



City Council Meeting Agenda
City Council Chambers, City Hall, 612 N. Main Street
October 2, 2023

1. 6:00 PM Call to Order

2. Pledge Of Allegiance

3. Invocation: Salvation Army

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-Recreation Center in the amount of \$780 from a donation of funds

Park-Recreation Center in the amount of \$4,355 from a donation of funds

D. Raffle Permits

E. Volunteer Board Appointments

- Appoint Jory Hanson to the Corn Palace Events & Entertainment Board for a term to run October 1, 2023-September 30, 2026.
- Appoint Alex Heidinger to the Corn Palace Events & Entertainment Board to fill an unexpired term to run October 1, 2023-September 30, 2025.
- Re-appoint Steve Morgan to the Corn Palace Events & Entertainment Board for a term to run October 1, 2023-September 30, 2026.
- Re-appoint Jordan Gau to the Corn Palace Events & Entertainment Board for a term to run October 1, 2023-September 30, 2026.

F. Surplus Items to be sold on Purple Wave or destroyed-Community Services

G. Surplus Items to be sold on Purple Wave or destroyed-IT

H. Surplus Items to be Sold on Purple Wave or destroyed-Rec Center

I. Authorization to Apply for the Urban Forestry Grant

J. Set Date: 1:30 PM, October 11, 2023 for Bid Opening for Cadwell Booster Station Rehabilitation Project #2023-19

K. Pay Estimates

L. 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 Jason Greenway-Variance Permit

Jason Greenway has applied for a Variance Permit for a front yard setback of 25' vs 35' for the northwest corner of the garage due to radius corner intersection and to line up with neighbors' houses; located at 5740 Island Court, legally described as Lot 47, Island First Addition, a subdivision of the SE ¼ of Section 31, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. The said real property is zoned UD Urban Development District.

B. Hearing and Action on an Application for Dalton Warren & Mandy Stevens-Variance Permit

Dalton Warren & Mandy Stevens have applied for a Variance Permit for a side yard setback of 0' vs 3' and a side corner yard setback of 9'-4" vs 20' to construct a 38' deep by 30' garage; located at 321 E 9th Ave, legally described as Lot 1, Block 16, D A Scotts 1st Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R2 Single Family Residential District.

C. Hearing and Action on an Application for Candice George-Variance Permit

Lincoln Neugebauer on behalf of Candice George has applied for a Variance Permit for a rear yard setback of 19' vs 25' and side corner yard setback of 8' vs 15' to build an attached garage; located at 1203 N Sanborn Blvd, legally described as Lot 12, Block 26, Capital Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R4 High Density Residential District.

D. Hearing and Action on an Application for Jeffery & Mary Lanning-Conditional Use Permit

Jeffery & Mary Lanning have applied for a Conditional Use Permit to operate a Home Occupation-Yoga Studio; located at 76 S Harmon Dr, legally described as Lot 5, Block 4, Indianhead 2nd Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned RL Lake Residential District.

E. Action to set date for Board of Adjustment Hearing 10-16-23

Zion Lutheran Church has applied for a Conditional Use Permit to operate Religious Institute (Church Fellowship Hall and Office Space); located at 601, 605 and 611 E 4th Ave (620 E 3rd Ave existing church address), legally described as Lots 5-7, Block 32, Cooley & Guernsey Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R2 Single Family Residential District.

F. Action to set date for Board of Adjustment Hearing 10-16-23

Zion Lutheran Church has applied for a Variance Permit for the following:

1. Side yard setback along Burr St of 17.5' vs 20' to account for the point of the building overhang.
2. Front yard setback along alley of 16.5' vs 25' to account for pedestrian drop-off roof and overhang.
3. Off-street parking on-site of 0 vs 89 spaces. Standard parking and ADA parking is located on existing adjacent church property and additional parking is planned in the next phase of construction to the east of the subject property.

This is located at 601, 605 and 611 E 4th Ave (620 E 3rd Ave existing church address), legally described as Lots 5-7, Block 32, Cooley & Guernsey Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R2 Single Family 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. **Action to Approve Agreement #A2023-41, SD DOT Section 5311 and Title IIIB Grant Funds**
11. **Action to Approve Agreement #A2023-42, SD DOT Section 5310 Grant Rolling Stock**
12. **Action to Approve Agreement #A2023-43, SD DOT Section 5339 Grant Funds Rewarded**
13. **Action to Approve Agreement #A2023-44, Purchase Agreement between the Mitchell Area Development Corporation and the City of Mitchell for the Acquisition of 620 N. Lawler**
14. **Action to Approve Agreement #A2023-45, An Encroachment Agreement relating to 166 North Harmon Drive**
15. **Action to Approve Resolution #R2023-69, Annexation of Lot AB3 in Lot H-3 in the Northeast Quarter (NE 1/4) of Section Thirty-four (34), Township One Hundred Three (103) North, Range Sixty (60), West of the 5th P.M., Davison County, South Dakota.**
16. **Action to Approve Resolution #R2023-70, Plat of Tract A and Tract B, Big Dog Subdivision**
17. **Action to Approve Resolution #R2023-71, Plat of Blocks 1 and 2 of Maui Farms Second Addition and a portion of Sam Street, a subdivision of previously platted Lot 4 in the East 1/2 of the West 1/2 of Section 31, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota**
18. **Action to Approve Resolution #R2023-72, Plat of Lot 22, Block 7 of Westwood First addition, and a portion of West 15th Avenue**
19. **Action to Approve Resolution #R2023-75, A Resolution of Intent to Amend the Lease of the Mitchell Rodeo Foundation**
20. **Second Reading on Ordinance #O2023-08, Rezoning Lot 23 of Starlite Estates from**

UB Urban Development District to HB Highway Business District

- 21. Motion to Adopt Ordinance #O2023-08, Request Public Comment, Roll Call**
- 22. Motion to Enter into Executive Session According to SDCL 1-25-2 (3) Legal**
- 23. Hearing and First Reading on Ordinance #O2023-07, Establishing Business Improvement District #4**
- 24. 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.