



City Council Meeting Agenda
City Council Chambers, City Hall, 612 N. Main Street
November 20, 2023

- 1. 6:00 PM Call to Order**
- 2. Pledge Of Allegiance**
- 3. Invocation: Harvest Community**
- 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. Department Reports**
 - D. Automatic Supplements**
 - Park-Recreation Center in the amount of \$495.95 from grant funds
 - Park-Recreation Center in the amount of \$260 from grant funds
 - Park-Recreation Center in the amount of \$355 from grant funds
 - E. Raffle Permits**
 - F. 2024 Renewal of Vehicle For Hire Company Applications**
 - D & J Fun Bus LLC
 - Granite Springs Lodge
 - BJ's Party Bus
 - G. 2024 Renewal of Transportation Network Company Vehicle Application**
 - LYFT
 - H. Change Order #1 to Schoenfelder Construction for 200-400 Blocks of East 10th Utility Upgrades Project #2022-2**
 - I. Set Date 1:30 PM, November 21, 2023 for Bid Opening for Dump Truck Chassis Project #2023-34 and Combo Dump Body/Sander Project #2023-35**
 - J. Approval of Gasoline & Fuel Quotes**
 - 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. 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.

7. 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 Applicatin for Jaun'I Gibson-Conditional Use Permit

Jaun'I Gibson has applied for a conditional use permit to operate a Family Residential Daycare; located at 613 E 3rd Ave, legally described as Lot 4, Block 37, Cooley & Guernsey Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R2 Single Family Residential District.

B. Action to Set Date for Board of Adjustment Hearing 12-4-23

Cory Hauser has applied for a Variance Permit for a side yard corner setback of 1.33' vs 20' to construct a 24' wide x 20' deep metal carport; located at 1420 E Birch Ave, legally described as Lot 12, Block 6, Fairview Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R2 Single Family Residential District.

C. Action to Set Date for Board of Adjustment Hearing 12-4-23

CJG Properties LLC has applied for a Conditional Use Permit to operate a Lodging House & Supportive Living Home; located at 918 Court Merrill, legally described as Lot A except the north 8 feet, Block 3, University Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R2 Single Family Residential District.

8. RECONVENE AS CITY COUNCIL: Entertain a Motion For The Board of Adjustment To Adjourn And The City Council To Reconvene In Regular Session

9. Hearing and Action on the following Alcohol License Applications

a. On the application to transfer RL-28511 Retail (On Sale) Liquor License from V.V. Inc dba The Garage, 909 North Ohlman Suite #3 to MG Oil Company dba Jokerz Casino Mitchell-3, 716 N Rowley St, Suite A3

b. On the application to transfer RL-5756 (On Sale) Liquor License from Melissa Tuttle dba Love Every, LLC, 1525 W Havens Ave, to Flats on Havens, LLC dba Flats on Havens, LLC, 1525 W Havens Ave

10. Action to Approve the Applications for Renewal of Liquor and Wine Licenses

11. Action to Approve the Applications for Renewal of Medical Cannabis Licenses

FSST Pharms, LLC-Dispensary License
Genesis Farms, LLC-Dispensary License
The Flower Shop LLC-Dispensary License
Raftis Enterprise Mitchell-Dispensary License

12. Action to Approve Special Event Permit Application MacKenzie's Memorial Event on

December 12th, 2023

Parking Lot Closure(s)

- 13. Action to Approve Agreement #A2023-54, Mitchell Area Development Corporation Developer's Agreement for 15th Avenue Utility and Street Improvements**
- 14. Action to Approve Agreement #A2023-55, TIF 31 Developer's Agreement**
- 15. Action to Approve Resolution #R2023-79, A Resolution Amending Rates to Implement a Surcharge Out of Existing Water & Sewer Rates to Fund Infrastructure Projects**
- 16. Action to Approve Resolution #R2023-80, A Resolution Giving Approval to Certain Sewer 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 the Bonds**
- 17. Action to Approve Resolution #R2023-81, 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 the Bonds**
- 18. Action to approve Resolution #R2023-82, Fees and Charges**
- 19. Action to Approve Resolution #R2023-83, Plat of Lots 1 through 17, Block 1; Tract DR1; Block 2; Lots 1 through 4, Block 3; Lots 1 and 2, Block 4; Lots 1 through 13, Block 5; Block 6; Nagle Lane; Peace Place; Nursia Drive; and North Calhoun Street, All in the Ridge View on Foster Addition in the NW ¼ of Section 23, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota**
- 20. Action to Approve Resolution #R2023-84, Plat of Tract 1 of Horseman's Addition to the City of Mitchell, Davison County, South Dakota**
- 21. Action to Approve Resolution #R2023-85, Plat of Lot A of Jerry's Addition in the NW 1/4 of Section 29, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota**
- 22. Action to Approve Resolution #R2023-86, Approving Highway #37 Easement Agreements**
 - A2023-56, Permanent Easement Agreement with Determan Family LLC
 - A2023-57, Permanent Easement Agreement with Tom and Diane Moody
 - A2023-58, Permanent Easement Agreement with Rocky and Melinda Niewenhuis
 - A2023-59, Permanent Easement Agreement with Ronald and Mary Schaefer Family Legacy Trust
 - A2023-60, Permanent Easement Agreement with Marvin E Thome and Michael C

Thome

- 23. Action to Approve Resolution #R2023-87, SHPO Findings in Relation to the Property at 210 S Main St**
- 24. Second Reading on Ordinance #O2023-09, 2024 Annual Appropriation Ordinance**
- 25. Motion to Adopt Ordinance #O2023-09, Request Public Comment, Roll Call**
- 26. Second Reading on Ordinance #O2023-10, Rezoning Lot 1 of R L Decker 1st Addition in the SE ¼ of Section 29, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota from HB Highway Business District to UD Urban Development District**
- 27. Motion to Adopt Ordinance #O2023-10, Request Public Comment, Roll Call**
- 28. Second Reading on Ordinance #O2023-11, Rezoning 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 from UD Urban Development District to Lot S, Maui Farms Second Addition Planned Development District**
- 29. Motion to Adopt Ordinance #O2023-11, Request Public Comment, Roll Call**
- 30. Second Reading on Ordinance #O2023-12, Amending Lot S, Maui Farms Second Addition Planned Development District**
- 31. Motion to Adopt Ordinance #O2023-12, Request Public Comment, Roll Call**
- 32. Hearing and First Reading on Ordinance #O2023-13, Rezoning Land East of the Hospital and South of 8th Ave to their Existing Parking Lot, be Rezoned from Ridge View on Foster Planned Development District & High Density Residential District (R4) to Medium Density Residential District (R3) and High Density Residential District (R4)**
- 33. Motion to Enter into Executive Session According to SDCL 1-25-2 (3) Legal**
- 34. 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.