

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

1. 5:00 P.M. Budget Work Session

2. 6:00 P.m. Call To Order

3. Pledge Of Allegiance

4. Invocation: Northridge Baptist

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:

[COUNCIL MINUTES 08 15 2022.PDF](#)

B. Committee Reports

Documents:

[PLANNING COMMISSION SIGNED MINUTES 8-8-22.PDF](#)

C. Automatic Supplement To Parks-Cadwell From Insurance Proceeds In The Amount Of \$13,168

Documents:

[SUPPLEMENTAL APPROPRIATION SUNSHADE 090622.PDF](#)

[SUPPLEMENTAL APPROPRIATION SUNSHADE PDF.PDF](#)

D. Accept SD DOH Health Improvement Innovation Grant

Documents:

[DOH HEALTHY INNOVATIONS GRANT ACCEPTANCE.PDF](#)

E. Acceptance Of Amendment 5310 SD DOT Grant Funds

Documents:

[AGENDA ITEM- SD DOT 5310 GRANT FUNDS FY 22 AMENDMENT.PDF](#)

[SD DOT 5310 GRANT FUNDS AMENDMENT.PDF](#)

F. Special Event Permit For RiverTree Church Block Party On September 11, 2022

- o Road Closure

Documents:

[RIVERTREE BLOCK PARTY SPECIAL EVENT STAFF REPORT.PDF](#)

[RIVERTREE BLOCK PARTY SPECIAL EVENT PERMIT.PDF](#)

RIVERTREE BLOCK PARTY LOCATION MAP.PDF
RIVER TREE PROPERTY INSURANCE.PDF

G. Special Event Permit For Oktoberfest On October 8, 2022

- Road Closure
- Parking Lot Closure
- Consumption Permit (\$500)

Documents:

OKTOBERFEST 2022 SPECIAL EVENT STAFF REPORT.PDF
OKTOBERFEST SPECIAL EVENT PERMIT.PDF
OKTOBERFEST 2022 MAP OVERLAY.PDF

H. Noise Permit For Back 40 For September 16, 2022 And September 17, 2022

Documents:

BACK 40 NOISE PERMIT STAFF REPORT.PDF
BACK 40 SEPTEMBER 16 AND 17 NOISE PERMIT REQUEST.PDF

I. Noise Permit For Iverson Auto On October 8, 2022

- Noise Permit - 5 PM - 11:45 PM

Documents:

SCOREBOARD PUB AND GILLE NOISE PERMIT FOR IVERSON AUTO STAFF REPORT.PDF
NOISE PERMIT APP - IVERSON.PDF
IVERSON EVENT LOCATION MAP.PDF

J. Raffle Permits

Longfellow PTO with the drawing to be held on October 14, 2022

Corn Palace Shrine Club with the drawing to be held on October 28, 2022

Dakota Riptide Swim Club with the drawings to be held twice a month in 2022 and three drawings in 2023

Documents:

LONGFELLOW PTO RAFFLE.PDF
CP SHRINE RAFFLE.PDF
DAKOTA RIPTIDE SWIM RAFFLE.PDF

K. Declare Property Surplus To Be Sold On Purple Wave Auction

Documents:

PURPLE WAVE - SPORTS COMPLEX.PDF
STAFF REPORT - SURPLUS.PDF
PD VEHICLE SURPLUS.PDF

L. Volunteer Board Appointments

- *Wendy Linke to the Community Services Advisory Board (MVP) for a term to run July 2022-June 2025.*
- *Tiffany Batdorf to the Corn Palace Events & Entertainment Board for a term to run October 2022-September 2025.*

M. Set Date For Hearing On September 19, 2022 For Tax Levies To Be Certified To County Auditor

Documents:

[STAFF REPORT - TAX LEVIES.PDF](#)

N. Set Date For Hearing On Special Assessment Roll For September 19, 2022

Documents:

[STAFF REPORT AGENDA ITEM- SET DATE OF SEPT 6TH 2022 FOR 2021 COLLECTION HEARING.PDF](#)
[NOTICE OF COLLECTION HEARING 9-19-2022.PDF](#)

O. Approval Of Gasoline & Fuel Quotes

Documents:

[SEPTEMBER 6, 2022 MEETING.PDF](#)
[AUGUST 24, 2022 FUEL.PDF](#)

P. Pay Estimates 09-06-2022

Documents:

[AGENDA REQUEST ITEM FOR PAY ESTIMATES 09-06-2022.PDF](#)
[PAY ESTIMATE SCHEDULE 9-06-2022.PDF](#)

Q. 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 -09062022.PDF](#)

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

10. Hearing And Action On An Application For Troyer Homeworks On Behalf Of James And Margo Taylor

Troyer Homeworks on behalf of James & Margo Taylor has applied for a variance for minimum side yard corner setback of 0' vs 20' to construct a 3-season room on an existing deck located at 723 W 4th Ave, legally described as Lots 6 & W ½ of Lot 5, Block 100, Lawler's 2nd Addition, City of Mitchell, Davison County, South Dakota. The

said real property is zoned Single Family Residential District (R2).

Documents:

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

11. Action To Set Date For Board Of Adjustment Hearing 9-19-22

Jacob & Jena Sonne have applied for a conditional use permit to operate a Family Residential Daycare; located at 1120 Sunnyside Ct, legally described as Lot 10 of R.W. Mueller's 1st Addition, a subdivision of portions of Blocks 7 and 8, Sunnyside Addition to the City of Mitchell, Davison County, South Dakota. The said real property is zoned R4 High Density Residential District.

Documents:

[SONNE-STAFF REPORT-BOA SET DATE.PDF](#)
[SONNE-APPLICATION.PDF](#)
[SONNE-GIS.PDF](#)

12. Action To Set Date For Board Of Adjustment Hearing 9-19-22

Flats on Havens LLC has applied for a conditional use permit to operate a Multi-Family Dwelling; located at 1525 W Havens, legally described as Block 4, Sunnyside Addition to the City of Mitchell, Davison County, South Dakota, except the E 175' thereof; except the N 151.45' of the W 167' thereof; except the N 50' of the W 50' of the S 165' of the E 55' of Block 4 thereof; and except Lots H-4 and H-5. The said real property is zoned HB Highway Business District.

Documents:

[FLATS ON HAVENS LLC-STAFF REPORT-BOA SET DATE.PDF](#)
[FLATS ON HAVENS LLC-APPLICATION.PDF](#)
[FLATS ON HAVENS LLC-GIS.PDF](#)

13. Action To Set Date For Board Of Adjustment Hearing 9-19-22

HiWings LLC has applied for a conditional use permit to operate an Assembly Hall; located at 40580 250th St, legally described as Kelley Tract 1, a subdivision of the Southwest ¼ of the Southeast ¼; Kelley Tracts 1A and 2, a subdivision of the South ½ of the Southeast ¼; West 208.75' of South 208.75' of the Southeast ¼ of the Southeast ¼; all in Section 36, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. The said real property is zoned UD Urban Development District.

Documents:

[HIWINGS LLC-STAFF REPORT-BOA SET DATE.PDF](#)
[HIWINGS LLC-APPLICATION.PDF](#)
[HIWINGS LLC-GIS.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. Hearing And Action On The Application Of The Palace City Lions For A Special Event Liquor License Located At The DWU Sherman Center For September 30, 2022 For The DWU Alumni Blue & White Unite

Documents:

[HEARING STAFF REPORT.PDF](#)
[PALACE CITY LIONS APPLICATION.PDF](#)

16. Hearing And Action On The Application Of The Scoreboard Pub & Grille For A Special Event Liquor License Located At Iverson Auto South Building And Parking Lots For October 8, 2022 For A Private Event

Documents:

[SCOREBOARD HEARING STAFF REPORT.PDF](#)
[SCOREBOARD APPLICATION.PDF](#)
[SCOREBOARD MAP.PDF](#)

17. Action To Approve Special Event Application For Raise Em Rank Bull Riding September 16-17, 2022

- *Parking Lot Closure*
- *Noise Permit*

Documents:

[RAISE EM RANK BULL RIDINGSPECIAL EVENT STAFF REPORT.PDF](#)
[RAISE EM RANK BULL RIDING EVENT SPECIAL EVENT PERMIT.PDF](#)
[BULL RIDING CLOSURE LOCATION MAP.PDF](#)
[INSURANCE_VERFICATION_2021_CORN PALACE \(2\).PDF](#)

18. Action To Approve Special Event Permit For The 437 Project On September 24, 2022

- *Road Closure*
- *Corn Palace Plaza*

Documents:

[THE 437 PROJECT SPECIAL EVENT STAFF REPORT.PDF](#)
[437 PROJECT SPECIAL EVENT PERMIT.PDF](#)
[437 PROJECT ROUTE MAP.PDF](#)

19. Action To Approve Release Of Easement In Kippes' Wedgewood Estates

Documents:

[RELEASE OF EASEMENT IN KIPPES WEDGEWOOD ESTATES STAFF REPORT.PDF](#)
[WEDGEWOOD ESTATES UTILITY RELEASE-CITY OF MITCHELL \(006\).PDF](#)
[EASEMENT LOCATION MAP.PDF](#)

20. Action To Approve Amendment #1 To Agreement #A2022-15, Quince Street Design With SPN

Documents:

[A2022-15 AMENDMENT NO. 1 QUINCE STREET DESIGN WITH SPN STAFF REPORT.PDF](#)
[QUINCE STREET AMENDMENT ONE DRAFT.PDF](#)
[QUINCE STREET DESIGN LOCATION MAP.PDF](#)

21. Action To Approve Agreement #A2022-32, Kelly Wetland Project #2021-41 With Kogel Archaeological Consulting Services

Documents:

[AGREEMENT 2022-32 KOGEL ARCH CONSULTING SERVICES FOR KELLEY WETLAND PROJECT STAFF REPORT.PDF](#)
[LEVEL III CRS PROPOSAL FOR THE MITCHELL WETLAND PROJECT AREA.PDF](#)
[WETLAND PROJECT LOCATION MAP.PDF](#)

22. Action To Approve Agreement #A2022-33, 3rd & Main Streetscape Improvements Project #2022-26 With McLaury Engineering

Documents:

[AGREEMENT A2022-33 WITH MCLAURY ENGINEERING FOR 3RD AND MAIN STREETSCAPE STAFF REPORT.PDF](#)
[MAIN STREET 3RD AVENUE STREETSCAPE IMPROVEMENTS PROPOSAL -COUNCIL.PDF](#)
[LOCATION OF IMPROVEMENTS - 3RD AND MAIN.PDF](#)

23. Action To Approve Agreement #A2022-34, Rural Fire Protection And Suppression Services With Mitchell Rural Fire District

Documents:

[MITCHELL RURAL FIRE DISTRICT.PDF](#)
[MRFD AGREEMENT.PDF](#)

24. Action To Award Pump Station And Ground Storage Reservoir Project #2020-20

Documents:

[PUMP STATION AND GROUND STORAGE RESERVOIR BID AWARD 2020-20 STAFF REPORT.PDF](#)
[LTR-082922-AWARDRECOMMENDATION \(002\).PDF](#)
[BID_ABSTRACT_082422.PDF](#)
[GROUND WATER STORAGE SITE.PDF](#)

25. Hearing And Action To Approve Resolution #R2022-46, Levying Business Improvement District #3 Special Assessments For 2022-2023

Documents:

[STAFF REPORT-BID 3 2022-2023.PDF](#)
[R2022-46.PDF](#)
[2022 NOH-BID 3 RESOLUTION.PDF](#)

26. Second Reading On Ordinance #O2022-12, Rezoning NE ¼ Ex Lot A Of C Andersons First Addition Of Section 35, T 103 N, R 60 W Of The 5th P.M., Davison County, South Dakota From UD Urban Development District To I Industrial District

Documents:

[ORDINANCE O2022-12-VAN BUSKIRK-REZONE-STAFF REPORT.PDF](#)
[ORDINANCE O2022-12-VAN BUSKIRK-REZONE.PDF](#)
[VAN BUSKIRK-APP.PDF](#)
[VAN BUSKIRK-GIS.PDF](#)
[VAN BUSKIRK-NOTICE OF HEARING.PDF](#)
[VAN BUSKIRK-NEIGHBORS.PDF](#)
[VAN BUSKIRK-LETTER FROM NEIGHBOR-JIM RIVER RIDGE FARMS LLP.PDF](#)

27. Motion To Adopt Ordinance #O2022-12, Request Public Comment, Roll Call

28. Second Reading On Ordinance #O2022-13, Rezoning Lots 6, 7 And 8, Block 18, Weavers Squares Addition, City Of Mitchell, Davison County, South Dakota From R3 Medium Density Residential District To HB Highway Business District

Documents:

[ORDINANCE O2022-13-PETERSON-REZONE-STAFF REPORT.PDF](#)
[ORDINANCE O2022-13-PETERSON-REZONE.PDF](#)
[PETERSON-APP.PDF](#)
[PETERSON-GIS.PDF](#)
[PETERSON-NOTICE OF HEARING.PDF](#)
[PETERSON-NEIGHBORS.PDF](#)
[PETERSON-LETTERS FROM NEIGHBORS.PDF](#)

29. Motion To Adopt Ordinance #O2022-13, Request Public Comment, Roll Call

30. First Reading On Ordinance #O2022-14, Rezoning Plat Of Lot 11 Of Sharpstone Subdivision, A Subdivision Of The W ½ Of The S ½ Of The SW ¼ Of The NW ¼ Of Section 9, T 103 N, R 60 W Of The 5th P.M., City Of Mitchell, Davison County, South Dakota From R4 High Density Residential District To Sharpstone Planned Development District

Documents:

[ORDINANCE O2022-14-SHARPSTONE DEUCE LLC=SHARPSTONE DISTRICT-STAFF REPORT.PDF](#)
[ORDINANCE O2022-14-SHARPSTONE DEUCE LLC-SHARPSTONE.PDF](#)
[SHARPSTONE DEUCE LLC-GIS.PDF](#)
[SHARPSTONE DEUCE LLC-SHARPSTONE-ORDINANCE O2022-14-NOTICE OF HEARING.PDF](#)
[SHARPSTONE DEUCE LLC-NEIGHBORS I.PDF](#)
[SHARPSTONE DEUCE LLC-LETTERS FROM NEIGHBORS.PDF](#)

31. Adjourn

32. FOR COUNCIL INFORMATION: Planning Commission Unsigned Minutes 8-22-22

Documents:

[PLANNING COMMISSION UNSIGNED MINUTES 8-22-22.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.