

**REGULAR MEETING OF THE CITY COUNCIL  
COUNCIL CHAMBERS, CITY HALL  
MITCHELL, SOUTH DAKOTA**

**May 17, 2021  
6:00 P.M.**

**PRESENT:** Dan Allen, Marty Barington, John Doescher, Kevin McCardle, Steve Rice,  
Dan Sabers, Jeffrey Smith, Susan Tjarks

**ABSENT:**

**PRESIDING:** Mayor Bob Everson

**AGENDA:**

Moved by Rice, seconded by Tjarks, to approve the following items on the consent agenda:

- a. City Council Minutes
  1. City Council May 3, 2021.
- b. Committee Meeting Minutes
  1. Planning Commission April 26, 2021.
- c. Department Reports
  1. Sales Tax Collections (April),
  2. Finance (April),
  3. Building Permits (April),
  4. Airport (April),
  5. Fire and EMS (April),
  6. Police (April),
  7. Palace Transit (April), and
  8. Water (April).
- d. Automatic Supplement to Park-Sports Complex in the amount of \$900.00 from a donation of funds.
- e. Automatic Supplement to the Parks Fund in the amount of \$900.00 from a donation of funds.
- f. Approve the Election Board and Set Election Worker's Compensation for the June 8, 2021 Municipal/School Election.
- g. Authorization to Apply for ARPA Grant from the SD State Library.
- h. Special Event Permit Application for 301 Rodz for the Outkasts Car Show on September 25, 2021.
- i. Award Ice Arena Refrigeration System Replacement Project #2021-46 to All American Arena Products utilizing the Sourcewell Contract in the amount of \$485,812.00.
- j. Approve Change Order #1-Final for West Ash Avenue CIPP Project #2020-11 decreasing the contract amount by \$64,591.90 to Hydro-Klean, LLC, adjust contract amount to

\$222,866.48.

k. Set date of June 7, 2021 for hearing on the application of the Palace City Lions Club for a Special Event Liquor License located at the Horseman's Sports Arena for July 15-18, 2021 for the Corn Palace Stampede Rodeo.

l. Pay Estimates May 17, 2021

Pay Estimate #37 in the amount of \$5,466.35 for East Central Drainage Phase II #2019-39 contracted to SPN & Associates,

Pay Estimate #38 in the amount of \$1,857.45 for East Central Drainage Phase II #2019-39 contracted to SPN & Associates,

Pay Estimate #3-Final in the amount of \$130,085.50 for West Ash CIPP Liner #2020-11 contracted to Hydro-Klean, LLC,

Pay Estimate #33 in the amount of \$216.75 for Crafty Fox Window Repairs #2020-24 contracted to Custom Carpentry/Doug Driggs,

Pay Estimate #2 in the amount of \$22,402.50 for Foster Street Bridge Rehabilitation #2021-2 contracted to Brosz Engineering Inc.,

Pay Estimate #4 in the amount of \$452.50 for Landfill Cell #4 #2021-8 contracted to Helms & Associates,

Pay Estimate #2 in the amount of \$11,133.00 for 9<sup>th</sup>-Sanborn to Lawler and 5<sup>th</sup>-Sanborn to Main #2021-7 contracted to McLaury Engineering, Inc.,

Pay Estimate #1 in the amount of \$19,237.48 for Rock Chips #2021-10 contracted to Spencer Quarries Inc.,

Pay Estimate #2 in the amount of \$10,476.00 for 12<sup>th</sup>/Sanborn Traffic Signal #2021-21A contracted to TK Electric,

Pay Estimate #2 in the amount of \$19,901.25 for North Wastewater Treatment Plant Improvements #2021-30 contracted to HDR Engineering Inc., and

Pay Estimate #1 in the amount of \$2,322.50 for New Recycling Building at Landfill #2021-31 contracted to Helms & Associates.

m. 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.

**PAYROLL APRIL 18, 2021 – MAY 1, 2021:** City Council \$3,303.68, Mayor \$1,374.69, City Administrator \$5,296.46, Attorney \$4,401.38, Finance \$12,576.74, Human Resources \$3,542.93, Municipal Building \$3,003.28, Information Technology \$2,687.68, Police \$67,117.48, Traffic \$2,793.81, Fire \$29,979.84, Street \$26,975.15, Public Works \$23,416.00, Cemetery \$5,080.35, Animal Control \$1,559.28, Library \$13,386.36, Recreation & Aquatics \$5,479.04, Recreation Center \$18,176.86, Sports Complexes \$9,597.32, Ballpark Concessions \$393.05, Parks \$13,354.17, Supervision \$5,696.46, E911 \$20,487.53, MVP \$777.55, Palace Transit \$23,553.34, JVCC \$1,074.75, Nutrition \$3,365.84, Water Distribution \$12,853.32, Sewer \$13,106.73, Airport \$3,067.96, Recycling Program \$6,482.77, Waste Collection \$5,606.14, Landfill \$9,770.47, Corn Palace \$15,586.06, Golf Course \$4,744.87, Emergency Medical Services \$27,771.71.

**NEW HIRES:**

CADWELL CONCESSIONS: Kyana Thomas-\$9.45, Elyssa Delahant-\$9.45, Jaylie Zoss-\$9.45, Delaney English-\$11.95, Morgan Tegels-\$9.95, Kaylee Nygaard-\$9.45

CAMPGROUND: William Karl-\$12.95, Yvonne Karl-\$12.95

CEMETERY: Dean Strand-\$10.95

CORN PALACE: Madisyn Sheesley-\$9.95

GOLF: Chance Sorensen-\$10.95, Nathan Hohn-\$12.95

LIBRARY: Margo Taylor-\$9.95

PARKS: Joann Streyle-\$12.45, Brady Andera-\$10.95, John Riggs-\$10.95, Gracie Moschell-\$10.95

RECREATION AND AQUATICS: Hannah Hetland-\$10.45

RECREATION CENTER: MacKenzie Stange-\$9.95, Miranda Voelker-\$9.95

SPORTS COMPLEXES: William Elfstrand-\$10.95, Dylan Soulek-\$10.95, Coy Olson-\$10.95, Nicholas Jarman-\$10.95

**SALARY ADJUSTMENTS:**

E-911: Debbie Vaughn-\$25.937

EMS: Dakota Gamber-\$20.281

FIRE: Chad Cody-\$22.964, Abigail Squier-\$18.147

STREET: Jason Tuttle-\$26.573

**TERMINATIONS:**

RECREATION & AQUATICS: Gayle Klein, Corbin Kramer

RECREATION CENTER: Desirae Busack, Ryland Devries, Zachariah Fieber, Megan Hinker, Allison Mastel, Justin Sorensen, Gabriel Spittle

SPORTS COMPLEX: McKayla Gunderson, Sydney Wojcik

**WARRANTS:**

A-Ox Welding Supply, Supplies-\$803.23; Advantage Auto Glass, Repair-\$93.33; AFSCME Council 65, Union Dues-\$479.00; Al's Engraving, Supplies-\$3.95; Amazon Capital Services, Supplies-\$53.96; Andrew Shank, Supplies-\$83.00; Aramark, Supplies-\$407.86; AT&T Mobility, Utilities-\$2,208.59; ATV Holdings, LLC DBA Mitchell Telecom, Utilities-\$2,587.90; Avera Occupational Medicine, Contract Service-\$1,890.00; Avera Patient Financial Service, Lab-\$1,043.00; B-Y Water District, April Usage-\$48,602.22; Beacon Athletics, Supplies-\$335.00; Bender's Sewer Cleaning, Repairs-\$320.00; Best Western Ramkota Hotel, Travel-\$700.00; Big Daddy D's, Contract Services-\$3,596.25; Boyer Trucks, Supplies-\$765.00; Brosz Engineering, 2021-2 P.E. #2-\$22,402.50; BSN Sports, Supplies-\$639.96; Buhl's Drycleaning, Supplies-\$35.00; Butler Machinery, Supplies-\$30.33; C & B Mitchell, Supplies-\$92.71; Casey Tegethoff, Supplies-\$179.90; Central Electric, Utilities-\$12,049.62; Century Link, Utilities-\$65.83; Certified Laboratories, Supplies-\$412.51; Claims Associates, Claims-\$5,000.00; CNA Surety Direct Bill, South Dakota Notary Public-\$50.00; Coborns, Contract Services-\$565.00; Coca Cola Bottling, Supplies-\$1,014.85; Core & Main, Supplies-\$5,330.96; Core-Mark Midcontinent, Supplies-\$6,183.13; Corn Palace, Supplies-\$210.00; County Fair, Supplies-\$45.40; County Fair, Contract Services-\$530.00; Dakota Data Shred, Service-\$59.67; Dakota Fluid Power, Repairs-\$3,686.31; Dakota Gamber, Supplies-\$105.95; Dakota Pump, Supplies-\$478.13; Dakota Supply Group, Supplies-\$427.39; Dance Expressions, Corn Palace Games-\$5,669.36; Darrington Water Conditioning, Rental-\$70.40; Davison County Auditor, Landfill Fees-\$52,394.84; Davison Rural Water System, Utilities-\$138.50; Department of Environment and Natural Resources, State Game Fees-\$31,360.80; Department of Motor Vehicle, Plate and Registration-\$21.20; Department of Social Services, Child Support-\$831.64; Dice Benefits Consulting, March Fees-\$996.00; Diesel Machinery, Supplies-\$80.09; Doug L Driggs, 2020-24 P.E. #33-\$216.75; Dug Out, Contract Services-\$637.00; ELO Prof, Annual Audit-\$15,660.00; Emme Sand & Gravel, Supplies-\$3,233.48; Environmental Resource Association, Supplies-\$399.79; Farmers Alliance, Maintenance-\$322.96; Fastenal, Supplies-\$83.89; Ferguson Waterworks #2516, Supplies-\$1,089.95; Fischer, Rounds & Associates, Notary Bond Fees-\$80.00; Forterra Pipe & Precast, Supplies-\$1,026.60; Forum Communications, Advertising-\$3,355.35; G & R Controls, Maintenance-\$1,165.24; Galls, Supplies-\$203.00; Gaylen's Homegrown Popcorn, Supplies-\$1,537.20; Glock Professional, Training-\$250.00; Grainger, Supplies-\$53.15; HDR Engineering, 2021-30 P.E. #2-\$19,901.25; Helms and Associates, 2021-31 P.E. #1-\$2,775.00; Howes Oil, Supplies-\$15,322.50; Hydro-Klean, 2020-11 P.E. #3 Final-\$130,085.50; ICAN, Advertising-\$750.00; Intellipro Security, Maintenance-\$232.00; Interstate Glass & Door, Supplies-\$25.58; Interstate Office Products, Supplies-\$20.61; James Valley Nursery, Supplies-\$479.98; JCL Solutions, Supplies-\$449.49; Joe Schroeder, Travel-\$46.00; Johnson South Dakota, Supplies-\$458.00; Jon Vermeulen, Travel-\$311.44; Jones, Supplies, Supplies-\$1,866.64; Kathy Kaye Foods, Supplies-\$3,040.00; Kenny Schladweiler, Supplies-\$2,664.30; Krohmer Plumbing, Maintenance-\$697.60; Leighton Family Farms, Supplies-\$505.00; Lifequest, Supplies-\$33.40; Lodge at Deadwood, Travel-\$83.00; Loren Skinner, Travel-\$46.00; Louie Sullivan, Retree Mitchell-\$85.99; Make it Mine Designs, Supplies-\$117.49; McLaury Engineering, 2021-7 P.E. #2-\$11,133.00; McLeod's Printing, Supplies-\$5,435.60; Menard's, Supplies-\$2,025.41; Meyers Oil, Supplies-\$1,199.26; Michael J Koster, Travel-\$64.56; Michael Todd & Company, Supplies-\$360.10; Midcontinent Communication, Advertising-\$1,295.00; Midwest Fire & Safety, Maintenance-\$759.50; Miscellaneous Vendor, Fouberg, Sharon-\$65.26; Miscellaneous Vendor,

Groeneweg, Paul-\$14.77; Midwest Turf & Irrigation, Supplies-\$760.10; Mitchell Concrete Product, Supplies-\$910.00; Mitchell Convention & Visitors Bureau, 2021 Funding May-\$20,800.00; Mitchell Iron & Supply, Supplies-\$285.44; Mitchell School District, Utilities-\$1,461.28; Mitchell United Way, United Way Deductions-\$195.00; Mona Hento, Refund-\$1,025.00; Mount Vernon School District, Contract Services-\$41.80; Mueller Lumber, Supplies-\$23.79; Muth Electric, Maintenance-\$10,103.23; Napa Auto Parts, Supplies-\$104.82; Nena, Training-\$142.00; Niko Arnold, Reimbursement-\$105.00; North Central Seed, Supplies-\$737.50; Northwestern Energy & Communications, Utilities-\$83,832.96; Office of Weights & Measurers, Scale Fee-\$206.00; Oh My Carpet, Maintenance-\$1,308.60; One Source the Background, Background Checks-\$535.00; Overtime Steak House and Sports Bar, Contract Services-\$2,068.50; Papa Murphy's Pizza, Supplies-\$1,338.00; Pepsi Cola, Supplies-\$1,659.30; Peterbilt of Sioux Falls, Supplies-\$1,224.49; Porter Distributing, Supplies-\$176.85; Prehistoric Indian Village, 2021 Allocation-\$2,812.50; Public Health Laboratory, Lab-\$120.00; Qualified Presort, Mailing Service-\$554.76; Quick Med Claims, Contracts Service-\$4,955.94; Robert B Everson Jr, Travel-\$55.86; Ron's Bicycle and Locksmith, Supplies-\$11.00; Runnings Supply, Supplies-\$624.30; S & M Printing, Supplies-\$154.00; Saga Communications of South Dakota, Advertising-\$1,545.00; Santel Communications, Utilities-\$106.16; Schmucker Paul & Nohr, 2019-39 P.E. #37-\$7,323.80; Scott Supply, Supplies-\$401.00; South Dakota Department of Labor and Regulations, Unemployment-\$584.40; South Dakota Newspaper Services, Advertising-\$688.32; South Dakota Public Assurance Alliance, Insurance Coverage-\$394,047.26; South Dakota Retirement System, Retirement Contributions-\$50,512.17; South Dakota Supplemental Retirement, Supplemental Retirement-\$2,854.80; South Dakota Supplemental Roth 457, Roth 457 Contributions-\$1,283.50; South Dakota Association of Rural Water Systems, Conference-\$375.00; Secretary of State, Notary Filing Fee-\$30.00; Sherwin-Williams, Supplies-\$3,015.09; Sioux Equipment, Supplies-\$108.26; Spencer Quarries, 2021-10 P.E. #1-\$19,237.48; Stan Houston Equipment, Supplies-\$690.00; Standard Insurance, Life Insurance-\$418.65; Staples, Supplies-\$474.16; Stitchtogether, Uniforms-\$60.00; Sturdevants Mitchell, Supplies-\$1,758.57; Subway, Meals-\$48.93; Sun Gold Sports, Supplies-\$2,049.43; Teamsters Local No. 120, Union Dues-\$830.00; Thomas Schuman, Travel-\$46.00; Thomson Reuters West, April Charges-\$803.39; Three D Security, Maintenance-\$448.87; Thune True Value Hardware, Supplies-\$544.68; TK Electric, Maintenance-\$15,565.92; TMA Stores, Repair-\$37.79; Todd Muehler, Refund-\$625.00; Tractor Supply Credit Plan, Supplies-\$394.15; Traf-Sys, Contract Services-\$240.00; Traffic Solutions, Maintenance-\$2,864.26; Trizetto Provider Solution, May Claims-\$271.70; Two Way Solutions, Supplies-\$817.85; Tylor Peterson, Travel-\$46.00; Verizon Wireless, Utilities-\$720.96; Vern Eide Chevrolet Buick, Police Tow-\$145.00; Walmart, Supplies-\$102.64; Wheelco Brake & Supply, Supplies-\$56.47; Wholesale Electronics, Maintenance-\$46.25; Zimco Supply, Supplies-\$11,099.00; Ellwein Brothers, Expense Posting-\$526.50; Wellmark of South Dakota, Medical Supplies-\$310,289.48; Wage Works, Flex Expense-\$8,693.21; South Dakota State Treasurer, Sales Tax Payment-\$20,321.92.

Members present voting aye: Allen, Barington, Doescher, McCardle, Rice, Sabers, Smith, Tjarks. Members present voting nay: none. Motion carried.

**CITIZENS INPUT:**

Mayor Everson stated the candidate forum will be held May 18<sup>th</sup> at the Corn Palace.

Mayor Everson thanked Public Works Director Kyle Croce and City Planner Neil Putnam for their service.

Sonja Vanerdewyk, Mitchell Township resident, distributed information to Council Members regarding COVID-19 injections.

**BOARD OF ADJUSTMENT:**

Moved by Rice, seconded by McCardle, for the City Council to recess and sit as the Board of Adjustment. Motion carried.

It was advised that this is the date and time set for hearing on the application of Erika Hennessey for a conditional use permit to operate a family residential childcare center in her home located at 1325 Palmer Place, legally described as Lot 5 and West 3 feet of Lot 4. Block 8. Gardenview Addition, City of Mitchell, Davison County, South Dakota. Notice of hearing has been given and affidavit of publication is on file. Planning Commission recommended approval with the conditions the applicant pass a fire inspection, the permit is not transferable, and if the business ceases to operate a new permit will be required. Moved by Allen, seconded by Rice, to approve said application with Planning Commission recommendations. Motion carried.

Moved by Rice, seconded by Allen, for the Board of Adjustment to adjourn and the City Council to reconvene in regular session. Motion carried.

**HEARING:**

It was advised that this is the date and time set for hearing on the application to transfer RB-2835 Retail (On-off sale) Malt Beverage & SD Farm Wine License from Hohn Partnership LLC dba Platinum Players Club III, 719 N Sanborn, Ste 3 to Hohn Partnership LLC dba Platinum Players Club III, 719 N Sanborn, Ste 3 due to configuration of license. Notice of hearing has been given and affidavit of publication is on file. Moved by McCardle, seconded by Sabers, to approve said application. Motion carried.

It was advised that this is the date and time set for hearing on the application to transfer RB-3133 Retail (On-off sale) Malt Beverage & SD Farm Wine License from Hohn Partnership LLC dba Platinum Players Club I, 719 N Sanborn to Hohn Partnership LLC dba Platinum Players Club I, 719 N Sanborn due to configuration of license. Notice of hearing has been given and affidavit of publication is on file. Moved by Sabers, seconded by Rice, to approve said application. Motion carried.

**CONSIDER APPROVAL:**

Moved by Allen, seconded by McCardle, to approve the applications for renewal of Retail (On-off sale) Malt Beverage Licenses. Motion carried.

**UPDATE:**

Don Hammond of Brosz Engineering gave the yearly bridge inspection. The four structures inspected were the Canal Bridge, Sanborn Boulevard Bridge and box culvert, and the Foster Street Bridge. The only major issue observed was on the Canal Bridge. The treated timber abutment cap on the north abutment is experiencing severe deterioration and decay. It was recommended to reduce the load rating to 50% of legal loads until the bridge can be repaired or replaced.

**AWARD BIDS:**

Bids were opened and read on West Harmon Utility Improvements Project #2021-16 on the 26<sup>th</sup> day of April, 2021. Moved by Allen, seconded by Rice, to award as follows:

**WEST HARMON UTILITY IMPROVEMENTS  
PROJECT #2021-16**

H&W Contracting, LLC, 3416 W Hovland Dr, Sioux Falls, SD 57107

Total Bid	\$799,476.75
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Motion carried.

Bids were opened and read on Snow Removal Project #2021-42 on the 5<sup>th</sup> day of May, 2021. Moved by Rice, seconded by McCardle, to award as follows:

**SNOW REMOVAL  
PROJECT #2021-42**

Top Grade Concrete, LLC, 641 1<sup>st</sup> Avenue, Emery, SD 57332

Bid Schedule A	\$81.25
Bid Schedule B	\$81.25

Bid Schedule C-reject all bids.

Motion carried.

Bids were opened and read on Mowing & Spraying for Noxious Weeds Project #2021-43 on the 5<sup>th</sup> day of May, 2021. Moved by Tjarks, seconded by Rice, to award as follows:





**WHEREAS**, with the submission of the CDBG application The City of Mitchell assures and certifies that all CDBG program requirements will be fulfilled; and

**WHEREAS**, The City of Mitchell has published the required publications for the CDBG application.

**THEREFORE, BE IT RESOLVED**, that the City of Mitchell of duly authorizes the submission of the CDBG application requesting approximately \$2,020,000 for the Mitchell Safe House Project.

**THEREFORE, BE IT RESOLVED**, that the Mayor be authorized to execute the CDBG application for The City of Mitchell.

Motion carried and resolution declared duly adopted.

Moved by Rice, seconded by McCardle, to approve Resolution #R2021-35, Designating the Certifying Officer and the Environmental Certifying Officer for the CDBG Project, as follows:

**RESOLUTION #R2021.35  
DESIGNATING CDBG PROJECT CERTIFYING OFFICER AND  
ENVIRONMENTAL CERTIFYING OFFICER**

**Mitchell Safe House Project**

**WHEREAS**, *The City of Mitchell* is applying to the Community Development Block Grant from the U.S. Department of Housing and Urban Development as administered by the State of South Dakota, and;

**WHEREAS**, *The City of Mitchell* is required to designate a certifying officer for the purpose of signing required documents pertaining to these grants, and;

**WHEREAS**, *The City of Mitchell* is required to designate an environmental certifying officer for the purpose of signing required environmental documents pertaining to these grants, and;

**NOW THEREFORE, BE IT RESOLVED**, that the Mayor of *The City of Mitchell* be hereby designated as the City's certifying officer for the purpose of signing correspondence, pay requests, and other required documents.

**AND BE IT FURTHER RESOLVED**, that the Mayor of *The City of Mitchell* be hereby designated as the City's environmental certifying officer for all environmental review procedures associated with these CDBG projects.

Motion carried and resolution declared duly adopted.

Moved by Allen, seconded by Rice, to approve Resolution #R2021-36, Assuring Fair Housing, as follows:

**RESOLUTION #R2021-36  
ASSURING FAIR HOUSING**

Whereas, it is the City Council’s belief that discrimination in housing not only threatens the rights and privileges of the citizens of Mitchell, but also menaces the institutions and foundations of a free and democratic society; and

Whereas, this body desires to give meaning to the guarantees of equal rights contained in the Constitution and laws of this State and the United States and to encourage and bring about mutual self-respect and understanding among all citizens and groups in Mitchell; and

Whereas, under the federal fair housing act, (Title VIII of the Civil Rights Act of 1968), it is illegal to deny housing to any person because of race, color, religion, sex or national origin.

Therefore, be it resolved the City of Mitchell, South Dakota, makes a firm commitment to do all within its power to eliminate prejudice, intolerance, disorder, and discrimination in housing.

Therefore, be it also resolved that the Fair Housing and Equal Opportunity logo will be displayed at the Mitchell city office.

Therefore, be it also resolved that the following procedures will be used to accomplish the purpose of the aforementioned resolution:

1. The City of Mitchell shall inform all City employees of the City’s commitment to equal housing.
2. The City of Mitchell shall direct all employees to forward immediately to the City Council any reports they receive of housing discrimination.
3. The City of Mitchell shall forward such complaints to the South Dakota Division of Human Rights within 10 days of receipt to said complaint.

Motion carried and resolution declared duly adopted.

Moved by Rice, seconded by Barington, to approve Resolution #R2021-37, Amending Resolution #R2020-82, The 2021 Compensation Plan for the City of Mitchell, as follows:

**RESOLUTION #R2021-37  
A RESOLUTION AMMENDING RESOLUTION 2020-82: THE 2021 COMPENSATION  
PLAN FOR THE CITY OF MITCHELL**

BE IT RESOLVED, THAT THE FOLLOWING CHANGES TO THE 2021 COMPENSATION PLAN FOR THE CITY OF MITCHELL BE APPROVED FOR FY2021. The purpose of the salary schedule is to establish the base compensation for employees, officers, and elected officials. Each approved grade that contains steps, allow employees to progress through the wage range annually, based on performance. The adopted compensation plan is the base pay provisions for the City of Mitchell, and does not reflect additional agreements made as part of collective bargaining unit agreements approved by the City of Mitchell.

**APPOINTED/ HIRED FULL TIME POSITIONS**

<b>Dept</b>	<b>Job Title</b>	<b>Wage Grade</b>	<b>FLSA Status</b>
<del>PD-FD</del>	<del>Administrative Assistant</del>	<del>12</del>	<del>N</del>
PD-FD	Public Safety Administrative Coordinator	16	N

Motion carried and resolution declared duly adopted.

**ORDINANCES:**

Moved by Smith, seconded by Sabers, to place Ordinance #O2021-05, Rezoning Blocks 1, 2, and 3, Lakeridge Addition, a Subdivision of Irregular Tracts Nos. 1 and 2 in the NW ¼ of Section 10, T 103 N, R 60 W of the 5<sup>th</sup> P.M., City of Mitchell, Davison County, South Dakota from UD Urban Development District to a Planned Unit Development District to be known as Lakeridge Planned Development District on second reading. Motion carried. Moved by Tjarks, seconded by McCardle, to adopt Ordinance #O2021-05, Rezoning Blocks 1, 2, and 3, Lakeridge Addition, a Subdivision of Irregular Tracts Nos. 1 and 2 in the NW ¼ of Section 10, T 103 N, R 60 W of the 5<sup>th</sup> P.M., City of Mitchell, Davison County, South Dakota from UD Urban Development District to a Planned Unit Development District to be known as Lakeridge Planned Development District, as follows:

**ORDINANCE NO. O2021-05**

**AN ORDINANCE CHANGING THE DISTRICT CLASSIFICATION OF THE REAL PROPERTY CURRENTLY DESCRIBED AS: Blocks 1, 2, and 3, Lakeridge Addition, A Subdivision of Irregular Tracts Nos. 1 and 2 in the NW ¼ of Section 10, T 103 N, R 60 of the 5<sup>th</sup> P.M., City of Mitchell, Davison County, South Dakota from UD Urban Development District to Lakeridge Planned Development District.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MITCHELL, SOUTH DAKOTA:**

**Section 1:** That the zoning district classification of the real property legally described in this ordinance be changed from its present Zoning District Classification of Urban Development District to a Planned Unit Development District to be known as Lakeridge Planned Development District and the following be added to Title Ten, Zoning Regulations, City of Mitchell Municipal Code.

10-9H-1: LEGAL DESCRIPTION:

BLOCKS 1, 2, AND 3, LAKERIDGE ADDITION, A SUBDIVISION OF IRREGULAR TRACTS NOS. 1 AND 2 IN THE NW1/4 OF SECTION 10, T 103 N, R 60 W OF THE 5<sup>TH</sup> P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

10-9H-2: PURPOSE:

This district is provide primarily single-family residential opportunities and provide densities, which reflect both cost and best utilization of the land.

10-9H-3: SCOPE OF REGULATIONS:

The regulations in this article or set forth elsewhere in Title 10 of the City of Mitchell Municipal when referred to in this article are the district regulations that shall be governed by the Lakeridge Planned Development District.

- A. Permitted Uses
  - a. Single Family Dwellings
  - b. Designated Open Space
  - c. Parks and Playground
- B. Conditional Uses:
  - a. Home Occupations that do not comply with section 10-5G-2
  - b. Childcare, Family residential
- C. Accessory Uses:
  - a. Home Occupations that do comply with section 10-5G-2.
  - b. Detached accessory buildings and structures commonly referred to garages
- D. Parking Regulations shall be regulated according to existing code within Title 10.
- E. Sign Regulations shall be regulated according to Title 9.
- F. Maximum Building Height: No principal building shall exceed two and one half (2 ½) stories or thirty-five (35') feet in height and no detached accessory building shall exceed 22 feet in height.
- G. Maximum Coverage: No more than forty-five percent (45%) of the zoning lot shall be covered with structures that have a roof.
- H. Accessory buildings: Detached accessory buildings shall not exceed 2,000 square feet.
- I. Minimum Zoning Lot Area and Width: The minimum zoning lot area shall be at least 10,000 square feet and the minimum zoning lot width of not less than 70 feet.
- J. Minimum Yard Requirements (Setbacks).
  - a. Front Yard: Thirty feet (30')
  - b. Back Yard: Thirty feet (30')
  - c. Side Yard: Six Feet (6')
  - d. Side Yard on a corner zoning lot: Fifteen Feet (15')

**Section 2:** That the zoning districts classification of the real property legally described in this ordinance are hereafter to be changed and the official zoning map is to reflect the new zoning district classification.

Section 3: The City Finance Officer shall publish notice of this ordinance, and the same shall become effective 20 days after the completed publication thereof, unless there is a referendum.

Members present voting aye: Allen, Barington, Doescher, McCardle, Rice, Sabers, Smith, Tjarks. Members present voting nay: none. Motion carried.

Moved by Allen, seconded by Rice, to place Ordinance #O2021-08, Amending 10-9B-3, Woodland Heights Planned Development District on first reading. Motion carried.

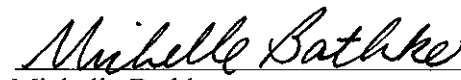
**EXECUTIVE SESSION:**

Moved by Rice, seconded by Barington, to go into Executive Session as permitted by SDCL 1-25-2(1) Discussing the qualifications, competence, performance, character or fitness of any public officer or employee or prospective public officer or employee and SDCL 1-25-2(3) Consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters. Motion carried.

Mayor Everson declared the board out of executive session at 7:26 p.m. and the City Council to reconvene in regular session at 7:27 p.m.

**ADJOURN:**

There being no further business to come before the meeting, Mayor Everson adjourned the meeting.

  
Michelle Bathke  
Finance Officer

Published once at the approximate cost of \_\_\_\_\_.