

City Council Agenda
City Council Chambers, City Hall, 612 N. Main Street
March 21, 2022

1. 6:00 P.m. 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

Documents:

[COUNCIL MINUTES 03 07 22.PDF](#)

B. Committee Reports

Documents:

[PLANNING COMMISSION SIGNED MINUTES 2-28-22.PDF](#)
[LIBRARY BOARD MINUTES - JAN 26 2022.PDF](#)
[PARKS BOARD MEETING MINUTES \(NOV\).PDF](#)
[COMMUNITY SERVICES MARCH ADVISORY BOARD MEETING MINUTES.PDF](#)
[GOLF-CEMETERY BOARD MINUTES \(FEB\).PDF](#)

C. Department Reports

Documents:

[SALES TAX COLLECTIONS-FEBRUARY.PDF](#)
[CITY ADMINISTRATOR SALES TAX UPDATE- FEBRUARY 2022.PDF](#)
[FINANCE DEPARTMENT REPORT-JAN.PDF](#)
[FINANCE DEPARTMENT REPORT-FEB.PDF](#)
[BUILDING PERMITS \(FEBRUARY\).PDF](#)
[FEBPD.PDF](#)
[FEBFIRE.PDF](#)
[FEBCODEENF.PDF](#)
[WATER \(FEBRUARY\).PDF](#)
[AIRPORT \(FEBRUARY\).PDF](#)

D. 2021 Annual Report

Documents:

[STAFF REPORT-ANNUAL REPORT.PDF](#)
[ANNUAL REPORT.PDF](#)

E. Special Event Application For Corn Palace Shrine Circus April 24-28, 2022

- *Road Closure*
- *Parking Lot Closure*

Documents:

[CORN PALACE SHRINE CIRCUS SPECIAL EVENT PERMIT STAFF REPORT.PDF](#)
[CORN PALACE SHRINE CIRCUS SPECIAL EVENT PERMIT.PDF](#)
[SHRINE CIRCUS LOCATION MAP \(003\).PDF](#)

F. Special Event Permit For Big Friend Little Friend Annual Street Festival May 28, 2022

- *Road Closure*
- *Parking Lot Closure*
- *Parade Permit*
- *Noise Permit (12 PM to 5 PM)*
- *Special Event Liquor License*
- *Consumption Permit*
- *Requesting Reduced Fees in the amount of \$800 for entire event*

Documents:

[MEMORIAL WEEKEND IN MITCHELL SPECIAL EVENT STAFF REPORT.PDF](#)
[MEMORIAL WEEKEND IN MITCHELL SPECIAL EVENT PERMIT.PDF](#)
[MWIM LETTER TO COUNCIL.PDF](#)
[BIG FRIEND LITTLE FRIEND LOCATION MAP \(003\).PDF](#)

G. Request To Apply For A MidCo Foundation Grant

Documents:

[STAFF REPORT.PDF](#)
[MIDCO SUPPORTING DOC.PDF](#)

H. Request To Apply For AARP Grant

Documents:

[AARP AGENDA APPROVAL.PDF](#)
[APPLICATIONLIST-4-SUBMITTER-3-15-2022.PDF](#)

I. Declare (3) Xybix Dispatch Consoles Surplus Property To Be Sold To The Meade County Communication Center At The Meade County Sheriff's Office, Sturgis SD

Documents:

[DISPATCH CONSOLE AGENDA ITEM.PDF](#)

J. Raffle Permits

Kiwanis Club of Mitchell with the drawing to be held on April 23, 2022

Davison County Democrats with the drawing to be held on May 23, 2022

Big Friend Little Friend of the Mitchell Area with the drawing to be held on July 18, 2022

Pheasant Country with the drawing to be held on October 14, 2022

Documents:

[KIWANIS RAFFLE.PDF](#)
[DAVISON CO DEMOCRATS RAFFLE.PDF](#)
[BFLF RAFFLE.PDF](#)
[PHEASANT COUNTRY RAFFLE.PDF](#)

K. Listing Of Current Active City Volunteers

Documents:

[2022 VOLUNTEER LIST.PDF](#)

L. Set Date For Hearings On April 4, 2022 For The Following Alcohol Licenses

On the application of the Corn Palace Shrine Club for a Special Liquor License located at the The Masonic Hall for April 9, 2022 for a Corn Hole Tournament

On the application of the Corn Palace Shrine Club for a Special Liquor License located at the The Masonic Hall for May 7, 2022 for a Wedding Dance

On the application of the Corn Palace Shrine Club for a Special Liquor License located at the The Masonic Hall for June 4, 2022 for a Wedding Dance

On the application of the Corn Palace Shrine Club for a Special Liquor License located at the The Masonic Hall for June 11, 2022 for the Shrine Club Open House

On the application of the Corn Palace Shrine Club for a Special Liquor License located at the The Masonic Hall for July 29, 2022 for the Lakeview Golf Banquet

On the application of the Corn Palace Shrine Club for a Special Liquor License located at the The Masonic Hall for August 6, 2022 for the 2002 Class Reunion

On the application of the Corn Palace Shrine Club for a Special Liquor License located at the The Masonic Hall for September 10-11, 2022 for a Wedding Dance

On the application of the Corn Palace Shrine Club for a Special Liquor License located at the The Masonic Hall for September 23-24, 2022 for a Wedding Dance

On the application of the Corn Palace Shrine Club for a Special Liquor License located at the The Masonic Hall for October 1-2, 2022 for a Wedding Dance

Documents:

[SET DATE FOR HEARINGS1.PDF](#)
[CP SHRINE 04 09 2022.PDF](#)
[CP SHRINE 05 07 2022.PDF](#)
[CP SHRINE 06 04 2022.PDF](#)
[CP SHRINE 06 11 2022.PDF](#)
[CP SHRINE 07 29 2022.PDF](#)
[CP SHRINE 08 06 2022.PDF](#)
[CP SHRINE 09 10 2022.PDF](#)
[CP SHRINE 09 23 2022.PDF](#)
[CP SHRINE 10 01 2022.PDF](#)

M. Approval Of Gasoline & Fuel Quotes

Documents:

[MARCH 21, 2022 MEETING.PDF](#)

[MARCH 3, 2022 FUEL.PDF](#)

N. Pay Estimates 03-21-22

Documents:

[AGENDA REQUEST ITEM FOR PAY ESTIMATES 03-21-2022.PDF](#)

[PAY ESTIMATE SCHEDULE 03-21-22.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-03212022.PDF](#)

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

9. Action To Set Date For Board Of Adjustment Hearing 4-4-22

Robert D. Kummer of Infrastructure Design Group, Inc. representing Cory Marek has applied for a Variance Permit for minimum front yard setback of 9' vs 25' for an existing dwelling. Located at 710 N Kittridge St, will be legally described as Lot A in Block 2 of Robert Wilkinson's Addition to the City of Mitchell, Davison County, South Dakota and is currently legally described as Lots 5 & 6 in Block 2 & S ½ of Vacated 8th Ave & N ½ of Vacated Alley Abutting of Robert Wilkinson's Addition to the City of Mitchell, Davison County, South Dakota, The said real property is zoned R4 High Density Residential District.

Documents:

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

[MAREK-APPLICATION.PDF](#)

[MAREK-GIS.PDF](#)

10. Action To Set Date For Board Of Adjustment Hearing 4-4-22

Robert D. Kummer of Infrastructure Design Group, Inc. representing Larry Weisser has applied for a Variance Permit for the following:

Lot A:

Minimum front yard setback of 19' vs 25' for an existing dwelling.

Lot B:

Minimum front yard setback of 19' vs 25' for an existing dwelling.

Minimum side yard corner setback of 12.2' vs 20' for an existing dwelling.

Minimum lot width of 67.06' vs 70'.

Minimum lot area of 9,580 square feet vs 10,000 square feet.

Located at 1510 and 1512 E 1st Ave, will be legally described as Lots A & B in Block 10 of S.T. Greene's Addition, a replat of Lots 10, 11 and 12 in Block 10 of S.T. Greene's Addition to the City of Mitchell, Davison County, South Dakota and is currently legally described as Lots 10, 11 & 12, Block 10 of S.T. Greene Addition, City of Mitchell, Davison County, South Dakota, The said real property is zoned R2 Single Family Residential District.

Documents:

[WEISSER-STAFF REPORT-BOA SET DATE.PDF](#)
[WEISSER-APPLICATION.PDF](#)
[WEISSER-GIS.PDF](#)
[WEISSER-SITE PLAN.PDF](#)

11. Hearing And Action On An Application For Buhler (Table To 4-4-22)

Carey & Darlene Buhler have applied for a Variance Permit 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 HEARING.PDF](#)
[BUHLER-APPLICATION.PDF](#)
[BUHLER-PRELIMINARY SITE PLANS.PDF](#)
[BUHLER-GIS.PDF](#)
[BUHLER-NOTICE OF HEARING.PDF](#)
[BUHLER-NEIGHBORS.PDF](#)
[BUHLER-LETTERS FROM NEIGHBORS.PDF](#)

12. Hearing And Action On An Application For DLJ

DLJ LLC has applied for a variance of approximately 867 feet vs 1,000 feet as required to be from another medical 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 HEARING.PDF](#)
[DLJ LLC-APPLICATION.PDF](#)
[DLJ LLC-GIS.PDF](#)
[DLJ LLC-NOTICE OF HEARING.PDF](#)
[DLJ LLC-NEIGHBORS.PDF](#)
[DLJ LLC-LETTERS FROM NEIGHBORS.PDF](#)

13. Hearing And Action On An Application For Genesis Farms LLC Conditional Use (Table To 4-4-22 As Requested By Applicant)

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 HEARING.PDF](#)
[GENESIS FARMS LLC-APPLICATION-CUP.PDF](#)
[GENESIS FARMS LLC-GIS.PDF](#)
[GENESIS FARMS LLC-NOTICE OF HEARING-CUP.PDF](#)
[GENESIS FARMS LLC-NEIGHBORS.PDF](#)
[GENESIS FARMS LLC-LETTERS FROM NEIGHBORS.PDF](#)

14. Hearing And Action On An Application For Genesis Farms LLC Variance (Table To 4-4-22 As Requested By Applicant)

Genesis Farms LLC has applied for a variance of 0 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 HEARING.PDF](#)
[GENESIS FARMS LLC-APPLICATION-VARIANCE.PDF](#)
[GENESIS FARMS LLC-GIS.PDF](#)
[GENESIS FARMS LLC-NOTICE OF HEARING-VARIANCE.PDF](#)
[GENESIS FARMS LLC-NEIGHBORS.PDF](#)
[GENESIS FARMS LLC-LETTERS FROM NEIGHBORS.PDF](#)

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

16. Hearings And Actions To Approve The Following Medical Cannabis Dispensary Applications

- a. DLJ, LLC received on 11-16-2021 at 5:02 p.m.

- b. Genesis Farms, LLC received on 11-18-2021 at 4:22 p.m.

- c. FSST Pharms, LLC received on 11-22-2021 at 4:30 p.m.

Documents:

[DISPENSERY STAFF \(004\).PDF](#)
[DLJ LLC DISPENSARY APPLICATION.PDF](#)
[GENESIS FARMS LLC DISPENSARY APPLICATION.PDF](#)
[FSST PHARMS LLC DISPENSARY APPLICATION.PDF](#)

17. Action To Approve Special Event Permit For Lost And Found Advocates 5K April 9, 2022

- o *Parking Lot Closure*
- o *Noise Permit - 9 AM-12:30 PM*

Documents:

[LOST AND FOUND ADVOCATES 5K SPECIAL EVENT PERMIT STAFF REPORT.PDF](#)
[LOST AND FOUND ADVOCATES 5K SPECIAL EVENT PERMIT.PDF](#)
[LOST AND FOUND ADVOCATES LOCATION MAP.PDF](#)
[LOST AND FOUND CERT OF INSURANCE.PDF](#)
[501C3 FOR LOST AND FOUND .PDF](#)

18. Action To Approve Amendment #1 To Agreement #A2021-14, Risk & Resiliency Assessment, Project #2021-36, With HDR

Documents:

[AMENDMENT FOR A2021-14 WITH HDR FOR ERP STAFF REPORT.PDF](#)
[MITCHELL RRA AMENDMENT TO OWNER-ENGINEER AGREEMENT.PDF](#)

19. Action To Award Bid For 9th & 5th Reconstruction Project #2021-07

Documents:

[9TH AND 5TH UTILITY IMP. BID AWARD 2021-7 STAFF REPORT \(002\).PDF](#)
[9TH AND 5TH RECONSTRUCTION 2021-7 - SIGNED BID TAB.PDF](#)
[9TH AND 5TH - MENNING EXCAVATING MODIFIED BID.PDF](#)

20. Action To Award Bid For Dry Run Creek Lighting Project #2022-33

Documents:

[STAFF REPORT AWARD BIDS FOR DRY RUN CREEK LIGHTING PROJECT 2022-33.PDF](#)
[2022-33 DRY RUN CREEK LIGHTING BID TAB WITH NUMBERS 3-15-2022.PDF](#)

21. Action To Approve Resolution #R2022-08, Plat Of Lots 1 Thru 15 And 22 Thru 28 Of Airport Addition, A Subdivision Of Previously Platted Lots 2 And 3 Of Fiala's Addition In The East 1/2 Of The NW 1/4 Of Section 4, T 103 N, R 60 W Of The 5th P.M., City Of Mitchell, Davison County, South Dakota; As Requested By PSG Properties LLC

Documents:

[RESOLUTION R2022-08-PSG PROPERTIES LLC-STAFF REPORT.PDF](#)
[RESOLUTION R2022-08-PSG PROPERTIES LLC.PDF](#)
[PSG PROPERTIES LLC-PLAT.PDF](#)
[PSG PROPERTIES LLC-GIS.PDF](#)

22. Action To Approve Resolution #R2022-09, A Plat Of Tract 1 In The West 626.84 Feet Of Lot 5 Of Crane's Addition, In The SE 1/4 Of Section 34, T 103 N, R 60 W Of The 5th P.M., Davison County, South Dakota; As Requested By Ronald & Michele Riggs

Documents:

[RESOLUTION R2022-09-RIGGS-STAFF REPORT.PDF](#)
[RESOLUTION R2022-09-RIGGS.PDF](#)
[RIGGS PLAT.PDF](#)
[RIGGS-GIS.PDF](#)

23. Second Reading On Ordinance #O2022-03, Rezoning Of Lot 1, Block 1 Of Fullerton Properties Second Addition, A Subdivision Of The N 1/2 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](#)

24. Motion To Adopt Ordinance #O2022-03, Request Public Comment, Roll Call

25. Adjourn

26. FOR COUNCIL INFORMATION: Planning Commission Unsigned Minutes 3-14-22

Documents:

[PLANNING COMMISSION UNSIGNED MINUTES 3-14-22.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.