

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

**October 4, 2021  
6:00 P.M.**

**PRESENT:** John Doescher, Kevin McCardle, Steve Rice, Jeffrey Smith, Susan Tjarks

**ABSENT:** Dan Allen, Marty Barington, Dan Sabers

**PRESIDING:** Mayor Bob Everson

**AGENDA:**

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

- a. City Council Minutes
  1. City Council September 20, 2021,
  2. Special City Council September 27, 2021, and
  3. Work Session September 27, 2021.
- b. Committee Meeting Minutes
  1. Planning Commission August 26, 2021 and
  2. Planning Commission September 13, 2021.
- c. Authorize acceptance of Recreation Trails Program Grant.
- d. Authorization to apply for SD Humanities ARPA Grant.
- e. Raffle Permits
  1. Dakota Riptide with the drawing to be held on December 5, 2021,
  2. Corn Palace Stampede Rodeo with the drawing to be held on December 11, 2021,
  3. Mitchell Music Boosters-FDC with the drawings to be held on December 2-4, 2021 and April 7-9, 2022.
  4. American Legion Post 18 with the drawing to be held on March 1, 2022 or when all tickets are sold.
- f. Volunteer Board Appointments
  1. Appoint Melissa Schwalm to the Main Street Bid Board to fill an unexpired term to run October 2021-December 2021.
  2. Appoint John Foster to the Corn Palace Events & Entertainment Board for a term to run October 2021-September 2024.
- g. Change Order #2 for Sidewalk Schedule A #2021-4 increasing the contract amount by \$63,834.00 to Top Grade Concrete LLC, adjust contract amount to \$105,133.40.
- h. Approval of Gas and Fuel Quotes

<u>Howes Oil Company</u>	<u>Requested Gallons</u>	<u>Bid Gallons</u>	<u>Price per Product</u>	<u>Total Bid</u>
On Road Diesel #2	2,800	2,800	\$2.595	\$ 7,266.00*
Off Road Diesel #2	4,700	4,700	\$2.320	\$10,904.00*
<b>Total Bid:</b>				<b>\$18,170.00*</b>

i. Pay Estimates October 4, 2021

Pay Estimate #5 in the amount of \$414,574.24 for East Central Drainage Phase II #2019-39 contracted to First Rate Excavation, Inc.,

Pay Estimate #50 in the amount of \$943.50 for Crafty Fox Window Repairs #2020-24 contracted to Custom Carpentry/Doug Driggs,

Pay Estimate #51 in the amount of \$1,109.25 for Crafty Fox Window Repairs #2020-24 contracted to Custom Carpentry/Doug Driggs,

Pay Estimate #1A in the amount of \$7,447.00 for MAC Ice Arena Roof Repair #2020-36 contracted to Great Plains Roofing,

Pay Estimate #2 in the amount of \$2,238.60 for Firesteel Creek NAWCA Grant Admin #2021-14 contracted to Steve Donovan,

Pay Estimate #2 in the amount of \$13,178.00 for Paving & Overlay #2021-15 contracted to Commercial Asphalt,

Pay Estimate #4 in the amount of \$10,723.38 for Skate Park Expansion #2021-35 contracted to American Ramp Company,

Pay Estimate #2 in the amount of \$126.00 for Water Distribution System Model #2021-37 contracted to AE2S,

Pay Estimate #2 in the amount of \$7,012.55 for Spruce Street Railroad Crossing #2021-39 contracted to SD Department of Transportation, and

Pay Estimate #3 in the amount of \$1,032.50 for Mowing-Schedule A #2021-43 contracted to Quality Cut Lawn & Tree Service.

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.

**PAYROLL SEPTEMBER 5, 2021 – SEPTEMBER 18, 2021:** City Council \$3,303.68, Mayor \$1,374.69, City Administrator \$5,446.46, Attorney \$4,401.38, Finance \$12,530.35, Human Resources \$3,542.93, Municipal Building \$3,086.22, Information Technology \$2,721.28, Police \$72,535.45, Traffic \$4,326.89, Fire \$33,228.26, Street \$29,223.60, Public Works \$18,508.03, Cemetery \$5,082.77, Animal Control \$1,559.28, Library \$15,598.32, Recreation & Aquatics \$7,250.31, Recreation Center \$15,616.55, Sports Complexes \$11,271.94, Ballpark Concessions \$572.59, Parks \$13,392.94, Supervision \$5,696.47, E911 \$19,763.44, MVP \$777.53, Palace Transit \$22,847.03, JVCC \$681.68, Nutrition \$3,448.92, Water Distribution \$14,446.96, Sewer \$12,969.45, Airport \$2,556.63, Recycling Program \$6,546.20, Waste Collection \$5,983.64, Landfill \$9,499.77, Corn Palace \$16,776.53, Golf Course \$6,057.77, Campground \$1,517.40, Emergency Medical Services \$30,811.04.

**NEW HIRES:**

CORN PALACE: Gage Renken-\$10.95

PALACE TRANSIT: Tracy Sprinkel-\$18.552

RECREATION & AQUATICS: Patrick McGeough-\$25.00

RECREATION CENTER: Lauren Bruinsma-\$11.45

SPORTS COMPLEXES: Brady Christoffels-\$10.95, Jesse Schlimgen-\$20.478

STREET: Ryland DeVries-\$12.95

**SALARY ADJUSTMENTS:**

EMS: McKenzy Young-\$20.535

FIRE: Matthew Geidel-\$18.603

PALACE TRANSIT: Patti Goudy-\$21.006

POLICE: Ryan Erickson-\$36.626, Kyle McLaughlin-\$27.557

WASTE WATER: Brian Daughters-\$26.237

WATER DISTRIBUTION: Tylor Peterson-\$31.977

**TERMINATIONS:**

CADWELL CONCESSIONS: Brooke Brewster, Delaney English, Kyana Thomas, Jaylie Zoss

CORN PALACE: Jerilyn Mickelson

PALACE TRANSIT: Dezarae Tollefson

**WARRANTS:** A & B Business Solutions, Print Services-\$3,723.69; AAA Collections, Pre-collection Letters-\$729.21; Aaron Willis, Supplies-\$225.30; Accounts Management, Garnishment-\$69.63; Advanced Engineering and Engineering and Environmental Service, 2021-37 P.E. #2-126.00; AFLAC, Aflac Withholding-\$10,123.02; AFLAC Group, Critical Care-\$588.44; AFSCME Council 65, Union Dues-\$453.02; Amazon Capital Services, Supplies-\$744.38; American Ramp, 2021-35 P.E. #4-\$10,723.38; Aramark Uniform Services, Supplies-\$392.72; AT&T Mobility, Utilities-\$2,134.90; Atv Holdings, LLC dba Mitchell Telecom, Contract Services-\$148.18; Automatic Building Control, Alarm System-\$654.00; Avera Occupational Medicine, Physicals-\$1,516.00; Avera Queen of Peace Hospital, Supplies-\$117.88;

B & B Upholstery, Repair-\$70.00; Bailey Metal Fabricators, Maintenance-\$1,266.51; Baker & Taylor, Book-\$318.90; Bender's Sewer Cleaning, Supplies-\$77.00; Best Western Ramkota Hotel, Lodging-\$1,343.88; Bierschbach Equipment & Service, Supplies-\$5,096.00; Big Daddy D's, Contract Services-\$2,266.00; Blackstone Publishing, Audio Books-\$95.95; Blackstrap, Supplies-\$5,912.00; Bound Tree Medical, Supplies-\$17.29; Boyer Trucks, Repair-\$1,161.15; Butler Machinery, Maintenance-\$226.00; C & B Operations, Supplies-\$182.20; Carquest Auto Parts, Supplies-\$260.33; CDW Government, Equipment-\$1,146.54; Cengage Learning Inc/Gale, Books-\$39.73; Center Point Large Print, Books-\$89.28; Central Electric, Utilities-\$736.82; Century Link, Utilities-\$13.62; Chesterman, Supplies-\$150.00; CHR Solutions, August Billing-\$3,073.10; City of Mitchell, Utilities-\$29,650.71; City of Mitchell, Utilities-\$6,373.42; City of Mitchell, Utilities-\$1,574.56; City of Mitchell, Utilities-\$1,977.75; City of Sioux Falls, Water Testing-\$29.00; Coca Cola Bottling, Supplies-\$366.00; Commercial Asphalt, 2021-15 P.E. #2-\$13,178.00; Commercial Asphalt/Spencer Quarries, Supplies-\$2,908.12; Core & Main, Supplies-\$1,699.23; Core-Mark Midcontinent, Supplies-\$4,011.84; Corn Palace, Supplies-\$12.00; Corporate Translation Service, Translation Services-\$17.16; County Fair, Supplies-\$34.11; Crossroads Hotel & Huron Events, Lodging-\$91.99; Dak Tech, Supplies-\$3,275.00; Dakota Pump, Supplies-\$921.43; Dakota Supply Group, Maintenance-\$82.40; Dave Schulte, CDL Fee-\$35.00; Davison County Register of Deeds, Copies-\$33.00; Delta Dental Plan of South Dakota, Dental Insurance-\$13,455.96; Department of Agriculture, Prof Fees and Service-\$444.60; Department of Social Services, Child Support-\$600.87; Derksen Floors, Maintenance-\$17,100.00; Dick's Towing, Tow-\$185.00; Dimock Dairy, Supplies-\$149.85; Doug Greenway, Supplies-\$59.80; Doug L Driggs, 2020-24 P.E. #50-\$2,052.75; Emergency Education, Training-\$2,225.00; Eric Hieb, Contract Services-\$6,848.20; Farmers Alliance, Maintenance-\$2,604.00; Fedex, Shipping-\$18.15; First National Bank Omaha, Supplies-\$7,657.80; First Rate Excavate, 2019-39 P.E. #5-\$414,574.24; Forterra Pipe & Precast, Supplies-\$291.50; Gaylen's Homegrown Popcorn, Supplies-\$2,461.20; Geotek Engineering, Capital Improvements-\$3,518.90; Grainger, Supplies-\$108.60; Great Plains Roofing, Capital Improvements-\$7,447.00; Hampton Inn, Lodging-\$792.84; Harve's Pro Prints, Supplies-\$237.50; Hawkins, Supplies-\$2,936.74; Heiman, Maintenance-\$1,831.45; Henry Schein, Supplies-\$166.12; Hillyard/Sioux Falls, Supplies-\$309.66; Howes Oil, Supplies-\$18,170.00; Ican, Advertising-\$750.00; Ideag, Hydrant Deposit Refund-\$1,500.00; Independent Viking Glass, Supplies-\$218.30; Ingram Library Services, Books-\$1,606.34; Innovative Office Solution, Supplies-\$105.45; Intellipro Security, Supplies-\$18,162.98; James Valley Nursery, Supplies-\$4,876.85; JCL Solutions, Supplies-\$1,935.43; John Hegg, Travel-\$110.50; Johnson South Dakota, Supplies-\$163.27; Jones Supplies, Supplies-\$1,368.78; Kenny Schladweiler, Supplies-\$1,750.00; Krohmer Plumbing, Maintenance-\$375.56; Larry's I-90 Service, Maintenance-\$862.78; Lawson Products, Supplies-\$249.92; Lewis Family Drug, Supplies-\$39.96; Liz Kitchens, Travel-\$118.14; M & T Fire and Safety, Supplies-\$1,220.00; Make It Mine Designs, Supplies-\$14.91; Master Blaster Cleaning, Repair-\$120.56; Maximum Promotions, Supplies-\$731.80; McLeod's Printing, Supplies-\$199.95; Menard's, Supplies-\$1,959.38; Mettler Implement, Maintenance-\$259.93; Meyers Oil, Supplies-\$4,526.36; Michaels Fence & Supply, Supplies-\$3,651.36; Microsoft, Online Service-\$1,820.00; Midcontinent Communication, Utilities-\$185.64; Midwest Fire & Safety, Supplies-\$92.50; Midwest Laboratories, Testing-\$702.00; Midwest Turf & Irrigation, Supplies-\$381.71; Millennium Recycling, Single Stream Fee-\$2,896.95; Miscellaneous Vendor, Kusser Dusty A Refund-\$46.56; Mitchell Baseball, Advertising-\$150.00; Mitchell Iron & Supply, Supplies-

\$99.18; Mitchell Park & Recreation, Supplies-\$1,021.15; Mitchell School District, Utilities-\$3,561.73; Mitchell United Way, United Way Deductions-\$195.00; Mueller Lumber, Supplies-\$30.55; Muth Electric, Repairs-\$7,626.79; N-Able Solutions, Software-\$215.18; Napa Auto Parts, Supplies-\$64.33; North Central Seed, Supplies-\$1,533.50; Northwestern Energy & Communications, Utilities-\$18,450.52; Nova Fitness Equipment, Capital Equipment-\$12,085.78; Odeys, Supplies-\$686.00; Overdrive, Ebooks-\$2,281.21; Patrick Marler, Training-\$156.00; Pepsi Cola, Supplies-\$950.28; Peterbilt of Sioux Falls, Supplies-\$193.60; Postal Solutions, Supplies-\$2,102.33; Pro-Vision Video Systems, Computer Software-\$12,954.19; Public Health Laboratory, Lab-\$1,174.00; Qualified Presort, Mailing Service-\$556.55; Quality Cut Lawn & Tree Service, 2021-43 P.E. #3-\$1,032.50; Republic National Distribution, Supplies-\$227.31; Runnings Supply, Supplies-\$800.64; Safety Benefits, Registration-\$65.00; Saga Communications of South Dakota, Advertising-\$661.00; Schoenfelder Portables, Rental-\$325.00; Scott Supply, Supplies-\$15.68; South Dakota City Management, Dues-\$150.00; South Dakota Department of Transportation, 2021-39 P.E. #2-\$7,012.55; South Dakota Federal Property Agency, Supplies-\$1,092.24; South Dakota Retirement System, Retirement Contributions-\$52,434.69; South Dakota Supplemental Roth 457, Roth 457 Contributions-\$1,458.50; SDCFEL Conference, Sports Authority Promotion-\$1,500.00; South Dakota Supplemental Retirement, Supplemental Retirement-\$3,129.80; Sherwin-Williams, Supplies-\$21.91; Shi International, Supplies-\$135.30; Sign Pro, Supplies-\$409.84; South Dakota 811, Professional Service-\$245.70; Standard Insurance, Life Insurance-\$2,340.46; Staples, Supplies-\$514.02; Steve Donovan, 2021-14 P.E. #2-\$2,238.60; Sturdevants Mitchell, Supplies-\$1,438.96; Subway, Meals-\$34.95; Sun Gold Sports, Supplies-\$367.75; Tessier's, Supplies-\$4,231.46; Tessier's, Sales Tax Refund-\$760.65; Thomas L Price, Testing-\$2,000.00; Thune True Value Hardware, Supplies-\$361.10; TK Electric, Maintenance-\$125.00; TMA Stores, Supplies-\$123.14; Tractor Supply Credit Plan, Supplies-\$40.97; Trizetto Provider Solution, Electronic Claims-\$71.70; Tyler Vetch, Supplies-\$40.13; UL LLC, Professional Service-\$4,554.25; UPS Store #4227, Shipping-\$196.61; US Department of Treasury, Reimbursements-\$733.65; USA Blue Book, Supplies-\$144.16; Verizon Wireless, Utilities-\$386.11; Vern Eide Chevrolet Buick, 2011 Chevy Truck-\$17,000.00; Walmart/Capital One, Supplies-\$477.33; Water Environment Federation, Membership-\$155.00; Wheelco Brake & Supply, Supplies-\$987.07; Wilbur-Ellis, Supplies-\$180.25.

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

### **CITIZENS INPUT:**

Sonya Vanerdewyk, Mitchell Township resident, spoke regarding covid shots.

### **BOARD OF ADJUSTMENT:**

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

Council Member Allen is now present by phone.

It was advised that this is the date and time set for hearing on the application of Jason Bates for a north side yard variance of 0 feet vs 3 feet for an addition located at 1112 North Rowley Street, legally described as Lot 16, Block 4, DA Scott's Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R2, Single Family Residential District. Notice of hearing has been given and affidavit of publication is on file. Planning Commission recommended approval with the condition the structure cannot be any further enclosed. Moved by McCardle, seconded by Rice, to approve said application with the Planning Commission recommendation.

Roll call vote-Members present voting aye: Allen, Doescher, McCardle, Rice, Smith, Tjarks. Members present voting nay: none. Motion carried.

Council Member Allen is no longer present by phone.

Moved by Rice, seconded by Smith, to set date for October 18, 2021 on the application of Ryan & April Kirkpatrick for a side yard on a corner variance of 0 feet vs 20 feet to construct an attached pergola located at 823 East 5<sup>th</sup> Avenue, legally described as Lot 1, Block 11, F.M. Greene Addition, City of Mitchell, Davison County, South Dakota. Motion carried.

Moved by Smith, seconded by Rice, to set date for October 18, 2021 on the application of Abbott House for a conditional use permit to construct an asphalt parking facility located at 1812 North Minnesota, legally described as Lot 6 except south 16 feet, Block 9, Fullerton Properties First Addition, City of Mitchell, Davison County, South Dakota. Motion carried.

Moved by Rice, seconded by Tjarks, 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 of the Corn Palace Shrine Club for a Special Event Liquor License located at the Masonic Hall on October 29, 2021 for the Sportsman Classic. Notice of hearing has been given and affidavit of publication is on file. Moved by McCardle, seconded by Tjarks, to approve said application. Motion carried.

It was advised that this is the date and time set for hearing on the application to transfer Retail (On-sale) Liquor License RL-5760 from Overtime Properties Inc. dba Overtime Steakhouse & Sports Bar, 716 North Rowley Street to Hohn Partnership, LLC dba Platinum Players Club III, 719 North Sanborn Blvd, Ste 3. Notice of hearing has been given and affidavit of publication is on file. Moved by Rice, seconded by McCardle, to approve said application. Motion carried.

### **CONSIDER APPROVAL:**

Moved by Tjarks, seconded by Smith, to reject bids for Rec Center Fitness Room Project #2021-50. Motion carried.

Moved by Tjarks, seconded by Smith, to approve medical cannabis establishment license application form. Motion carried.

**SET DATE:**

Moved by Tjarks, seconded by Rice, to set date of October 7, 2021 through October 29<sup>th</sup> at 5:00 p.m. to accept medical cannabis dispensary applications. Motion carried.

**CONSIDER APPROVAL:**

L & L Sanitation has requested to dump up to 8 tons per month at the Mitchell Regional Landfill at the in-jurisdiction price of \$48 per ton instead of the out of jurisdiction rate of \$68 per ton. Davison County has deferred this decision to the City. Moved by Doescher, seconded by McCardle, to deny approval of the in-jurisdiction rate for L & L Sanitation of Aurora County. Rice voting nay. Motion carried.

Moved by Smith, seconded by Tjarks, to approve Agreement #A2021-48, Agreement with Ducks Unlimited to facilitate the completion of the Firesteel Creek NAWCA Grant. Motion carried.

Moved by Rice, seconded by McCardle, to approve Agreement #A2021-55, Towing Agreement Renewal. Motion carried.

**RESOLUTIONS:**

Moved by Tjarks, seconded by Rice, 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, City of Mitchell, Davison County, South Dakota, as follows:

**RESOLUTION NO. R2021-67**

WHEREAS, It appears that the City Planning Commission of the City of Mitchell, South Dakota, did duly consider and did recommend the approval and adoption of the hereinafter described plat, at its meeting held on the 27<sup>th</sup> day of September, 2021; and

WHEREAS, it appears from an examination of the 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 prepared by Nathan L. Jibben, a duly licensed Land Surveyor in and for the State of South Dakota, that said is in accordance with the system of streets and alleys set forth in the master plan adopted by the City Planning Commission of the City of Mitchell, South Dakota, and that such plat has been prepared according to law;

THEREFORE, be it resolved by the City Council of Mitchell, South Dakota that the 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 prepared by Nathan L. Jibben, be and the same is approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

Motion carried and resolution declared duly adopted.

Moved by Tjarks, seconded by Rice, to approve Resolution #R2021-68, Plat of Lots 13 & 14 in Tract I, Wild Oak Golf Club Addition, City of Mitchell, Davison County, South Dakota, as follows:

**RESOLUTION NO. R2021-68**

WHEREAS, It appears that the City Planning Commission of the City of Mitchell, South Dakota, did duly consider and did recommend the approval and adoption of the hereinafter described plat, at its meeting held on the 27<sup>th</sup> day of September, 2021; and

WHEREAS, it appears from an examination of the plat of LOTS 13 & 14 IN TRACT I, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA as prepared by Nathan L. Jibben, a duly licensed Land Surveyor in and for the State of South Dakota, that said is in accordance with the system of streets and alleys set forth in the master plan adopted by the City Planning Commission of the City of Mitchell, South Dakota, and that such plat has been prepared according to law;

THEREFORE, be it resolved by the City Council of Mitchell, South Dakota that the plat of LOTS 13 & 14 IN TRACT I, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA prepared by Nathan L. Jibben, be and the same is approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

Motion carried and resolution declared duly adopted.

Moved by McCardle, seconded by Smith, to approve Resolution #R2021-69, Plat of Lots 17, 18, & 19 in the Replat of Tract A, Wild Oak Golf Club Addition, City of Mitchell, Davison County, South Dakota, as follows:

**RESOLUTION NO. R2021-69**

WHEREAS, It appears that the City Planning Commission of the City of Mitchell, South Dakota, did duly consider and did recommend the approval and adoption of the hereinafter described plat, at its meeting held on the 27<sup>th</sup> day of September, 2021; and

WHEREAS, it appears from an examination of the 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 prepared by Nathan L. Jibben, a duly licensed Land Surveyor in and for the State of South Dakota, that said is in accordance with the system of



streets and alleys set forth in the master plan adopted by the City Planning Commission of the City of Mitchell, South Dakota, and that such plat has been prepared according to law;

THEREFORE, be it resolved by the City Council of Mitchell, South Dakota that the 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 prepared by Nathan L. Jibben, be and the same is approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

Motion carried and resolution declared duly adopted.

### **ORDINANCES:**

Moved by Tjarks, seconded by McCardle, to place Ordinance #O2021-12, Rezoning of E 71' of Lot 5 & Lot 6, Block 18, Van Eps 1<sup>st</sup> Addition, City of Mitchell, Davison County, South Dakota from R3 Medium Density Residential District to HB Highway Oriented Business District on second reading. Motion carried. Moved by Rice, seconded by McCardle, to adopt Ordinance #O2021-12, Rezoning of E 71' of Lot 5 & Lot 6, Block 18, Van Eps 1<sup>st</sup> Addition, City of Mitchell, Davison County, South Dakota from R3 Medium Density Residential District to HB Highway Oriented Business District, as follows:

#### **ORDINANCE #O2021-12**

AN ORDINANCE OF THE CITY OF MITCHELL, THAT CHANGES THE ZONING DISTRICT CLASSIFICATION OF THE REAL PROPERTY LEGALLY DESCRIBED AS; E 71' of Lot 5 & Lot 6, Block 18 of Van Eps 1<sup>st</sup> Addition, City of Mitchell, Davison County, South Dakota from R3 Medium Residential District to HB Highway Oriented Business District AND THE OFFICIAL ZONING MAP BE CHANGED TO REFLECT THE SAME.

BE IT ORDAINED BY THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA:

Section 1: THE ZONING DISTRICT CLASSIFICATION OF THE REAL PROPERTY LEGALLY DESCRIBED AS E 71' of Lot 5 & Lot 6, Block 18 of Van Eps 1<sup>st</sup> Addition, City of Mitchell, Davison County, South Dakota from R3 Medium Residential District to HB Highway Oriented Business District AND THE OFFICIAL ZONING MAP BE CHANGED TO REFLECT THE SAME.

Section 2. The City Finance Officer shall publish notice of this ordinance and the same shall be effective 20 days after the completed publication thereof, unless the referendum shall be invoked as provided by law.

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

**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 \_\_\_\_\_.