

City Council Agenda
City Council Chambers, City Hall, 612 N. Main Street
October 4, 2021

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

2. Pledge Of Allegiance

3. Invocation: Mitchell Wesleyan

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 20 2021.PDF](#)
[SPECIAL COUNCIL MTG 09 27 2021.PDF](#)
[WORK SESSION 09 27 2021.PDF](#)

B. Committee Reports

Documents:

[PLANNING COMMISSION SIGNED MINUTES 8-26-21.PDF](#)
[PLANNING COMMISSION SIGNED MINUTES 9-13-21.PDF](#)

C. Authorize Acceptance Of Recreation Trails Program Grant

Documents:

[AGENDA ITEM REQUEST - ACCEPT RTP GRANT.PDF](#)
[MITCHELL DRY RUN CREEK RTP PROJECT AGREEMENT 2021.PDF](#)

D. Authorization To Apply For SD Humanities ARPA Grant

Documents:

[AUTHORIZATION TO APPLY FOR SD HUMANITIES COUNCIL ARPA GRANT.PDF](#)

E. Raffle Permits

Dakota Riptide with the drawing to be held on December 5, 2021

Corn Palace Stampede Rodeo with the drawing to be held on December 11, 2021

Mitchell Music Boosters-FDC with the drawings to be held on December 2-4, 2021 and April 7-9, 2022

American Legion Post 18 with the drawing to be held on March 1, 2022 or when all the tickets are sold

Documents:

DAKOTA RIPTIDE RAFFLE.PDF
CORN PALACE STAMPEDE RODEO RAFFLE.PDF
MITCHELL MUSIC BOOSTERS FDC RAFFLE.PDF
AMERICAN LEGION POST 18 RAFFLE.PDF

F. Volunteer Board Appointments

- *Appoint Melissa Schwalm to the Main Street Bid Board to fill an unexpired term to run October 2021- December 2021.*
- *Appoint John Foster to the Corn Palace Board for a term to run October 2021- September 2024.*

G. Change Order #2 To Bid Schedule A For Sidewalk Project #2021-4 To Top Grade Concrete LLC

Documents:

TOP GRADE CONCRETE BID SCHEDULE A CHANGE ORDER 2 STAFF REPORT.PDF
2021-4 BID SCHEDULE A CHANGE ORDER NO. 2.PDF
CHANGE ORDER 2 LOCATION MAP.PDF

H. Approval Of Gasoline & Fuel Quotes

Documents:

OCTOBER 4, 2021 MEETING.PDF
SEPTEMBER 14, 2021 FUEL.PDF

I. Pay Estimates 10-04-2021

Documents:

PAY ESTIMATES STAFF REPORT 10-04-21.PDF
PAY ESTIMATE SCHEDULE 10-04-21.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- 100421.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 Jason Bates

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 HEARING.PDF](#)
[BATES-APPLICATION.PDF](#)
[BATES-GIS.PDF](#)
[BATES-PHOTOS.PDF](#)
[BATES-NOTICE OF HEARING.PDF](#)
[BATES-NEIGHBORS.PDF](#)
[BATES-LETTERS FROM NEIGHBORS.PDF](#)

10. Action To Set Date For Board Of Adjustment Hearing 10-18-21

Ryan & April Kirkpatrick have applied for a side-yard on a corner variance of 0 feet vs 20 feet as required to construct an attached pergola at 823 E 5th Ave, legally described as Lot 1, Block 11, F.M. Greene Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R2 Single-Family Residential District.

Documents:

[KIRKPATRICK-VARIANCE PERMIT -STAFF REPORT-BOA SET DATE.PDF](#)
[KIRKPATRICK-APPLICATION.PDF](#)

11. Action To Set Date For Board Of Adjustment Hearing 10-18-21

Abbott House has applied for a Conditional Use Permit to construct an asphalt parking facility at 1812 N Minnesota, legally described as Lot 6 Ex S 16', Block 9 of Fullerton Properties First Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R4 High Density Residential District.

Documents:

[ABBOTT HOUSE-CUP-STAFF REPORT-BOA SET DATE.PDF](#)
[ABBOTT HOUSE-APPLICATION.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 License Applications

a. 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

b. 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 to Hohn Partnership, LLC dba Platinum Players Club III, 719 N Sanborn Blvd Ste 3

Documents:

[STAFF HEARING.PDF](#)
[CP SHRINE CLUB APPLICATION.PDF](#)
[RL 5760 APPLICATION.PDF](#)
[RL 5760 MAP.PDF](#)

14. Action To Reject Bids For Rec Center Fitness Room Project #2021-50

Documents:

15. Action To Approve Medical Cannabis Establishment License Application Form

Documents:

[AGENDA ITEM- APPLICATION FORM FOR MEDICAL CANNABIS LICENSES.PDF](#)
[MEDICAL CANNABIS LICENSE APPLICATION.PDF](#)

16. Action To Set Dates For The Invitation Period For Medical Cannabis Dispensary Applications

City to publish the Invitation for Applications on October 5th on the City's website providing the dates set by council.

City to begin accepting Dispensary Applications on October 7th, 2021 at 8:00am.

Invitation period to close on October 29th, 2021 at 5:00pm.

Applications will then be reviewed within 5 days of closing. City will publish a notice of lottery on the City's website for completed applications prior to end of that period. Lottery to be held approximately 24 hours after lottery notice is published. Applications to be considered by council in the order established by lottery at the next regular council meeting following the lottery (anticipated for 2nd November meeting).

17. Action To Approve L&L Sanitation (Aurora County) To Haul Trash To Mitchell Regional Landfill

Documents:

[REQUEST TO HAUL TO LANDFILL STAFF REPORT LL_PLANKINTON.PDF](#)

18. Action To Approve Agreement #A2021-48, NAWCA Grant Agreement With Ducks Unlimited

Documents:

[NAWCA GRANT COOP AGREEMENT WITH DUCKS UNLIMITED STAFF REPORT.PDF](#)
[NAWCA GRANT COOP AGREEMENT A2021-48 DU 9-15-21.PDF](#)

19. Action To Approve Agreement #A2021-55, Towing Agreement Renewal

Documents:

[STAFF REPORT ON RENEWAL TOWING AGREEMENT.PDF](#)
[TOWING AGREEMENT 2022.PDF](#)

20. Action To Approve Resolution #R2021-67, Plat Of Lots 1 & 2 In Tract I And Lots 9 & 10 In Tract H, Wild Oak Golf Club Addition To The City Of Mitchell, Davison County, South Dakota; As Requested By Firesteel Links, LLC

Documents:

[RESOLUTION R2021-67-FIRESTEEL LINKS LLC-STAFF REPORT.PDF](#)
[RESOLUTION R2021-67-FIRESTEEL LINKS LLC.PDF](#)
[FIRESTEEL LINKS-PLAT.PDF](#)
[FIRESTEEL LINKS-GIS.PDF](#)

21. Action To Approve Resolution #R2021-68, Plat Of Lots 13 & 14 In Tract I, Wild Oak Golf Club Addition To The City Of Mitchell, Davison County, South Dakota; As Requested By Firesteel Links, LLC

Documents:

[RESOLUTION R2021-68-FIRESTEEL LINKS LLC-STAFF REPORT.PDF](#)
[RESOLUTION R2021-68-FIRESTEEL LINKS LLC.PDF](#)
[FIRESTEEL LINKS-PLAT.PDF](#)
[FIRESTEEL LINKS-GIS.PDF](#)

22. Action To Approve Resolution #R2021-69, Plat Of Lots 17, 18, & 19 In The Replat Of Tract A, Wild Oak Golf Club Addition To The City Of Mitchell, Davison County, South Dakota; As Requested By Firesteel Links, LLC

Documents:

[RESOLUTION R2021-69-FIRESTEEL LINKS LLC-STAFF REPORT.PDF](#)
[RESOLUTION R2021-69-FIRESTEEL LINKS LLC.PDF](#)
[FIRESTEEL LINKS-PLAT.PDF](#)
[FIRESTEEL LINKS-GIS.PDF](#)

23. Second Reading On Ordinance #O2021-12, Rezoning E71' Of Lot 5 & Lot 6, Block 18, 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-LETTERS FROM NEIGHBORS.PDF](#)

24. Motion To Adopt Ordinance #O2021-12, Request Public Comment, Roll Call

25. Adjourn

26. FOR COUNCIL INFORMATION: Planning Commission Unsigned Minutes 9-27-21

Documents:

[PLANNING COMMISSION UNSIGNED MINUTES 9-27-21.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.