

**City Council Agenda**  
City Council Chambers, City Hall, 612 N. Main Street  
March 7, 2022

**1. 5:30 P.M. Presentation Of Lake Mitchell Preliminary Design By Barr Engineering**

**2. 6:00 P.m. Call To Order**

**3. Pledge Of Allegiance**

**4. Invocation: Resurrection Lutheran**

**5. Roll Call**

**6. 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**

Documents:

[COUNCIL MINUTES 02 22 2022.PDF](#)

**B. Committee Reports**

Documents:

[PLANNING COMMISSION SIGNED MINUTES 2-14-22.PDF](#)

**C. Automatic Supplement In The Amount Of \$2,400 From A Donation Of Funds To Be Used Towards Floating Islands In Lake Mitchell**

Documents:

[STAFF REPORT AUTOMATIC SUPPLEMENT.PDF](#)

[LAKE MITCHELL AUTO SUPPLEMENT.PDF](#)

**D. Automatic Supplements In The Amount Of \$10,000 From Grant Funds To Parks-Recreation Center**

- o *\$5,000 United Way Grant to be used for the purchase of Interactive Fitness Equipment*
- o *\$5000 Medica Foundation Grant to be used for grant program expenses*

Documents:

[STAFF REPORT AUTOMATIC SUPPLEMENT.PDF](#)

[AUTOMATIC SUPPLEMENT- MEDICA GRANT.PDF](#)

[AUTOMATIC SUPPLEMENT- UNITED WAY GRANT.PDF](#)

**E. Authorization To Purchase A Boom Mower Off Of A Sourcewell Contract**

Documents:

[STAFF REPORT PURCHASE OF BOOM MOWER.PDF](#)

[CITY OF MITCHELL SD 16 SD 3 POINT BOOM MOWER\\_V2.PDF](#)

[DIAMOND MOWERS CONTRACT 070821.PDF](#)

[RFP AND ADDENDUMS-ROAD ROW 070821.PDF](#)

PROOF OF PUBLICATION-ROAD ROW 070821.PDF  
PROP. OPENING RECORD-ROAD ROW 070821.PDF  
PROP. EVAL. ROAD ROW 070821.PDF  
COMMENT AND REVIEW-ROAD ROW 070821.PDF  
BOARD RESOLUTIONS\_2.PDF

**F. Special Event Permit For Mitchell Main Street And Beyond For First Friday's Events May Thru September, 2022**

- *MAY 6, 2022, JUNE 3, 2022, JULY 1, 2022, AUGUST 5, 2022, & SEPTEMBER 2, 2022*
  - *Road Closure*
  - *Parking Lot Closure*
  - *Noise Permit*
  - *Consumption Permit (\$500)*

Documents:

MMSB 1ST FRIDAYS SPECIAL EVENT PERMIT STAFF REPORT.PDF  
1ST FRIDAYS ON MAIN (MAY THROUGH SEPTEMBER).PDF  
1ST FRIDAYS MAP 2021 PLAN A PDF.PDF  
1ST FRIDAYS MAP PLAN B PDF.PDF  
2022 INS CERT.PDF

**G. Raffle Permits**

40 & 8 Veterans Group with the drawing to be held on April 16, 2022

Fusion Church with the drawing to be held on May 15, 2022

Documents:

40 8 VETERANS GROUP RAFFLE.PDF  
FUSION CHURCH RAFFLE.PDF

**H. Change Order #4 To T&R Contracting Inc For South Burr Utility Improvement Project #2016-26A, DOT Project PCNX04G**

Documents:

CHANGE ORDER NO. 4 FOR BURR STREET WATER MAIN STAFF REPORT.PDF  
CHANGE ORDER NO.4 FOR BURR STREET WATER TO T AND R CONSTRUCTION.PDF

**I. Set Date 1:30 P.M., March 15, 2022 For Bid Opening For 9th & 5th Reconstruction Project #2021-7**

Documents:

SET BID DATE FOR 9TH AND 5TH AVENUE RECONSTRUCTION PROJECT 2021-7.PDF

**J. Set Date 1:30 P.M., March 15, 2022 For Bid Opening For Dry Run Creek Lighting Project #2022-33**

Documents:

SET BID DATE FOR DRY RUN CREEK LIGHTING PROJECT 2022-33 STAFF REPORT.PDF

**K. Set Date 1:30 P.M., March 22, 2022 For Bid Opening For WWTF Headworks**

## **Improvements Project #2021-31**

Documents:

[SET THE DATE SOUTH WWTP IMP 2021-31 STAFF REPORT.PDF](#)

### **L. Set Date 1:30 P.M., March 23, 2022 For Bid Opening For Petroleum Products Project #2021-13**

Documents:

[PETROLEUM PRODUCTS 2022-13- SET THE DATE STAFF REPORT.PDF](#)

### **M. Set Date 1:30 P.M., March 23, 2022 For Bid Opening For Rock Chips Project #2022-10**

Documents:

[ROCK CHIPS 2022-10 - SET THE DATE STAFF REPORT.PDF](#)

### **N. Pay Estimates 03-07-22**

Documents:

[STAFF REPORT FOR PAY ESTIMATES 03-07-2022.PDF](#)

[PAY ESTIMATE SCHEDULE 03-07-22.PDF](#)

### **O. 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**

Documents:

[AP REGULAR DEPARTMENT PAYMENT REGISTER-03072022.PDF](#)

## **7. Motion To Approve, Request Public Comment, Roll Call**

### **8. 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.*

### **9. BOARD OF ADJUSTMENT: Entertain A Motion For The City Council To Recess And Sit As The Board Of Adjustment**

### **10. Action To Set Date For Board Of Adjustment Hearing 3-21-22**

Carey & Darlene Buhler have applied for a variance for an attached garage and accessory building combination of 2,160 square feet vs 2,000 square feet and maximum height for an accessory building of 30' vs 22'; located at 600 Greenridge Lane, legally described as Lot 3, Block 2, Greenridge Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R1 Single Family Residential District.

Documents:

[BUHLER-STAFF REPORT-BOA SET DATE.PDF](#)

[BUHLER-APPLICATION.PDF](#)

[BUHLER-GIS.PDF](#)

[BUHLER-PRELIMINARY SITE PLANS.PDF](#)

**11. Action To Set Date For Board Of Adjustment Hearing 3-21-22**

*DLJ LLC has applied for a variance of approximately 867 feet vs 1,000 feet as required to be from another cannabis dispensary; located at 501 E Juniper Ave, legally described as Lot S-3A Ex E 63' in the Replat of Lot S in the NW ¼ of Section 27, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. The said real property is zoned HB Highway Business District.*

Documents:

[DLJ LLC-VARIANCE PERMIT -STAFF REPORT-BOA SET DATE.PDF](#)  
[DLJ LLC-APPLICATION.PDF](#)  
[DLJ LLC-GIS.PDF](#)

**12. Action To Set Date For Board Of Adjustment Hearing 3-21-22**

Genesis Farms LLC has applied for a Conditional Use Permit to operate a Medical Cannabis Dispensary; located at 106 W 5th Ave, legally described as Lots 11 and 12, Block 12, Rowley's 1st Addition, City of Mitchell, South Dakota. The said real property is zoned CB Central Business District.

Documents:

[GENESIS FARMS LLC-CONDITIONAL USE-STAFF REPORT-BOA SET DATE.PDF](#)  
[GENESIS FARMS LLC-APPLICATION-CUP.PDF](#)  
[GENESIS FARMS LLC-GIS.PDF](#)

**13. Action To Set Date For Board Of Adjustment Hearing 3-21-22**

Genesis Farms LLC has applied for a variance of 101 feet vs 300 feet as required to be from religious institution; located at 106 W 5th Ave, legally described as Lots 11 and 12, Block 12, Rowley's 1st Addition, City of Mitchell, South Dakota. The said real property is zoned CB Central Business District.

Documents:

[GENESIS FARMS LLC-VARIANCE PERMIT -STAFF REPORT-BOA SET DATE.PDF](#)  
[GENESIS FARMS LLC-APPLICATION-VARIANCE.PDF](#)  
[GENESIS FARMS LLC-GIS.PDF](#)

**14. RECONVENE AS CITY COUNCIL: Entertain A Motion For The Board Of Adjustment To Adjourn And The City Council To Reconvene In Regular Session**

**15. Action To Approve Volunteer Member To The Consolidated Board Of Equalization**

Documents:

[STAFF REPORT-BOE.PDF](#)  
[CONSOLIDATED BOARD OF EQUALIZATION.PDF](#)

**16. Action To Approve Special Event Permit For Horses For Hero's 5K April 9, 2022**  
*Parking Lot Closure*

Documents:

[HORSES FOR HEROS 5K SPECIAL EVENT PERMIT STAFF REPORT.PDF](#)  
[HORSES FOR HEROS 5K SPECIAL EVENT PERMIT.PDF](#)  
[HORSES FOR HEROS 5K LOCATION MAP.PDF](#)

**17. Action To Approve Amendment #1 To Agreement #A2021-3, West Side Water Tower Improvements Project #2021-3 With SPN & Associates**

Documents:

A2021-03 WEST WATER TOWER IMP. AGREEMENT AMENDMENT NO. 1 WITH SPN STAFF REPORT.PDF  
WEST WATER TOWER AGREEMENT AMENDMENT NO. 1.PDF

**18. Action To Approve Agreement #A2022-10, Construction Services For The Foster Street Bridge BIG Project #2021-2 With Brosz Engineering**

Documents:

FOSTER BRIDGE BIG AGREEMENT A2022-10 WITH BROSZ FOR ENGINEERING SERVICES STAFF REPORT DOCX.PDF  
A2022-10 BROSZ FOSTER BRIDGE MITCHELL 18-160-099 CE PROPOSAL-COUNCIL.PDF

**19. Action To Award Bid For West Side Water Tower Improvements Project #2021-3**

Documents:

WEST WATER TOWER 2021-3 BID AWARD STAFF REPORT.PDF  
ENGINEER LETTER OF RECOMMENDATION FOR WEST WATER TOWER IMPROVEMENTS 2021-3.PDF  
BID TABULATION WEST WATER TOWER 2021-3.PDF

**20. Action To Approve Resolution #R2022-07, A Resolution Of Intent To Codify And Amend Provisions Relating To BID 2**

Documents:

AGENDA ITEM- RESOLUTION R2022-07, RESOLUTION OF INTENT TO CODIFY AND AMEND BID 2.PDF  
RESOLUTION R2022-07, RESOLUTION OF INTENT TO CODIFY AND AMEND BID 2.PDF  
NOTICE OF HEARING- BID 2.PDF

**21. Second Reading On Ordinance #O2022-02, Rezoning Of Block 12 Ex S 395' Of N 490' Of W 231' Of Morningview Addition In The SE ¼ Of Section 28, T 103 N, R 60 W Of The 5th P.M., City Of Mitchell, Davison County, South Dakota From UD Urban Development District To I Industrial District**

Documents:

ORDINANCE O2022-02-JENSEN CAPITAL AND DEVELOPMENT LLC-REZONE-STAFF REPORT.PDF  
ORDINANCE O2022-02-JENSEN CAPITAL AND DEVELOPMENT LLC-REZONE.PDF  
JENSEN CAPITAL AND DEVELOPMENT LLC-APPLICATION.PDF  
JENSEN CAPITAL AND DEVELOPMENT LLC-GIS.PDF  
JENSEN CAPITAL AND DEVELOPMENT LLC-NOTICE OF HEARING.PDF  
JENSEN CAPITAL AND DEVELOPMENT LLC-NEIGHBORS.PDF  
JENSEN CAPITAL AND DEVELOPMENT LLC-LETTERS.PDF

**22. Motion To Adopt Ordinance #O2022-02, Request Public Comment, Roll Call**

**23. Second Reading On Ordinance #O2022-04, Amending The Election Wards Of The City Of Mitchell**

Documents:

AGENDA ITEM- ORDINANCE O2022-04, AMENDING ELECTION WARDS.PDF  
ORDINANCE O2022, AMENDING WARD BOUNDARIES.PDF  
ELECTION WARDS (CURRENT).PDF  
ELECTION WARDS (PROPOSED).PDF

**24. Motion To Adopt Ordinance #O2022-04, Request Public Comment, Roll Call**

**25. First Reading On Ordinance #O2022-03, Rezoning Of Lot 1, Block 1 Of Fullerton Properties Second Addition, A Subdivision Of The N ½ Of Section 16, And A Portion Of Previously Platted Outlot B-2, A Subdivision Of Outlot B, Section 16, All In T 103 N R 60 W Of The 5th P.M., City Of Mitchell, Davison County, South Dakota; From PL Public Lands District To R3 Medium Density Residential District**

Documents:

[ORDINANCE O2022-03-CITY OF MITCHELL-REZONE-STAFF REPORT.PDF](#)

[ORDINANCE O2022-03-CITY OF MITCHELL-REZONE.PDF](#)

[CITY OF MITCHELL-APPLICATION.PDF](#)

[CITY OF MITCHELL-GIS.PDF](#)

[CITY OF MITCHELL-NOTICE OF HEARING.PDF](#)

[CITY OF MITCHELL-NEIGHBORS.PDF](#)

[CITY OF MITCHELL-LETTERS FROM NEIGHBORS.PDF](#)

**26. Executive Session According To SDCL 1-25-2 (3) Legal**

**27. Adjourn**

**28. FOR COUNCIL INFORMATION: Planning Commission Unsigned Minutes 2-28-22**

Documents:

[PLANNING COMMISSION UNSIGNED MINUTES 2-28-22.PDF](#)

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.