City Council Meeting Agenda
City Council Chambers, City Hall, 612 N. Main Street
August 7, 2023

1. **6:00 PM 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

   B. Committee Reports

   C. Automatic Supplements
   Park-Sports Complexes in the amount of $435 from a donation of funds
   Park-Parks in the amount of $1,500 from a donation of funds
   General-Police in the amount of $46,168.10 from grant funds
   General-Fire in the amount of $7,452.18 from insurance proceeds

   D. Raffle Permits

   E. Special Event Permit for Grace Baptist Church Vacation Bible School Family Night on Friday, August 11, 2023
   Road Closure

   F. Special Event Permit for RiverTree Block Party on Sunday, September 10, 2023
   Road Closure

   G. Authorization to Transfer $750,000 from the Health Insurance Self Insured Fund to the General Fund for the Repayment of Interfund Loans

   H. Change Order #1 for Paving & Overlay Project #2022-15

   I. Set Date of August 21, 2023 for Hearing and Action on the following Alcohol License Applications

   a. On the application to transfer RW-6530 Retail (On-Off Sale) Wine and Cider License from Meyers Oil Co Inc. dba Dakota Sunset Shell, 1524 W Havens Ave to Dakota Sunset LLC dba Dakota Sunset LLC, 1524 W Havens Ave

   b. On the application to transfer PL-4695 Package (Off Sale) Liquor License from Meyers Oil Co Inc. dba Dakota Sunset Shell, 1524 W Havens Ave to Dakota Sunset LLC dba Dakota Sunset LLC, 1524 W Havens Ave

   c. On the application to transfer RB-2838 Retail (On-Off Sale) Malt Beverage &

SD Farm Wine License from Meyers Oil Co Inc. dba Dakota Sunset Shell, 1524 W Havens Ave to Dakota Sunset LLC dba Dakota Sunset LLC, 1524 W Havens Ave

d. On the application of Bulls Eyes and Birdies dba Bulls Eyes and Birdies, 1307 North Main Street for a new Retail (On-Off Sale) Malt Beverage & SD Farm Wine License

J. Pay Estimates

K. Approve Bills, Payroll, Salary Adjustments and New Hires, and Authorize Payment of Recurring and Other Expenses in Advance as Approved by the Finance Officer

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

A. Hearing and Action on an Application for Latrice Franklin-Conditional Use Permit

Latrice Franklin has applied for a conditional use permit to operate a Family Residential Daycare; located at 1522 Pebble Beach Road, legally described as Lot 27, Block 4, Lakeview 1st Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R2 Single Family Residential District.

B. Hearing and Action on an Application for Bobbie Sperlich-Conditional Use Permit

Bobbie Sperlich has applied for a conditional use permit to operate a Family Residential Daycare; located at 2040 W 23rd Ave, legally described as E 100' of Lot B in the SE 1/4 of Section 8, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota. The said real property is zoned R4 High Density Residential District.

C. Hearing and Action on an Application for CJG Properties LLC-Variance Permit

CJG Properties LLC has applied for a variance permit for an accessory building in the front yard and front yard setback of 6’ vs 25’; located at 1821 W 8th Ave, legally described as Lots 5 & 6, Block 3, Home Park Original Addition, Davison County, South Dakota. The said real property is zoned R4 High Density Residential District.

D. Action to Set Date for Board of Adjustment Hearing 8-21-23

Rodney & Mardi Deinert has applied for a variance permit for a side yard corner setback of 8” vs 20’ to rebuild a garage in the same place that was struck by a vehicle and had to be demolished; located at 401 S Wisconsin St, legally

described as Lot 1, Block 20, Rail Road Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R2 Single Family Residential District.

E. Action to Set Date for Board of Adjustment Hearing 8-21-23

Bradly Bauer has applied for a Conditional Use Permit to operate a Home Occupation-Gun Repair Shop; located at 189 S Harmon Dr, legally described as Lot 95, Indianhead Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned RL Lake Residential District.

9. **RECONVENE AS CITY COUNCIL: Entertain a Motion For The Board of Adjustment To Adjourn And The City Council To Reconvene In Regular Session**
10. **Award Bid for Golf Course Improvements Rebid Project #2023-2R**
11. **Action to Approve Special Event Permit for South Dakota State Disc Golf Tournament on Friday, September 22 through Sunday, September 24, 2023**
12. **Action to Approve the Following Applications for New Vehicle for Hire License**
    a. Kongo Klub

    b. Richard's Reliable Rides
13. **Action to Approve GF&P Grant Application for Gun Range**
14. **Action to Approve Electrical Easement with Northwestern**
15. **Action to Approve Agreement #A2023-27, Easement Agreement with Bradley Theme LLC**
16. **Action to Approve Agreement #A2023-28, Addendum to the 2023-2025 Bargaining Agreement between the City of Mitchell and AFSCME Local 2922 for 2024 Wages**
17. **Action to Approve Agreement #A2023-29, Addendum to the 2023-2025 Bargaining Agreement between the City of Mitchell and IAFF Local 4166 for 2024 Wages**
18. **Action to Approve Agreement #A2023-30, Addendum to the 2023-2025 Bargaining Agreement between the City of Mitchell and Teamsters Local No. 120 for 2024 Wages**
19. **Action to Approve Agreement #A2023-31, Developers Agreement for MLC Addition-Phase IV**
20. **Action to Approve Agreement #A2023-32, Temporary Easement Agreement No. 1 with SDDOT Highway #37 Project #2021-45**
21. **Action to Approve Agreement #A2023-33, Personal Property Relocation Assistant Agreement with SDDOT for Highway #37 Project #2021-45**
22. **Action to Approve Permanent Easements No. 1 and No. 2 with SDDOT for Highway #37 Project #2021-45**
23. **Action to Approve Release Easements with SDDOT Highway #37 Project #2021-45**
24. **Action to Approve Proceeding with the Drawdown Construction on Lake Mitchell up**

to the Budget Estimate of $3,500,000; with Funding to come from the Lake Fund & General Fund Designated Reserves

25. **Action to Approve Resolution #R2023-53A, Amending the Election Date and Financed Amount listed in Resolution #R2023-53**

26. **Action to Approve Resolution #R2023-54, Establishing Boundaries for a Proposed Business Improvement District and Setting Initial Terms for BID Board Members**

27. **Action to Approve Resolution #R2023-56, Amending City of Mitchell Water & Sewer Rates & Fees to Fund Current and Future Infrastructure Improvement Projects by Implementing a Surcharge**

28. **Action to Approve Resolution #R2023-58, A Resolution Giving Approval to Certain Drinking Water Facilities Improvements; Giving Approval to the Issuance and Sale of a Revenue Bond to Finance, Directly or Indirectly, the Improvements to the Facilities; Approving the Form of the Loan Agreement and the Revenue Bond and Pledging Project Revenues and Collateral to Secure the Payment of the Revenue Bond; and Creating Special Funds and Accounts for the Administration of Funds for Operation of the System and Retirement of the Revenue Bond and Providing for a Segregated Special Charge or Surcharge for the Payment of Bonds**

29. **Action to Approve Resolution #R2023-59, Declaring Real Property Surplus, Appointing Appraisal Board, and Authorizing Auction**

30. **Action to Approve Resolution #R2023-60, SHPO Findings in Relation to the Property at 101 S Main St**

31. **Motion to Enter into Executive Session According to SDCL 1-25-2(3) Legal, and (4) Negotiations**

32. **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.