



City Council Meeting Agenda
City Council Chambers, City Hall, 612 N. Main Street
August 19, 2024

- 1. 6:00 PM Call to Order**
- 2. Pledge Of Allegiance**
- 3. Invocation: Harvest Community**
- 4. Roll Call**
- 5. Recommendation to the City Council by Mayor Hanson to Appoint Dean Knippling to the Position of Police Chief**
- 6. Oath of Office**
Mayor Hanson to Issue Oath of Office to Chief of Police Dean Knippling
- 7. 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. Raffle Permits**
 - E. Rec Center Sewer Line Repairs Contingency Funding**
 - F. Purchase of Equipment for Snow Removal and Authorization for Contingency Funds**
 - G. Special Event Permit Application For The Back 40 Live Music on August 23-24, 2024**
 - Noise Permit
 - H. Special Event Permit Application For Cursed Chains Challenge Disc Golf Tournament on Saturday, October 26, 2024**
 - Dry Run Creek Park Closure
 - I. Volunteer Board Appointment**
 - Nicholas Kummer to the Historic Preservation Commission to fill an unexpired term to run from August 2024-June 2027

- J. Change Order #2 to Rexwinkel Construction for Cadwell Park Press Box**
- K. Set Date of September 3, 2024 for Hearing and Action on the Following Alcohol License Applications**
 - a. On the application of Odyssey Entertainment Inc. dba Odyssey Luxury 5, 209 North Lawler for a new Retail (on-off Sale) Malt Beverage & SD Farm Wine License (Video lottery is not included)
 - b. On the application to transfer RL-5771 Retail (on-sale) Liquor License from Bradley Theme LLC dba Scoreboard Pub & Grill 522 North Main St, Mitchell, SD to Bradley Theme, LLC dba Bradley's Pub & Grille, 514 North Main Street, Mitchell, SD (Video lottery is included)
 - c. On the application to transfer RB-2846 Retail (on-off Sale) Malt Beverage & SD Farm Wine License from Bradley Theme LLC dba Scoreboard Pub & Grill 522 North Main St, Mitchell, SD to Bradley Theme, LLC dba Bradley's Pub & Grille, 514 North Main Street, Mitchell, SD (Video lottery is included)
 - d. On the application to transfer RW-6509 (on-off Sale) Wine and Cider from Bradley Theme LLC dba Scoreboard Pub & Grill, 522 North Main St, Mitchell, SD to Bradley Theme, LLC dba Bradley's Pub & Grille, 514 North Main Street, Mitchell, SD (Video lottery is included)
 - e. On the application of the Corn Palace Shrine Club for a Special Event Liquor License located at The Masonic Hall for September 14, 2024 for a wedding
- L. Set Date for Hearing 6:00 PM, September 16, 2024 for Assessment Roll for 2023 Construction Project and 2023 Nuisance Abatements**
- M. Pay Estimates**
- N. Approve Bills, Payroll, Salary Adjustments and New Hires, and Authorize Payment of Recurring and Other Expenses in Advance as Approved by the Finance Officer**
- 8. Motion To Approve, Request Public Comment, Roll Call**
- 9. 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.
- 10. City Council/Mayor Comments**
- 11. 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 Jaun'I Gibson-Conditional Use Permit**

Jaun'I Gibson has applied for a conditional use permit to operate a Family Residential Daycare; located at 505 S Davison St, legally described as Lots 43 & 44 Overlook 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 Schmitz Construction-Variance Permit

Schmitz Construction has applied for a variance permit for minimum lot width of 66' vs 100' and minimum lot area of 10,890 square feet vs 14,000 square feet; located at 821 N Mentzer, legally described as S ½ and E ½ of Lot 6, Block 3 Hammers Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R4 High Density Residential District.

C. Hearing and Action on an Application for Curtis & Sonna Betts-Variance Permit

Curtis & Sonna Betts have applied for a variance permit for a combination of attached and detached accessory buildings of 3,076 square feet vs 2,000 square feet to build a new attached accessory building of 1,476 square feet; located at 204 N Harmon, legally described as Lots 54, 54A, 55 & 55A of Sunset Point 2nd Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned RL Lake Residential District.

D. Hearing and Action on an Application for the City of Mitchell-Variance Permit

The City of Mitchell has applied for a variance permit for minimum lot width of 82.89' vs 100' and minimum lot area of 1,139 square feet vs 10,000 square feet; located at 115 S Harmon Dr, will be legally described as Lot 58-B of Indian Head Subdivision, Lake Mitchell Development Plan in the SW 1/4 of Section 4, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. The said real property is zoned PL Public Lands and Institutions District.

E. Hearing and Action on an Application for the City of Mitchell-Variance Permit

The City of Mitchell has applied for a variance permit for minimum lot width of 5' vs 100' and minimum lot area of 2,661 square feet vs 10,000 square feet; located south of 129 S Harmon Dr, will be legally described as Lot 68-A of Indian Head Subdivision, Lake Mitchell Development Plan in the SW 1/4 of Section 4, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. The said real property is zoned PL Public Lands and Institutions District.

F. Action to Set Date for Board of Adjustment Hearings 09-03-24

Dennis Kaus has applied for a variance permit for front yard setback of 20' vs 25' to build a 12' x 14' covered patio; located at 408 W 12th Ave, legally described as Lot 10, Block 26, Capital Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R4 High Density Residential District.

Josh Frost has applied for a conditional use permit for outside storage and to operate Mitchell Towing and Recovery business which falls under the category of automotive sales, repair, parts, detailing; located at 24994 406th Ave, legally described as Lot 3D-1 and Lot 3D-2 of D.R. Kiner's First Addition in the SW ¼ of Section 31, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota. The said real property is zoned UD Urban Development District.

Central Plains Automation Inc has applied for a variance permit for front yard setback of 1'-6" vs 35' to build a 16' x 40' office addition; located at 1501 W 4th Ave, legally described as Lots 1-6 Ex H-1 of Lot 6, Block 29 Home Park Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned

TWC Transportation Warehousing & Commercial District.

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

13. Hearing and Action on the Following Alcohol License Applications

a. On the application of Palace Brewing, LLC dba Palace City Brewing, Co, 227 West Railroad Ave for a new Retail (on-off Sale) Wine and Cider License (Video lottery is not included)

b. On the application of Palace Brewing, LLC dba Palace City Brewing, Co, 227 West Railroad Ave for a new Retail (on-off Sale) Malt Beverage & SD Farm Wine License (Video lottery is not included)

14. Action to Approve Special Event Permit Application For RiverTree Block Party on Sunday, September 8, 2024

- Street Closure

RiverTree Church is asking City Council consider waiving the Special Event Permit Street Closure Fee of \$200.

15. Action to Award Bid for Airport Snow Removal Project #2024-22

16. Action to Approve Agreement #A2024-36, Tax Increment District #37 Developer Agreement

17. Action to Approve Resolution #R2024-52, Plat of Lots 1A & 2A in Block 2 of Bayside Overlook Subdivision

18. Action to Approve Resolution #R2024-53, Plat of Lot 58-B of Indian Head Subdivision, Lake Mitchell Development Plan

19. Action to Approve Resolution #R2024-54, Plat of Lot 68-A of Indian Head Subdivision, Lake Mitchell Development Plan

20. Action to Approve Resolution #R2024-55, Plat of Lot 108-A of Indian Head Subdivision, Lake Mitchell Development Plan

21. Action to Approve Resolution #R2024-56, Plat of Lots A, B, and C of Depot Second Addition

22. Second Reading on Ordinance #O2024-06, Method of Electing Officers for City Council

23. Motion to Adopt Ordinance #O2024-06, Request Public Comment, Roll Call

24. Motion to Enter into Executive Session According to SDCL 1-25-2 (4) Negotiations & (3) Legal

25. 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.