

**Special City Council Agenda**  
City Council Chambers, City Hall, 612 N. Main Street  
June 8, 2020

**1. 11:30 A.m. Call To Order**

**2. Pledge Of Allegiance**

**3. Roll Call**

**4. Canvass Election Returns**

Documents:

[STAFF REPORT-OFFICIAL CANVASS.PDF](#)  
[OFFICIAL CANVASS SHEET.PDF](#)

**5. Action On Resolution #R2020-38, Canvass Election Returns**

Documents:

[STAFF REPORT-R2020-38.PDF](#)  
[R2020-38-CANVASS.PDF](#)

**6. Second Reading On Ordinance #O2020-09, Fireworks On July 5th**

Documents:

[AGENDA ITEM- ORDINANCE O2020-09, FIREWORKS ON JULY 5TH.PDF](#)  
[ORDINANCE O2020-09, FIREWORKS ON JULY 5TH.PDF](#)

**7. Motion To Adopt Ordinance #O2020-09, Request Public Comment, Roll Call**

**8. 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, Finance Officer, Public Works Director, or City Administrator.

# CITY OF MITCHELL

City Council Meeting  
Agenda Item Request



*The deadline for agenda items is Wednesday at noon, prior to the City Council Meeting*

Meeting Date Requested:  Requested By:

Desired Action of City Council:

<input type="checkbox"/> Authorization	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Resolution
<input type="checkbox"/> Ordinance	<input type="checkbox"/> Citizen Request	<input type="checkbox"/> Discussion

Amount Budgeted in current fiscal year for this item (if applicable):

Agenda Item:

Explanation/Background of Agenda Item Requested:

The official canvass is required to be completed within 7 days of the election. The Municipal/Primary Election was held on June 2, 2020.



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Agenda Item:

Explanation/Background of Agenda Item Requested:

## RESOLUTION #R2020-38

WHEREAS, the members of the City Council of the City of Mitchell, Davison County, South Dakota, have convened on Monday, June 8, 2020 at 11:30 a.m. for the purpose of canvassing returns of the Municipal/Primary Election as provided by law, said election having been held on Tuesday, the 2<sup>nd</sup> day of June, 2020 in the City of Mitchell, South Dakota.

WHEREAS, only one nominating petition was filed for the following offices, as follows:

Alderman, Ward 2 (three year term)	John Doescher
Alderman, Ward 3 (three year term)	Dan Allen
Alderman, Ward 4 (three year term)	Susan B. Tjarks

BE IT RESOLVED, that the following is a true and correct abstract of the returns of said election held on June 2, 2020.

**Alderman Ward 1** (three year term):

Tim Goldammer	286
Steve Rice	348

NOW, THEREFORE, BE IT RESOLVED, that the following named persons are hereby declared to be elected, and that the City Finance Officer is hereby directed to issue Certificates of Election for the positions of Alderman within the City of Mitchell, as follows:

Alderman, Ward 1	(three year term)	Steve Rice
Alderman, Ward 2	(three year term)	John Doescher
Alderman, Ward 3	(three year term)	Dan Allen
Alderman, Ward 4	(three year term)	Susan B. Tjarks

Dated this 8<sup>th</sup> day of June, 2020.

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Mayor

Attest:

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Finance Officer  
[SEAL]

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 Ordinance  Citizen Request  Discussion

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Agenda Item:

Explanation/Background of Agenda Item Requested:

Last year, the council re-wrote its fireworks ordinances. It revisited the way fireworks are restricted and clarified exceptions for when they may be used.

Currently there is an exception for certain fireworks to be used in different parts of the city between noon and 11:59 PM on July 3rd and July 4th.

Council member Marty Barington requested this new ordinance be brought for council discussion which would expand the existing exceptions so that fireworks would also be allowed on July 5th during the same times, places, and manners.

**ORDINANCE #O2020-09**

AN ORDINANCE AMENDING MITCHELL CITY CODE SECTION 5-6-4 TO ADD AN EXCEPTION FOR FIREWORKS ON JULY 5TH.

**BE IT ORDAINED BY THE CITY OF MITCHELL, SOUTH DAKOTA AS FOLLOWS:**

Section 1.

That Mitchell City Code Section 5-6-4A be AMENDED by removing the language:

“on July 3<sup>rd</sup> and July 4<sup>th</sup>”

and replacing it with:

“on July 3<sup>rd</sup>, July 4<sup>th</sup>, and July 5<sup>th</sup>”

with all other language in said section to remain unchanged.

Section 2.

That Mitchell City Code Section 5-6-4B be AMENDED by removing the language:

“on July 3<sup>rd</sup> and July 4<sup>th</sup>”

and replacing it with:

“on July 3<sup>rd</sup>, July 4<sup>th</sup>, and July 5<sup>th</sup>”

with all other language in said section to remain unchanged.

Section 3.

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 4.

The City Finance Officer shall cause notice of adoption of this ordinance to be published in the official newspaper and twenty (20) days after the completed publication, unless the referendum is invoked, this ordinance shall become effective.

Adopted by majority vote of the Mitchell SD City Council in regular session this \_\_\_\_ day of \_\_\_\_\_, 2020.

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Robert B. Everson, Jr. – Mayor

Attest:

(seal)

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Michelle Bathke – City Finance Officer

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Adoption: \_\_\_\_\_

Published: \_\_\_\_\_