
- *Reappoint Larry Jirsa to the Historic Preservation Commission for a term to run July 2021-June 2024.*
- *Appoint Ashley Endres to the Historic Preservation Commission for a term to run July 2021-June 2024.*
- *Reappoint Deb Everson to the Library Board for a term to run July 2021-June 2024.*
- *Reappoint Ann Temple to the Library Board for a term to run July 2021-June 2024.*
- *Reappoint Dennis Nath to the Library Board for a term to run July 2021-June 2024.*
- *Appoint Mike Asmus to the Housing & Redevelopment Commission for a term to run July 2021- June 2026.*
- *Reappoint Jim Taylor to the Housing & Redevelopment Commission for a term to run July 2021- June 2026*

F. Raffle Permit

Dakota Wesleyan University Football with the drawing to be held on August 28, 2021

Documents:

[DWU FOOTBALL RAFFLE.PDF](#)

G. Set Date For Hearings On July 6, 2021 For The Following Alcohol Licenses

On the application to transfer RB-26523 Retail (On-Off Sale) Malt Beverage & SD Farm Wine License from Jose L Haro Valencia dba La Catrina LLC, 108 North Main St., Mitchell to Jose L Haro Valencia dba La Tequilera Mexican Food LLC, 108 North Main St, Mitchell due to reconfiguration of business

On the application to transfer RW-27559 Retail (On-Off Sale) Wine and Cider License from Jose L Haro Valencia dba La Catrina LLC, 108 North Main St., Mitchell to Jose L Haro Valencia dba La Tequilera Mexican Food LLC, 108 North Main St, Mitchell due to reconfiguration of business

On the application to transfer RL-5771 Retail (On-Sale) Liquor License from the Chamber of Commerce, 601 North Main St, Mitchell to Bradley Theme LLC dba Scoreboard, 522 North Main St, Mitchell

Documents:

[SET DATE FOR HEARINGS.PDF](#)
[RB-26523 APPLICATION.PDF](#)
[RW-27559 APPLICATION.PDF](#)
[RL-5771 APPLICATION.PDF](#)

H. Approval Of Gasoline & Fuel Quotes

Documents:

[JUNE 21, 2021 MEETING.PDF](#)
[JUNE 9, 2021 FUEL.PDF](#)

I. Pay Estimates 06-21-2021

Documents:

[PAY ESTIMATE STAFF REPORT 06-21-21.PDF](#)
[PAY ESTIMATE SCHEDULE 06-21-21.PDF](#)

J. 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-062121.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 Justin Adams For A Variance, 1021 University

Justin Adams has applied for a front yard variance of 20 feet vs 25 feet as required to remove an existing garage and replace it with a new one at 1021 University, legally described as Lot 5, Block 11 & E ½ vacated alley abutting Lot 5, University Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R2, Single Family Residential District.

Documents:

[JUSTIN ADAMS VARIANCE REQUEST - STAFF REPORT.PDF](#)
[ADAMSAPP.PDF](#)
[NOHADAMSVARAINCE 6.21.21.PDF](#)
[ADAMSPLAN.PDF](#)
[ADAMSNEIGHBORS.PDF](#)
[ADAMSAERIAL.PDF](#)

10. Hearing And Action On An Application For Mueller Lumber For A Variance, 722/724

W. Pine

Mueller Lumber has applied for a back yard variance of 20 feet vs 25 feet as required to build a twin home at 722/724 Pine, legally described at Lot 3 & West 38' of Lot 4, Block 6, MLC Addition, a subdivision of Lot 4A and 4B, Block 4, Morningview Addition to the City of Mitchell, Davison County, South Dakota. The property is zoned PD, Planned Development District.

Documents:

[MUELLER LUMBER VARIANCE REQUEST - STAFF REPORT.PDF](#)
[MUELLERAPP.PDF](#)
[NOHVARIANCEMUELLER6.21.21.PDF](#)
[MUELLERPLAN.PDF](#)
[MUELLERNEIGHBORS.PDF](#)
[MUELLERLETTERS.PDF](#)
[MUELLERAERIAL.PDF](#)

11. Action To Set Date For Board Of Adjustment Hearing 7/6/21

Ethan Coop has applied on behalf of LifeQuest for a side yard corner lot variance of 9 feet vs. 20 feet vs as required to construct an addition at 100 E Elm, legally described as Lots 7, 8, 9, and 10 Block11, Van Eps 1st Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R-3, Medium Density Residential District.

Documents:

[NOHVARIANCEETHANCOOP.PDF](#)

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

13. Hearings And Actions On The Following Alcohol Licenses

a. On the application of the National Exchange Club of Mitchell for a Special Event Retail (On-Off Sale) Malt Beverage & SD Farm Wine License located at Cadwell Park for August 4th through August 15th, 2021 for the State Amateur Baseball Tournament

b. On the application to transfer RB-2846 Retail (On-Off Sale) Malt Beverage & SD Farm Wine License from Sport Time Inc dba Scoreboard Sports Bar, 522 N Main Street , Mitchell to Bradley Theme LLC dba Scoreboard, 522 N Main Street, Mitchell

c. On the application to transfer RW-6509 Retail (On-Off Sale) Wine and Cider License from Sport Time Inc dba Scoreboard Sports Bar, 522 N Main Street , Mitchell to Bradley Theme LLC dba Scoreboard, 522 N Main Street, Mitchell

Documents:

[STAFF FOR HEARINGS2.PDF](#)
[NATIONAL EXCHANGE CLUB APPLICATION.PDF](#)
[RB 2846 APPICATION.PDF](#)
[RW 6509 APPLICATION.PDF](#)
[SCOREBOARD MAP.PDF](#)

14. Action To Approve 2021 Contingency Funds For Artificial Turf At Drake Field

Documents:

AGENDA ITEM REQUEST - CONTINGENCY FUND REQUEST ARTIFICIAL TURF.PDF
11739.PDF
2021 CONTINGENCY.PDF

15. Action To Approve Agreement #A2021-30, FAA Airport Coronavirus Response Grant Program Grant Offer #3-46-0037-030 In The Amount Of \$23,000 And Authorize Mayor As Signatory On All Documents

Documents:

A2021-30 FAA CARES GRANT OFFER STAFF REPORT.PDF
FAA CARES GRANT OFFER LETTER TO CITY.PDF
FAA CARES GRANT OFFER.PDF

16. Action To Approve Agreement #A2021-31, Financial Assistance Agreement (CRRSA Act) With SDDOT And Authorize Mayor As Signatory On All Documents

Documents:

A2021-30 FAA CARES GRANT OFFER STAFF REPORT.PDF
SDDOT OFFER FOR CRRSA ACT AGREEMENT.PDF
SDDOT FINANCIAL AGREEMENT FOR AIRPORT CARES GRANT.PDF

17. Action To Approve Agreement #A2021-32, Lead Remediation At 223 North Main With Floor Tec Cleaning & Restoration

Documents:

223 N MAIN STREET LEAD REMEDIATION STAFF REPORT.PDF
CITY_OF_MITCHELL_CRAFTY_FOX.PDF

18. Action To Approve Resolution #R2021-40, A Plat Of Lot 5-C, Block 7 Of Westwood First Addition, A Subdivision Of The SW 1/4 Of Section 16, T 103 N, R 60 W Of The 5th P.M., City Of Mitchell, Davison County, South Dakota

Documents:

RESOLUTION R2021-40 - PLAT OF LOT 5-C WESTWOOD FIRST ADDITION STAFF REPORT.PDF
R2021-40 - LOT 5-C WESTWOOD FIRST ADDITION.PDF
PLAT OF LOT 5-C, BLOCK 7 OF WESTWOOD FIRST ADDITION.PDF
PLAT OF LOT 5-C, BLOCK 7 OF WESTWOOD FIRST ADDITION - LOCATION MAP.PDF

19. Action To Approve Resolution #R2021-41, A Plat Of Lots 8 And 10 Of Park Acres First Addition In The NE 1/4 Of Section 6, T 103 N, R 60 W Of The 5th P.M., Davison County, South Dakota

Documents:

RESOLUTION R2021-41 - PLAT OF LOTS 8 AND 10 OF PARK ACRES FIRST ADDITION - STAFF REPORT.PDF
R2021-41 - LOTS 8 AND 10 OF PARK ACRES FIRST.PDF
PLAT OF LOTS 8 AND 10 OF PARK ACRES FIRST ADDITION.PDF
PLAT OF LOTS 8 AND 10 OF PARK ACRES FIRST ADDITION - LOCATION MAP.PDF

20. Action To Approve Resolution #R2021-42, Amending Resolution #R2020-82, The 2021 Compensation Plan For The City Of Mitchell

Documents:

STAFF REPORT COMPENSATION PLAN AMENDMENT R2021-42.PDF

21. Action To Approve Resolution #R2021-43, Approving The Settlement Agreement For The 223 North Main Property

Documents:

[AGENDA ITEM- RESOLUTION R2021-43, APPROVING SETTLEMENT AGREEMENT FOR 223 N MAIN.PDF](#)
[RESOLUTION R2021-43, APPROVING SETTLEMENT AGREEMENT FOR 223 N MAIN.PDF](#)

22. Action To Approve Resolution #R2021-45, Vacation Of The Marshall Street Right-Of-Way South Of Birch Avenue

Documents:

[MARSHALL STREET VACATION SOUTH OF BIRCH STAFF REPORT.PDF](#)
[R2021-45 - MARSHALL STREET VACATION.PDF](#)
[MARSHALL VACATION PETITIONS.PDF](#)
[NOTICE OF HEARING PUBLICATION.PDF](#)
[MARSHALL VACATION SOUTH OF BIRCH - LOCATION MAP.PDF](#)

23. Action To Approve Resolution #R2021-46, Amending The City Of Mitchell Water & Sewer Rates & Fees

Documents:

[STAFF REPORT FOR RESOLUTION 2021-46 AMENDING THE CITY OF MITCHELL WATER SEWER RATES AND FEES.PDF](#)
[R2021 UTILITY RATE RESOLUTION WITH SURCHARGES.PDF](#)

24. Second Reading Of Ordinance #O2021-09, Rezoning Lot A-3, Sub Of Lot A, SW 1/4 Section 27, 103-60, EX. S 128 Feet Thereof, City Of Mitchell, Davison County, South Dakota (201 & 201 1/2 E. Norway Avenue) From TWC To R4.

Documents:

[AGENDA ITEM- REQUEST FORMO2021-09 REZONE HEEZEN.PDF](#)
[ORDINANCE 2021-09.PDF](#)
[HEEZEN PLAN.PDF](#)
[APPLICATION FOR REZONING- HEEZEN.PDF](#)
[HEEZEN NEIGHBOR NOTIFICATION.PDF](#)
[HEEZEN RESPONSE LETTERS.PDF](#)
[AERIAL HEEZEN.PDF](#)
[NOH HEEZEN.PDF](#)

25. Motion To Adopt Ordinance #O2021-09, Request Public Comment, Roll Call

26. Recommendation By Mayor Bob Everson To Appoint Joe Schroeder To The Public Works-City Engineer Position Effective June 27, 2021

Mayor Everson will conduct the Oath of Office after City Council Confirmation.

27. Adjourn

28. For Council Information: June 14, 2021 Planning Commission Meeting Minutes

Documents:

[PLANNING COMMISSION MINUTES 6.14.21 DRAFT.PDF](#)

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.