

**City Council Agenda**  
City Council Chambers, City Hall, 612 N. Main Street  
January 18, 2022

**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:

[01-03-2022.PDF](#)

**B. Department Reports**

Documents:

[SALES TAX COLLECTIONS-DEC.PDF](#)  
[CITY ADMINISTRATOR 2021 SALES TAX OVERVIEW.PDF](#)  
[FINANCE DEPARTMENT REPORT-DEC.PDF](#)  
[BUILDING PERMITS \(DECEMBER\).PDF](#)  
[BUILDING PERMIT YEARLY TOTAL 2021.PDF](#)  
[DECPD.PDF](#)  
[DECFIRE.PDF](#)  
[AIRPORT \(DECEMBER\).PDF](#)  
[WATER \(DECEMBER\).PDF](#)  
[PUBLIC WORKS PROJECT UPDATES 1.6.22.PDF](#)

**C. MADC Quarterly Report**

Documents:

[MADC Q4 FINAL.PDF](#)

**D. Agreement #A2022-01, Grant Agreement With Medica Foundation In The Amount Of \$5,000**

Documents:

[AGENDA ITEM- REQUEST FORM MEDICA GRANT.PDF](#)  
[MEDICA\\_FOUNDATION\\_GRANT\\_AGREEMENT.PDF](#)

**E. Agreement #A2022-03, SD DOT Fast Act Funds-Facility**

Documents:

[SD DOT FAST ACT FUNDS FACILITY IMPROVEMENT.PDF](#)  
[SD DOT FAST ACT FUNDS FACILITY IMPROVEMENT AGREEMENT.PDF](#)

**F. Agreement #A2022-04, SD DOT Fast Act Funds-Hardware**

Documents:

[SD DOT FAST ACT FUNDS HARDWARE.PDF](#)  
[SD DOT FAST ACT FUNDS HARDWARE AGREEMENT.PDF](#)

**G. Agreement #A2022-05, SD DOT Fast Act Funds-Software**

Documents:

[SD DOT FAST ACT FUNDS SOFTWARE.PDF](#)  
[SD DOT FAST ACT FUNDS SOFTWARE AGREEMENT.PDF](#)

**H. Agreement #A2022-06, SD DOT Fast Act Funds-Vehicle Cameras**

Documents:

[SD DOT FAST ACT FUNDS VEHICLE CAMERAS.PDF](#)  
[SD DOT FAST ACT FUNDS VEHICLE CAMERAS AGREEMENT.PDF](#)

**I. Request To Apply For Homeland Security Grant**

Documents:

[HOMELAND SECURITY GRANT-PD.PDF](#)

**J. Request To Apply For FEMA's Staffing For Adequate Fire & Emergency Response (SAFER) Grant**

Documents:

[SAFER GRANT.PDF](#)

**K. Raffle Permit**

Dakota Riptide with the drawing to be held on March 6, 2022

Documents:

[DAKOTA RIPTIDE RAFFLE APPLICATION.PDF](#)

**L. Declare Property Surplus To Be Sold On Purple Wave Auction**

Documents:

[STAFF REPORT PARK - REC SUPRLUS PROPERTY.PDF](#)  
[COMMUNITY SERVICES- DECLARE SURPLUS ITEMS JANUARY 2022.PDF](#)

**M. Property Tax Abatements For 2020 Taxes Payable In 2021**

Documents:

[ABATEMENT STAFF.PDF](#)  
[ABATEMENTS.PDF](#)

**N. Change Order #1 Recreation Center Pool Infill Project #2020-25 To Mueller Lumber**

Documents:

[STAFF REPORT FOR CHANGE ORDER NO 1 REC CENTER FILLING IN POOL 1-7-2022.PDF](#)  
[MITCHELL REC CTR POOL FILL IN CO 1.PDF](#)

**O. Change Order #1 To Blackstrap, Inc. For Rock Salt Project #2021-27**

Documents:

[ROCK SALT PROJ NO. 2020-27 CHANGE ORDER NO. 1 STAFF REPORT .PDF](#)  
[ROCK SALT C.O. 1.PDF](#)

**P. Set Date For Hearing On February 7, 2022 For The Following Alcohol License**

On the application of the Corn Palace Shrine Club for a Special Event Liquor License located at the Masonic Hall for March 5, 2022 for a Corn Hole Tournament

Documents:

[SET DATE FOR HEARING.PDF](#)  
[CP SHRINE CLUB APPLICATION.PDF](#)

**Q. Pay Estimates 01-18-2022**

Documents:

[STAFF REPORT FOR PAY ESTIMATES 01-18-2022.PDF](#)  
[PAY ESTIMATE SCHEDULE 01-18-2022.PDF](#)

**R. 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-01182022CLAIMS.PDF](#)  
[AP REGULAR DEPARTMENT PAYMENT REGISTER-01182022.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. Executive Session According To SDCL 1-25-2 (3) Legal**

**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 DLJ LLC**

DLJ LLC has applied for a variance of approximately 448 feet vs 1,000 feet as required to be from another medical 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 5th P.M., City of Mitchell, Davison County, South Dakota. The said real property is zoned HB Highway Business District.

Documents:

[DLJ LLC-VARIANCE PERMIT -STAFF REPORT-BOA HEARING.PDF](#)  
[DLJ LLC-APPLICATION.PDF](#)  
[DLJ LLC-GIS.PDF](#)  
[DLJ LLC-NOTICE OF HEARING.PDF](#)  
[DLJ LLC-NEIGHBORS.PDF](#)

**11. Hearing And Action On An Application For Genesis Farms LLC-CUP**

Genesis Farms LLC has applied for a Conditional Use Permit to operate a Medical Cannabis Dispensary; located at 106 W 5th Ave, legally described as Lots 11 and 12, Block 12, Rowley's 1st Addition, City of Mitchell, South Dakota. The said real property is zoned CB Central Business District.

Documents:

[GENESIS FARMS LLC-CONDITIONAL USE -STAFF REPORT-BOA HEARING.PDF](#)  
[GENESIS FARMS LLC-APPLICATION-CUP.PDF](#)  
[GENESIS FARMS LLC-GIS.PDF](#)  
[GENESIS FARMS LLC-NOTICE OF HEARING-CUP.PDF](#)  
[GENESIS FARMS LLC-NEIGHBORS.PDF](#)  
[GENESIS FARMS LLC-LETTERS.PDF](#)

**12. Hearing And Action On An Application For Genesis Farms LLC-Variance**

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 5th Ave, legally described as Lots 11 and 12, Block 12, Rowley's 1st Addition, City of Mitchell, South Dakota. The said real property is zoned CB Central Business District.

Documents:

[GENESIS FARMS LLC-VARIANCE PERMIT -STAFF REPORT-BOA HEARING.PDF](#)  
[GENESIS FARMS LLC-APPLICATION-VARIANCE.PDF](#)  
[GENESIS FARMS LLC-GIS.PDF](#)  
[GENESIS FARMS LLC-NOTICE OF HEARING-VARIANCE.PDF](#)  
[GENESIS FARMS LLC-NEIGHBORS.PDF](#)  
[GENESIS FARMS LLC-LETTERS.PDF](#)

**13. Hearing And Action On An Application FSST Pharms LLC**

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 medical cannabis dispensary; located at 1620 S Burr St, Suite #5, legally described as Lot 4 of AMOCO Irregular Tract located in the SE ¼ of Section 27, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. The said real property is zoned HB Highway Business District.

Documents:

[FSST PHARMS LLC-VARIANCE PERMIT -STAFF REPORT-BOA HEARING.PDF](#)  
[FSST PHARMS LLC-APPLICATION.PDF](#)  
[FSST PHARMS LLC-GIS.PDF](#)  
[FSST PHARMS LLC-NOTICE OF HEARING.PDF](#)  
[FSST PHARMS LLC-NEIGHBORS.PDF](#)  
[FSST PHARMS LLC-LETTERS.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. Hearings And Actions To Approve The Following Medical Cannabis Dispensary Applications**

- a. DLJ, LLC received on 11-16-2021 at 5:02 p.m.
  
- b. Genesis Farms, LLC received on 11-18-2021 at 4:22 p.m.
  
- c. FSST Pharms, LLC received on 11-22-2021 at 4:30 p.m.

Documents:

[DISPENSERY STAFF.PDF](#)  
[DLJ LLC.PDF](#)  
[GENESIS FARMS LLC.PDF](#)  
[FSST PHARMS LLC.PDF](#)

**16. Action To Approve Contingency Request Of Up To \$20,000 To Cover The Installation Costs Of Playground Equipment At Kiwanis Park**

Documents:

[STAFF REPORT - CONTINGENCY REQUEST FOR INSTALLATION OF PARK EQUIPMENT.PDF](#)

**17. Action To Approve Purchase For Playground Equipment At Kiwanis Park Off Of Source Well Bid Contract**

Documents:

[STAFF REPORT ON APPROVAL TO PURCHASE PLAYGROUND EQUIPMENT OF OF A SOURCEWELL CONTRACT.PDF](#)  
[MITCHELL KIWANIS PARK SOURCEWELL PROPOSAL.PDF](#)  
[PROP. EVAL. - PLAYGROUND WATERPLAY 010521.PDF](#)  
[PROP. OPENING RECORD-PLAYGROUND WATERPLAY 010521.PDF](#)  
[1156038-01-02 2D.PDF](#)  
[1156038-01-02-01.PDF](#)  
[1156038-01-02-02.PDF](#)  
[1156038-01-02-03.PDF](#)  
[1156038-01-02-04.PDF](#)  
[BOARD RESOLUTIONS\\_1.PDF](#)  
[COMMENT AND REVIEW-PLAYGROUND WATERPLAY 010521.PDF](#)  
[LANDSCAPE STRUCTURES CONTRACT 010521.PDF](#)  
[PROOF OF PUBLICATION-PLAYGROUND WATERPLAY 010521.PDF](#)  
[RFP AND ADDENDUMS-PLAYGROUND WATERPLAY 010521.PDF](#)

**18. Action To Approve Foster Street Bridge Preservation (BIG) Utility And Right-Of-Way Certificates Project #2021-2**

Documents:

[FOSTER STREET BIG UTILITY AND RIGHT-OF-WAY CERTIFICATES - STAFF REPORT.PDF](#)  
[BIG UTILITIES CERT CITY PCN 07TA.PDF](#)  
[BIG NO ROW NEEDED CERT CITY PCN 07TA.PDF](#)

**19. Action To Approve Agreement #A2022-02, Ohlman & 23rd Lift Station Design And Bidding With SPN, Project #2022-3**

Documents:

[A2022-02 23RD AND OHLMAN LIFT STATION AGREEMENT WITH SPN STAFF REPORT.PDF](#)  
[SPN AGREEMENT FOR 23RD AND OHLMAN LIFT STATION COUNCIL .PDF](#)

**20. Action To Approve Agreement #A2022-07, SD DOT Fast Act Funds-Vehicles**

Documents:

[SD DOT FAST ACT FUNDS VEHICLES.PDF](#)  
[SD DOT FAST ACT FUNDS - VEHICLES AGREEMENT.PDF](#)

**21. Action To Approve Resolution #R2022-02, Dissolving Tax Increment District #18**

Documents:

[STAFF REPORT - TID 18.PDF](#)  
[R2022-02-DISSOLVING TID 18.PDF](#)  
[TIF SUMMARY.PDF](#)  
[TIF UPDATE 1.13.22.PDF](#)

**22. Action To Approve Resolution #R2022-03, Plat Of Lot 1 Of Plain's Addition, City Of Mitchell, Davison County South Dakota; As Requested By Plains Commerce Bank**

Documents:

[RESOLUTION R2022-03-PLAINS COMMERCE BANK-STAFF REPORT.PDF](#)  
[RESOLUTION R2022-03-PLAINS COMMERCE BANK.PDF](#)  
[PLAINS COMMERCE BANK-PLAT.PDF](#)  
[PLAINS COMMERCE BANK-GIS.PDF](#)

**23. Action To Approve Resolution #R2022-04, Plat Of Lot 5, Block 1 Of Woodland Heights First Addition, A Subdivision Of Lot 2, Crane's Addition, City Of Mitchell, Davison County, South Dakota; As Requested By Ethan Lumber Coop**

Documents:

[RESOLUTION R2022-04-ETHAN LUMBER-STAFF REPORT.PDF](#)  
[RESOLUTION R2022-04-ETHAN LUMBER.PDF](#)  
[ETHAN LUMBER - WOODLAND HEIGHTS-PLAT.PDF](#)  
[ETHAN LUMBER - WOODLAND HEIGHTS-GIS.PDF](#)

**24. Council Update: Transportation Study By HDR**

Documents:

[TRANSPORTATION STUDY COUNCIL UPDATE BY HDR STAFF REPORT.PDF](#)  
[TRANSPORTATION STUDY PUBLIC HEARING NOTICE.PDF](#)  
[TRANSPORTATION STUDY MEETING MATERIAL.PDF](#)

**25. Adjourn**

**26. FOR COUNCIL INFORMATION: Planning Commission Unsigned Minutes 1-10-22**

Documents:

[PLANNING COMMISSION UNSIGNED MINUTES 1-10-22.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.