

**City Council Agenda**  
City Council Chambers, City Hall, 612 N. Main Street  
January 3, 2022

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

**2. Pledge Of Allegiance**

**3. Invocation: Seventh Day Adventist**

**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 12 20 2021.PDF](#)

**B. Acceptance Of Section 5310 SD DOT Grant Funds**

Documents:

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

**C. Acceptance Of Section 5311 ARPA Grant Funds**

Documents:

[AGENDA ITEM- SD DOT ARPA GRANT FUNDS.PDF](#)  
[SD DOT ARPA GRANT.PDF](#)

**D. Change Order #1 To Top Grade Concrete, LLC For SD DOT Concrete Bid Project #2021-55**

Documents:

[TOP GRADE CONCRETE SD DOT CONCRETE BID CHANGE ORDER 1 STAFF REPORT.PDF](#)  
[2021-55 SD DOT CONCRETE BID ORDER NO. 1.PDF](#)

**E. City Of Mitchell Drug & Alcohol Policy**

Documents:

[STAFF REPORT FOR DRUG AND ALCOHOL POLICY.PDF](#)  
[DRUG AND ALCOHOL - FTA GENERATED POLICY 2022.PDF](#)

**F. Mitchell Republic As The Official Newspaper For The City Of Mitchell 2022**

Documents:

[NEWSPAPER.PDF](#)

**G. Pay Estimates 01-03-2022**

Documents:

**H. 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-010322CLAIMS.PDF](#)

[AP REGULAR DEPARTMENT PAYMENT REGISTER-010322.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. Action To Set Date For Board Of Adjustment Hearing 1-18-22**

DLJ LLC has applied for a variance of approximately 448 feet vs 1,000 feet as required to be from another cannabis dispensary; located at 501 E Juniper Ave, legally described as Lot S-3A Ex E 63' in the Replat of Lot S in the NW ¼ of Section 27, T 103 N, R 60 W of the 5<sup>th</sup> P.M., City of Mitchell, Davison County, South Dakota.

The said real property is zoned HB Highway Business District

**10. Action To Set Date For Board Of Adjustment Hearing 1-18-22**

Genesis Farms LLC has applied for a Conditional Use Permit to operate a Medical Cannabis Dispensary; located at 106 W 5<sup>th</sup> Ave, legally described as Lot S-3A Ex E 63' in the Replat of Lot S in the NW ¼ of Section 27, T 103 N, R 60 W of the 5<sup>th</sup> P.M., City of Mitchell, Davison County, South Dakota. The said real property is zoned CB Central Business District.

**11. Action To Set Date For Board Of Adjustment Hearing 1-18-22**

Genesis Farms LLC has applied for a variance of 0 feet vs 300 feet as required to be from religious institution; located at 106 W 5<sup>th</sup> Ave, legally described as Lot S-3A Ex E 63' in the Replat of Lot S in the NW ¼ of Section 27, T 103 N, R 60 W of the 5<sup>th</sup> P.M., City of Mitchell, Davison County, South Dakota. The said real property is zoned CB Central Business District.

**12. Action To Set Date For Board Of Adjustment Hearing 1-18-22**

FSST Pharms, LLC d/b/a Native Nations Cannabis has applied for a variance of approximately 16 feet vs 300 feet as required to be from an educational institution and a variance of approximately 950 feet vs 1,000 feet as required to be from another cannabis dispensary. The said real property is zoned HB Highway Business District.

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

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

a. On the application to transfer RW-7571 Retail (On-off Sale) Wine and Cider license from Xtreme Golf, Inc dba Lake House, 2700 N Main Ste 2 to Hohn Partnership LLC dba Platinum Players Club III, 719 N Sanborn Ste 3

b. On the application to transfer PL-4692 Package (Off-Sale) Liquor license from Fredericksen Restaurant LLC dba Chef Louies, 601 E Havens to County Fair Inc. dba County Fair Food & Fuel, 1012 West Havens Ave

c. On the application of Bhole LLC, dba Motel 6, 1309 S Ohlman St for a new Retail (On-off Sale) Malt Beverage & SD Farm Wine license (does not include video lottery)

Documents:

[STAFF REPORT FOR HEARINGS.PDF](#)  
[HOHN PARTNERSHIP RW 7571.PDF](#)  
[HOHN PARTNERSHIP MAP.PDF](#)  
[COUNTY FAIR PL 4692.PDF](#)  
[COUNTY FAIR MAP.PDF](#)  
[MOTEL 6 APPLICATION.PDF](#)  
[MOTEL 6 MAP.PDF](#)

**15. Action To Approve The Application Of Speedy Taxi For A New Vehicle For Hire Company**

Documents:

[VFHC STAFF REPORT.PDF](#)  
[SPEEDY TAXI APPLICATION.PDF](#)

**16. Action To Approve The Official Depositories For The City Of Mitchell For 2022**

Documents:

[OFFICIAL DEPOSITORIES STAFF.PDF](#)  
[2022 OFFICIAL DEPOSITORIES.PDF](#)

**17. Action To Approve Resolution #R2022-01, Designating The Lake Fund As The Appropriate Depository For Certain Revenue**

Documents:

[STAFF REPORT RESOLUTION CHANGING DEPOSITORY ACCOUNT FOR LAKE MITCHELL.PDF](#)  
[RESOLUTION R2022 DESIGNATING POET CONTRACT REVENUE TO LAKE FUND.PDF](#)

**18. Second Reading On Ordinance #O2021-17, Rezoning Of "Kelley Property" (40580 250th St) And Abutting City Owned Property From Davison County Agriculture To City Of Mitchell Urban Development**

Parcel 1. The W 208.75 feet of the S 208.75 feet of the SE ¼ of the SE ¼ of Section 36, T 104 N, R 61 W of the 5<sup>th</sup> P.M., Davison County, South Dakota;

Parcel 2. Kelley Tract 1, SW ¼ of the SE ¼ of Section 36, T 104 N, R 61 W of the 5<sup>th</sup> P.M., Davison County, South Dakota;

Parcel 3. The SW ¼ of SE ¼ Less Kelley Tract 1, Section 36, T 104 N, R 61 W of the 5<sup>th</sup> P.M., Davison County, South Dakota;

Parcel 4. N ½ & SE ¼ of the SE ¼ Ex Irregular Tract 1 Ex W 208.75 feet of the S 208.75 feet Ex Lot 1 of DN & KN Addition of Section 36, T 104 N, R 61 W of the 5<sup>th</sup> P.M., Davison County, South Dakota;

Documents:

[ORDINANCE O2021-17-CITY OF MITCHELL-REZONE-STAFF REPORT.PDF](#)  
[ORDINANCE O2021-17-CITY OF MITCHELL-REZONE.PDF](#)  
[CITY OF MITCHELL-APPLICATION.PDF](#)  
[CITY OF MITCHELL-GIS.PDF](#)  
[CITY OF MITCHELL-NOTICE OF HEARING.PDF](#)  
[CITY OF MITCHELL-NEIGHBORS.PDF](#)

**19. Motion To Adopt Ordinance #O2021-17, Request Public Comment, Roll Call**

**20. Adjourn**

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.