

City Council Agenda
City Council Chambers, City Hall, 612 N. Main Street
September 20, 2021

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

2. Pledge Of Allegiance

3. Invocation: Salvation Army

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 09 07 2021.PDF](#)

B. Committee Reports

Documents:

[PLANNING COMMISSION SIGNED MINUTES 8-23-21.PDF](#)

C. Department Reports

Documents:

[SALES TAX COLLECTIONS-AUG.PDF](#)
[FINANCE DEPARTMENT REPORT-AUG.PDF](#)
[BUILDING PERMITS \(AUGUST\).PDF](#)
[JULYPD.PDF](#)
[AUGPD.PDF](#)
[JULYFIRE.PDF](#)
[AUGFIRE.PDF](#)
[AUGUST CODE ENFORCEMENT.PDF](#)
[TOTAL RIDER\(CITY HALL\) JULY 2021.PDF](#)
[AIRPORT \(AUGUST\).PDF](#)
[WATER \(AUGUST\).PDF](#)

D. SD DOT Section 5310 Grant Amendment

Documents:

[AGENDA ITEM- SD DOT 5310 AMENDMENT.PDF](#)
[811861 CITY OF MITCHELL AMENDMENT .PDF](#)

**E. Special Event Application For Dakota Wesleyan Blue And White Days 10:00 AM
September 25, 2021**

- **Parade Permit (\$50.00)**
- **Road Closure**
- **Parking Lot Closure**

Documents:

[DAKOTA WESLEYAN UNIVERSITY BLUE AND WHITE DAYS PARADE SPECIAL EVENT PERMIT STAFF REPORT.PDF](#)
[DWU PARADE SPECIAL EVENT APPLICATION.PDF](#)
[DWU PARADE ROUTE.PDF](#)

F. Raffle Permits

Mitchell Main Street & Beyond (Fur Get Me Not Animal Care) with the drawing to be held on October 9, 2021

Mitchell Main Street & Beyond with the drawing to be held on October 9, 2021

LB Williams PTO with the drawing to be held on October 23, 2021

1st Presbyterian Church with the drawing to be held on May 1, 2022 or when the tickets are sold out

John Paul II School with the drawings to be held on January 21, January 28, February 4, February 11, February 17, and February 25. 2022

Documents:

[MITCHELL MAIN STREET RAFFLE 1.PDF](#)
[MITCHELL MAIN STREET RAFFLE 2.PDF](#)
[LB WILLIAMS PTO RAFFLE.PDF](#)
[1ST PRESBYTERIAN RAFFLE.PDF](#)
[JOHN PAUL II RAFFLE.PDF](#)

G. Volunteer Board Appointments

- *Reappoint Jean Koehler to the Corn Palace Events & Entertainment Board for a term to run October 2021- September 2024*
- *Appoint Carol Cersosimo the Corn Palace Events & Entertainment Board for a term to run October 2021-September 2024*
- *Appoint Giovanni Lanier to the Corn Palace Events & Entertainment Board for a term to run October 2021- September 2024*

H. Change Order #7 For Sanborn Phase II & III Project #2019-22 To H&W Contracting, LLC

Documents:

[SANBORN PHASE II AND III- CHANGE ORDER NO. 7 STAFF REPORT .PDF](#)
[CO NO. 7 - SANBORN PHASE II AND III.PDF](#)

I. Set Date October 4, 2021 On The Following Alcohol Licenses

On the application of the Corn Palace Shrine Club for a Special Event Liquor License located at The Masonic Hall for October 29, 2021 for the Sportsman Classic

On the application to transfer Retail (On-Sale) Liquor License RL-5760 from Overtime Properties Inc. dba Overtime Steakhouse & Sports Bar, 716 N Rowley St, Mitchell to Hohn Partnership, LLC dba Platinum Players Club III, 719 N Sanborn Blvd Ste 3,

Mitchell

Documents:

[SET DATE FOR HEARINGS.PDF](#)
[CP SHRINE CLUB APPLICATION.PDF](#)
[RL 5760 APPLICATION.PDF](#)
[RL 5760 MAP.PDF](#)

J. Pay Estimates 09-20-2021

Documents:

[PAY ESTIMATES STAFF REPORT 09-20-2021.PDF](#)
[PAY ESTIMATES 09-20-21.PDF](#)

K. 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 On An Application For Boyd Reimnitz-TABLE

Boyd Reimnitz has applied for a front-yard variance of 19 feet vs 25 feet for a front entry addition, legally described as Lots 5 & 6 Block 9 Van Eps 2nd Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R2 Single Family Residential District.

Documents:

[REIMNITZ VARIANCE PERMIT -STAFF REPORT-BOA HEARING-TABLE.PDF](#)
[REIMNITZ-APPLICATION REVISED.PDF](#)
[REIMNITZ-GIS.PDF](#)
[REIMNITZ-NOTICE OF HEARING.PDF](#)
[REIMNITZ-NEIGHBORS.PDF](#)
[REIMNITZ-LETTERS FROM NEIGHBORS-COMBINED.PDF](#)

10. Hearing And Action On An Application For Faith Missionary Church

Faith Missionary Church has applied for a variance of the following:

<!--[if !supportLineBreakNewLine]--><!--[endif]-->

1. West side yard setback of 0' vs 3' on Lot 3 & E 33' of Lot 4 in Block 3 of Gleasons Addition.

2. East side yard setback of 0' vs 3' on Lot 4 except the E 33' & Lot 5 in Block 3 of Gleasons Addition.
3. Rear yard setback of 20' vs 25' on both above parcels.

All for an addition of a 38' x 57' building crossing parcels lines located at 1025 E 6th St legally described as Lot 4 except the E 33' & Lot 5 in Block 3 of Gleasons Addition, City of Mitchell, Davison County South Dakota and Lot 3 & E 33' of Lot 4 in Block 3 of Gleasons Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R4 High Density Residential District.

Documents:

[FAITH MISSIONARY CHURCH- VARIANCE PERMIT -STAFF REPORT-BOA HEARING.PDF](#)
[FAITH MISSIONARY CHURCH-APPLICATION.PDF](#)
[FAITH MISSIONARY CHURCH-GIS.PDF](#)
[FAITH MISSIONARY CHURCH-PLANS.PDF](#)
[FAITH MISSIONARY CHURCH-PARKING PLANS.PDF](#)
[FAITH MISSIONARY CHURCH-DEED.PDF](#)
[FAITH MISSIONARY CHURCH-NOTICE OF HEARING.PDF](#)
[FAITH MISSIONARY CHURCH-NEIGHBORS.PDF](#)
[FAITH MISSIONARY CHURCH-LETTERS FROM NEIGHBORS.PDF](#)

11. Hearing And Action On An Application For George Morgan

George Morgan has applied for a side-yard variance of 0 feet vs 3 feet as required for enclosing an existing non-conforming carport at 414 N Davison St, legally described as Lot 6A & W ½ of Lot 5A, Block 30 of Cooley & Guernsey Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R2 Single-Family Residential District.

Documents:

[MORGAN-VARIANCE PERMIT -STAFF REPORT-BOA HEARING.PDF](#)
[MORGAN-APPLICATION.PDF](#)
[MORGAN-GIS.PDF](#)
[MORGAN-PHOTOS.PDF](#)
[MORGAN-EASEMENT AGREEMENT.PDF](#)
[MORGAN-NOTICE OF HEARING.PDF](#)
[MORGAN-NEIGHBORS.PDF](#)
[MORGAN-LETTER FROM NEIGHBORS-MORGAN.PDF](#)

12. Hearing And Action On An Application For Stacy Nettinga

Stacy Nettinga has applied for a rear-yard variance of 0 feet vs 3 feet as required for construction of a garage addition at 204 W 11th Ave, legally described as Lot 11, Block 29 of Capital Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R2 Single-Family Residential District.

Documents:

[NETTINGA VARIANCE PERMIT -STAFF REPORT-BOA HEARING.PDF](#)
[NETTINGA-APPLICATION.PDF](#)
[NETTINGA-GIS.PDF](#)

[NETTINGA-PLAN.PDF](#)
[NETTINGA-NOTICE OF HEARING.PDF](#)
[NETTINGA-NEIGHBORS.PDF](#)
[NETTINGA-LETTERS FROM NEIGHBORS.PDF](#)

13. Hearing And Action On An Application For Brooke Hartman

Brooke Hartman has applied for a conditional use permit to operate a family residential daycare center in her home at 317 E 4th Ave, legally described as Lot 2 Block 27 Original Mitchell, City of Mitchell, Davison County, South Dakota. The said real property is zoned R2 Single-Family Residential District.

Documents:

[HARTMAN CONDITIONAL USE PERMIT -STAFF REPORT-BOA HEARING.PDF](#)
[HARTMAN-APPLICATION.PDF](#)
[HARTMAN-GIS.PDF](#)
[HARTMAN-NOTICE OF HEARING.PDF](#)
[HARTMAN-NEIGHBORS.PDF](#)
[HARTMAN-LETTERS FROM NEIGHBORS.PDF](#)

14. Action To Set Date For Board Of Adjustment Hearing 10-4-21

Jason Bates has applied for a north side-yard variance of 0 feet vs 3 feet as required for an addition located at 1112 N Rowley St, legally described as 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 VARIANCE PERMIT -STAFF REPORT-BOA SET DATE.PDF](#)
[BATES-APPLICATION.PDF](#)

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

16. Action To Approve Street Light Request For Lakeridge Addition Phase I By Ethan Coop Lumber

Documents:

[LAKERIDGE ADDITION PHASE I STREET LIGHT REQUEST STAFF REPORT.PDF](#)
[STREET LIGHT LOCATIONS.PDF](#)

17. Hearing And Action To Approve Agreement #A2021-53, Land Exchange On North Harmon Drive

Documents:

[STAFF REPORT FOR A2021-53.PDF](#)
[AGREEMENT A2021-53.PDF](#)
[LOTS 1 2 3 PLAT.PDF](#)
[IT 1 PLAT.PDF](#)

18. Hearing And Action To Approve Agreement #A2021-54, Lease Of A Portion Of 5951 Airport Road Property

Documents:

19. Hearing And Action To Approve Resolution #R2021-60, Collection Of Special Assessments For Construction Projects In 2020

Documents:

STAFF REPORT FOR RESOLUTION 2021-60 FOR COLLECTION OF SPECIAL ASSESSMENTS.PDF
NOTICE OF COLLECTION HEARING 9-20-2021.PDF
RESOLUTION R2021-60 SPECIAL ASSESSMENT PLAN FOR 2021 COLLECTION HEARING FOR WORK IN 2020.PDF

20. Hearing And Action To Approve Resolution #R2021-61, Tax Levies To Be Certified To County Auditor

Documents:

STAFF REPORT - TAX LEVIES APPROVAL.PDF
R2021-61.PDF
PROPERTY TAX DATA.PDF

21. Action To Approve Resolution #R2021-62, Plat Of Lot 3 Of Mirky's Addition, An Addition In The South Half Of The Southeast Quarter Of Section 11, T 102 North, Range 60 West Of The 5th P.M., Davison County, South Dakota; As Requested By Britt Bruner

Documents:

RESOLUTION R2021-62-BRUNER-STAFF REPORT.PDF
RESOLUTION R2021-62-BRUNER.PDF
BRUNER-PLAT.PDF
BRUNER-GIS.PDF

22. Action To Approve Resolution #R2021-63, Plat Of Lot 2, Block 1 Of Westwood First Addition, City Of Mitchell, Davison County, South Dakota; As Requested By CJM Consulting Inc

Documents:

RESOLUTION R2021-63-CJM CONSULTING INC-STAFF REPORT.PDF
RESOLUTION R2021-63-CJM CONSULTING INC.PDF
CJM CONSULTING-GIS.PDF
CJM CONSULTING-PLAT.PDF

23. Action To Approve Resolution #R2021-64, Surplus Property Between 109 And 115 North Main Street

Documents:

AGENDA ITEM- RESOLUTION R2021-64. DECLARING SURPLUS PROPERTY, APPOINTING AN APPRAISAL BOARD, AND AUTHORIZING SALE.PDF
RESOLUTION R2021-64, DECLARING SURPLUS REAL PROPERTY, APPOINTING APPRAISAL BOARD, AND AUTHORIZING SALE.PDF

24. Hearing And Action To Approve Resolution #R2021-65, Providing For The Creation Of City Of Mitchell Tax Incremental District Number 26

Documents:

AGENDA ITEM- R2021-65, CREATING TID 26 AND APPROVING PROJECT PLAN.PDF
R2021-65, CREATING TID 26 AND APPROVING PROJECT PLAN.PDF

PROJECT PLAN- 9-9-21.PDF
ADMINISTRATIVE UPDATE - CURRENT STATUS OF TIFS.PDF

25. Public Hearing On State Revolving Loan Fund Application To Be Used On Mitchell Water System Improvements

Documents:

PUBLIC HEARING NOTICE SEPTEMBER 20 2021 WATER SYSTEM IMPROVEMENTS.PDF
APP FORMS.PDF

26. Action To Approve Resolution #R2021-66, Approving The Application For SRF Funds To Be Used On Mitchell Water System Improvements

Documents:

GROUND STORAGE TANK PROJECT APPROVE RESOLUTION NO. 2021-66 STAFF REPORT.PDF
RESOLUTION R2021 - A RESOLUTION TO APPLY FOR SRF FUNDS FOR WATER IMPROVEMENT PROJECT.PDF
APP FORMS.PDF

27. First Reading On Ordinance #O2021-12, Rezoning Of E71' Of Lot 5 & Lot 6, Block 18 Of Van Eps 1st Addition, City Of Mitchell, Davison County South Dakota From R3 Medium Residential District To HB Highway Oriented Business District

Documents:

ORDINANCE O2021-12-EARL REZONE-STAFF REPORT.PDF
ORDINANCE O2021-12-EARL-REZONE.PDF
EARL-APPLICATION.PDF
EARL-GIS.PDF
EARL-NOTICE OF HEARING.PDF
EARL-NEIGHBORS.PDF
EARL-LETTER FROM NEIGHBOR-REIMNITZ.PDF

28. First Reading On Ordinance #O2021-13, Emergency Ordinance Amending Regulations On Medical Cannabis

Documents:

AGENDA ITEM- ORDINANCE O2021-13, AN EMERGENCY ORDINANCE AMENDING CITY REGULATIONS ON MEDICAL CANNABIS.PDF
ORDINANCE O2021-13, EMERGENCY ORDINANCE AMENDING CITY REGULATIONS ON MEDICAL CANNABIS.PDF

29. Golf Course Master Plan Presentation

Documents:

AGENDA ITEM REQUEST - GOLF COURSE MASTER PLAN PRESENTATION.PDF
ACTION PLAN 210712 FINAL ISSUED.PDF
LV-M) MASTER PLAN 210705 FINAL (003).PDF

30. Adjourn

31. FOR COUNCIL INFORMATION: Planning Commission Unsigned Minutes 9-13-21

Documents:

PLANNING COMMISSION UNSIGNED MINUTES 9-13-21.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.