

**REGULAR MEETING OF THE CITY COUNCIL
COUNCIL CHAMBERS, CITY HALL
MITCHELL, SOUTH DAKOTA**

**January 4, 2021
6:00 P.M.**

PRESENT: Dan Allen, Marty Barington, John Doescher, Kevin McCardle, Steve Rice,
Dan Sabers, Jeffrey Smith, Susan Tjarks

ABSENT:

PRESIDING: Mayor Bob Everson

AGENDA:

Moved by Tjarks, seconded by Allen, to approve the following items on the consent agenda.

- a. City Council Minutes
 1. City Council December 21, 2020.
- b. Mitchell Republic as the official newspaper for the City of Mitchell for 2021.
- c. Approve Change Order #1-Final for Mitchell Activity Center Roof Repairs Project #2020-36 increasing contract amount by \$682.45 to Mueller Lumber Company, adjust contract amount to \$119,467.45.
- d. Pay Estimates January 4, 2021
 - Pay Estimate #20 in the amount of \$2,930.00 for Sanborn Phases II & III-Storm Sewer #2019-22 contracted to Brosz Engineering Inc.,
 - Pay Estimate #3-2020 in the amount of \$8,666.66 for Mitchell Airport Snow Removal #2019-53R2 contracted to Quality Cut Lawn & Snow,
 - Pay Estimate #17 in the amount of \$957.14 for Crafty Fox Window Repairs #2020-24 contracted to Custom Carpentry/Doug Driggs,
 - Pay Estimate #18 in the amount of \$535.50 for Crafty Fox Window Repairs #2020-24 contracted to Custom Carpentry/Doug Driggs,
 - Pay Estimate #5 in the amount of \$1,561.00 for Old Landfill Monitoring #2020-28 contracted to Geotek Engineering,
 - Pay Estimate #5 in the amount of \$2,151.00 for New Landfill Monitoring #2020-29 contracted to Geotek Engineering and
 - Pay Estimate #2 in the amount of \$5,260.00 for West Harmon Shoreline Restoration #2020-40 contracted to Brosz Engineering Inc.
- e. 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

PAYROLL DECEMBER 13, 2020 – DECEMBER 26, 2020: City Council \$3,199.68, Mayor \$1,331.42, City Administrator \$5,066.46, Attorney \$4,210.23, Finance \$10,386.39, Human Resources \$3,395.59, Municipal Building \$1,586.64, Information Technology \$2,603.13, Police \$67,460.60, Traffic \$2,850.08, Fire \$29,514.25, Street \$27,574.91, Public Works \$23,042.36, Cemetery \$3,927.76, Library \$13,548.69, Recreation & Aquatics \$5,341.95, Recreation Center \$16,446.08, Sports Complexes \$9,039.21, Parks \$11,087.96, Supervision \$5,449.06, E911 \$21,485.96, MVP \$743.78, Palace Transit \$22,084.32, JVCC \$1,025.06, Nutrition \$3,053.97, Water Distribution \$13,207.86, Sewer \$12,877.39, Airport \$2,971.39, Recycling Program \$5,465.65, Waste Collection \$6,230.09, Landfill \$8,665.23, Corn Palace \$17,364.12, Golf Course \$2,465.22, Emergency Medical Services \$26,405.11.

NEW HIRES:

PUBLIC WORKS: Cooper Vermeulen-\$15.00

SALARY ADJUSTMENTS:

POLICE: Peter Arnold-\$29.106

FIRE: Joseph Dolezal-\$25.474

WATER: Kevin Sibson-\$23.593

RECREATION CENTER: Thomas Gullede-\$27.703

STREET: Daniel London-\$20.332, Jason Dicus-\$21.104

JANUARY 1, 2021 SALARIES:

The following is a listing of the salaries for elected officials and full time employees of the City of Mitchell for the year 2021. Please note that salaries are shown as hourly wages unless the individual fills an exempt position:

COUNCIL: Daniel Allen-\$10,737.00, Marty Barington-\$10,737.00, John Doescher-\$10,737.00, Kevin McCardle-\$10,737.00, Steven Rice-\$10,737.00, Dan Sabers-\$10,737.00, Jeffrey Smith-\$10,737.00, Susan Tjarks-\$10,737.00.

MAYOR: Bob Everson-\$35,742.00.

CITY ADMINISTRATOR: Stephanie Ellwein-\$137,708.00

ATTORNEY: Justin Johnson-\$114,436.00.

FINANCE: Michelle Bathke-\$101,129.00, Michele DeVries-\$23,200, Marilyn Jansen-\$22,617, Janice Peterson-\$23,476, Cindy Roth-\$74,335.00.

PUBLIC WORKS: Kyle Croce-\$121,769.00, Joseph Galpin-\$26,549, Deb Hanson-Sudbeck-\$22,631, John Hegg-\$31,958, Terry Johnson-\$92,933.00, Cathy Krall-\$22,900, Neil Putnam-\$78,098.00, Joseph Schroeder-\$96,227.00

HUMAN RESOURCES: Elizabeth Kitchens-\$78,003.00.

INFORMATION TECHNOLOGY: Andrew Schneider-\$33,596.

POLICE DEPARTMENT: Niko Arnold-\$25,262, Peter Arnold-\$30,051, John Badker-\$30,061, Andrew Becker-\$27,549, Bradley Buysse-\$33,575, Ryan Erickson-\$36,174, Dan Fechner-\$30,427, Curtis French-\$24,950, Sawyer Gibson-\$30,779, Dean Knippling-\$77,087.00, Dan Kopfman-\$30,061, Mike Koster-\$101,129.00, Wade London-\$25,913, Kelly Loudenburg-\$29,689, William Lutjen-\$25,897, Justin Maas-\$24,590, Patrick Marler-\$30,061, Kyle McLaughlin-\$27,217, Cindy Mentele-Titze-\$22,617, Crystal Reitzel-\$21,006, David Sarne-\$30,399, Justin Stoltenburg-\$25,262, Casey Tegethoff-\$29,314, Tyler Urban-\$25,262, Seth Vandenhoek-\$24,590, Austin VanHorn-\$25,262, Paul Wilson-\$30,061.

TRAFFIC: Joshua Harvey-\$23,186.

FIRE DEPARTMENT: Justin Adams-\$23,541, Tiffany Boehmer-\$20,535, Chad Cody-\$22,680, Zach Dalrymple-\$22,964, Joseph Dolezal-\$26,302, Daniel Esh-\$18,374, Matt Geidel-\$18,374, Abigail Hofer-\$20,031, Marius Laursen-\$95,039.00, Brandon Manchester-\$20,281, Matt Rector-\$20,281, Luke Ruml-\$21,327, Shannon Sandoval-\$31,164, Thomas Schaffner-\$21,327, Andrew Shank-\$22,680, Abigail Squier-\$17,923, Scott Tschetter-\$19,071, Ben Vanden Hoek-\$26,302.

EMS: Dakota Gamber-\$20,031, Ashly Perez-Franco-\$20,031, Daniel Pollreisz-\$24,718, McKenzy Young-\$20,281.

STREET: Steve Anderson-\$31,563, Travis Giedd-\$20,993, Randy Hanten-\$26,573, Nathan Hegg-\$28,952, Kevin Hughes-\$24,367, Jeff Hurt-\$23,762, Troy Kokesh-\$26,573, Dan London-\$20,993, Luke Nagel-\$20,993, Pam Punt-\$22,631, Kevin Roth-\$83,002.00, Dale Star-\$22,610, Jason Tuttle-\$26,245.

GOLF COURSE: Jason Gunnare-\$29,662.

CEMETERY: Aaron Willis-\$27,217, Scott Ziebart-\$23,476.

LIBRARY: Dennis Geidel-\$22,900, Kevin Kenkel-\$78,003.00, Cynthia Meinen-\$27,557, Ada Morales-\$22,603, Zackery North-\$25,262, Jean Patrick-\$26,221.

RECREATION & AQUATICS: Kevin DeVries-\$78,122.00, Jamie Henkel-\$29,689.

PARKS: Bradley Gates-\$24,353, Matthew Hayes-\$20,478, Kelly Kidwiler-\$20,478, Cody Pohlen-\$21,521, Steven Roth-\$71,616.00, Shane Taylor-\$20,993, Alexander Young-\$21,255.

RECREATION CENTER: Todd Cavanaugh-\$26.881, Christina Cranny-\$22.352, Adam Fosness-17.879, Thomas Gullede-\$28.603, Joseph Haiar-\$24.367.

SPORTS COMPLEXES: Jeremy Nielsen-\$63,250.00, Roger Prewett II-\$24.052, Tyler Vetch-\$21.790.

PARKS, RECREATION & FORESTRY SUPERVISION: Angel DeWaard-\$22.900, Nathan Powell-\$99,881.00.

MITCHELL VOLUNTEER PROGRAM: Amy Hurt-\$24.657, Jessica Pickett-\$92,763.00.

PALACE TRANSIT: Cheryl Buenning-\$18.552, Jonathan Gamber-\$18.784, Patti Goudy-\$20.746, Kenyon Graves-\$20.237, Wanda Graves-\$22.351, Andrea Hamilton-\$60,936, Karol Iburg-\$20.237, Jaclyn Larson-\$21.790, Art Streetman-\$18.552, Don Trebil-\$19.018.

E-911: Mary Aronson-\$25.617, Kelsey Braun-\$20.231, Kathy Brink-\$25.937, Kyleena Dumas-\$25.300, Heather Merry-\$19.735, Dawn Niehoff-\$63,288.00, Debbie Vaughn-\$25.617, Megan White-\$19.491, Juan'l Whitley-\$20.231, Hannah Willis-\$19.981.

UTILITIES: Brian Daughters-\$25.913, Jonathan Rehfeldt-\$22.331, Loren Skinner-\$31.582, Jon Vermeulen-\$86,153.00, Eugene Wagaman-\$31.582.

WATER DISTRIBUTION: Tommy Holleman-\$21.514, Tylor Peterson-\$31.582, Kerry Plooster-\$28.267, Darin Richey-\$21.255, Thomas Schuman-\$24.657, Kevin Sibson-\$24.360.

AIRPORT: Michael Scherschlight-\$31.958.

WASTE COLLECTION: Walter Davis-\$19.491, Jason Dicus-\$21.790, Michael Dufek-\$26.245, Travis Hohrman-\$22.056, David Schulte-\$24.375, Troy Sipes-\$23.777.

LANDFILL: Megan Davids-\$21.534, Stephen Laughlin-\$21.783, Clayton Moore-\$26.245, Travis Platt-\$22.069, Jaylon Tollefson-\$30.418.

CORN PALACE: Nick Bakhtiari-\$61,698.00, Kevin Dykes-\$20.478, Doug Greenway-\$87,177.00, Kathy Hanks-\$19.268, Jeff Hanson-\$26.549, Austin Kleinsasser-\$17.017, Diane Mutziger-\$20.759, Gary Walton-\$22.900.

WARRANTS:

Abigail Hofer, Travel-\$345.40; Amazon Capital Services, Supplies-\$212.52; American Garage Door, Supplies-\$409.31; Aramark, Supplies-\$110.16; Athletica Sport Systems, Supplies-\$1,363.00; Avera Heart Hospital of South Dakota, Supplies-\$1,225.00; Avera Occupational Medicine, Contract Services-\$2,299.18; Bailey Metal Fabricators, Supplies-\$6.01; Baker & Taylor, Books-\$345.58; Big Daddy D's, Supplies-\$3,377.17; Boyer Trucks Sioux Falls, Supplies-\$5,334.10; Brosz Engineering, 2019-22 P.E. #20-\$8,190.00; Bryce Holter, Corn Palace

Games-\$75.00; Builders First Source, Landfill Payment-\$12.49; Butler Machinery, Supplies-\$160.75; Byte Speed, Supplies-\$1,430.00; C & B Operations, Supplies-\$423.70; CDW Government, Supplies-\$297.96; Cengage Learning, Books-\$100.45; Central Electric, Utilities-\$83.39; Century Link, Utilities-\$13.55; CHR Solutions, Billing/Postage-\$2,907.86; Chuck's Paint & Blinds, Supplies-\$102.77; City of South Sioux City, Garnishment-\$389.03; Coca Cola Bottling, Supplies-\$45.60; Colliers Securities, Professional Service-\$700.00; Commercial Asphalt/Spencer Quarries, Supplies-\$1,869.00; Core & Main, Supplies-\$592.90; Core-Mark Midcontinent, Supplies-\$740.49; County Fair, Supplies-\$64.50; Dakota Pump, Supplies-\$9,391.20; Dakota Supply Group, Supplies-\$424.61; Dance Expressions, Dance Event-\$1,785.97; Davison County Register of Deeds, Easement-\$60.00; Department of Environmental Regulations, Renewal-\$120.00; Dice Benefits Consulting, November 2020 Fees-\$492.00; Doug L Driggs, 2020-24 P.E. #17-\$1,492.64; Ebsco, Subscriptions-\$4,286.73; Educational Development, Books-\$611.98; Eric Hieb, Contract Services-\$4,558.91; Farmers Alliance, Supplies-\$192.41; Fastenal, Supplies-\$174.82; First National Bank Omaha, Loan Payment-\$10,186.88; Forterra Pipe & Precast, Supplies-\$1,648.60; Forum Communications, Advertising-\$732.00; Frontier Precision, Maintenance-\$2,213.12; Geotek Engineering, 2020-28 P.E. #5-\$5,237.00; Greg & David Wise, Nuisance Abatement-\$234.34; Hanson School District, Corn Palace Games-\$364.25; Harve's Sport Shop, Equipment-\$1,819.65; Hawkins, Supplies-\$1,273.30; Henry Schein, Supplies-\$43.54; Huskies Boys Basketball, Sports Authority Promotion-\$3,000.00; Ice Bumper Cars, Repair-\$140.63; Identisys, Supplies-\$175.00; Innovative Office Solution, Supplies-\$122.07; Interstate Glass & Doo, Maintenance-\$183.00; Interstate Office Products, Supplies-\$64.24; Interstate Power Systems, Supplies-\$932.26; James Valley Nursery, Supplies-\$314.73; Jan Weisser, Corn Palace Games-\$70.00; Jason Gunnare, Travel-\$96.00; JCL Solutions, Supplies-\$12.54; Jessica Pickett, Reimbursement-\$20.00; Johnson Controls, Contract Services-\$4,503.73; Jones, Supplies-\$841.59; Joshua Kranz, Professional Service-\$200.00; Krohmer Plumbing, Supplies-\$134.41; Larry's I-90 Service, Supplies-\$1,966.44; Lawson Products, Supplies-\$109.34; Leighton Family Farms, Supplies-\$250.00; Light & Siren, Supplies-\$3,989.00; Lori Schmidt, Corn Palace Games-\$225.00; M & T Fire and Safety, Supplies-\$734.30; Make It Mine Designs, Supplies-\$515.00; Mark Horan, Corn Palace Games-\$70.00; McLeod's Printing, Supplies-\$827.95; Menard's, Supplies-\$2,385.48; Meyers Oil, Supplies-\$1,000.00; Microsoft, Supplies-\$910.00; Midamerica Books, Books-\$379.00; Midcontinent Communications, Utilities-\$225.84; Millennium Recycling, Single Stream Fee-\$4,699.45; Mueller Lumber, Supplies-\$40.77; Muth Electric, Maintenance-\$76.53; Napa Auto Parts, Supplies-\$214.06; Northern Truck Equipment, Supplies-\$209.69; Northwestern Energy & Communications, Utilities-\$18,884.73; Overdrive, Supplies-\$1,407.65; Pat Dockendorf, Corn Palace Games-\$150.00; Pepsi Cola, Supplies-\$428.22; Planning & Development District, 2021 Membership Dues-\$13,160.00; Pomp's Tire Service, Supplies-\$983.24; Postal Solutions, Mailing Service-\$1,445.69; Public Health Laboratory, Lab-\$1,054.00; Qualified Presort, Postage-\$575.36; Quality Cut Lawn & Tree Service, Snow removal contract-\$8,666.66; Quality Storage Buildings, Supplies-\$10,538.00; Royce & Sharon Titze, Refund-\$400.00; Runnings, Supplies-\$317.36; Sacred Hoops Basketball, Sports Authority Promotion-\$1,500.00; Savvik, Supplies-\$188.94; South Dakota Department of Health, License #13650 Concessions-\$140.00; South Dakota Governmental Finance Officer, Dues-\$70.00; South Dakota Governmental Human Resources, Registration-\$25.00; South Dakota Municipal Attorneys', 2021 Dues-\$35.00; South Dakota Municipal League, Dues-\$8,546.72; South Dakota Retirement System, Retirement

Contributions-\$49,043.21; South Dakota Supplemental Retirement, Supplemental Retirement-\$2,994.80; South Dakota Supplemental Roth 457, Roth 457 Contributions-\$1,025.00; South Dakota Water & Wastewater, Renewal-\$90.00; Sign Pro, Supplies-\$514.00; Stan Houston Equipment, Supplies-\$149.98; Staples, Supplies-\$256.89; Sterling Codifiers America, Renewal-\$500.00; Sturdevant's Auto Parts, Supplies-\$672.81; Sun Gold Sports, Supplies-\$155.00; Tessier's, Repair-\$960.37; Thomas L Price, Professional Service-\$700.00; Thune True Value Hardware, Supplies-\$100.01; Tim's Towing & Recovery, Police Tow-\$320.00; Titan Machinery-Sioux Fall, Supplies-\$235.80; Titze Electric & Remodeling, Professional Service-\$655.60; TK Electric, Supplies-\$48,888.00; Transource, Supplies-\$95.38; Tyler Technologies, Annual Fees-\$30,674.96; Vern Eide Chevrolet Buick, Police Tow-\$460.00; Wheelco Brake & Supply, Supplies-\$336.45; Wireless Links, Supplies-\$8,353.00; First Dakota National Bank, Woods TID #17, Antach TID #19, Westwood-TID #7-\$250,414.10; Wells Fargo, TID #18 Starlite Estates-\$150,984.72.

Members present voting aye: Allen, Barington, Doescher, McCardle, Rice, Sabers, Smith, Tjarks. Members present voting nay: none. Motion carried.

CITIZENS INPUT:

Sonja VanErdewyk and Reed Bender cited several concerns regarding the requirement of mask wearing and voiced their opposition to the mask mandate currently in place.

Mitchell resident Mike Bathke stated he has concerns regarding the drainage and fill dirt being used in the development of the Westwood 1st Addition which is near property he owns on West 8th Avenue.

BOARD OF ADJUSTMENT:

Moved by Rice, seconded by McCardle, for the City Council to recess and sit as the Board of Adjustment. Motion carried.

SET DATE:

Moved by Allen, seconded by Rice, to set date for January 19, 2021 on the application of Patrick Clark for a side-yard on a corner variance of 11 feet vs 20 feet as required for construction of a deck located at 421 E Hanson Ave, legally described as Lot 1, Block 46, Lawler's 1st Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential District. Motion carried.

Moved by Rice, seconded by Barington, for the Board of Adjustment to adjourn and the City Council to reconvene in regular session. Motion carried.

HEARINGS:

It was advised that this is the date and time set for hearing on the application to transfer PL-4700 Package (Off-Sale) Liquor License from MAC Hotels Inc. dba Thunderbird Lodge, 1601 South Burr Street, Mitchell to Tushar Shah dba Radhe LLC, 1601 South Burr Street, Mitchell. Notice of hearing has been given and affidavit of publication is on file. Moved by Tjarks, seconded by Sabers, to approve said application. Motion carried.

It was advised that this is the date and time set for hearing on the application to transfer PL-4686 Package (Off-Sale) Liquor License from I Mart Stores LLC dba I Mart Stores USA, 512 South Sanborn Blvd, Mitchell to IYS Ventures LLC dba I Mart Stores, 512 South Sanborn Blvd, Mitchell. Notice of hearing has been given and affidavit of publication is on file. Moved by McCardle, seconded by Barington, to approve said application. Motion carried.

CONSIDER APPROVAL:

Moved by McCardle, seconded by Rice, to approve the official depositories for the City of Mitchell for 2021. Smith abstained. Motion carried.

Moved by Rice, seconded by Allen, to approve the Amendment to Agreement #A2019-51, FEMA Hazard Mitigation and State Funding for the 508 West Ash Street Property Acquisition with the State of South Dakota. Motion carried.

Moved by McCardle, seconded by Rice, to approve Agreement #A2021-01, Lake Mitchell Wetlands Agreement with Ducks Unlimited. Motion carried.

RESOLUTION:

Moved by Tjarks, seconded by Smith, to approve Resolution #R2021-03, Vacation of a Public Right-of-Way (1300 Block of South Kimball Street), as follows:

RESOLUTION NO. R2021-03

WHEREAS, The petitions and consent in writing of Jerry Regynski owners of Lots 28 and 28A and K 1-A, Weaver's Squares Addition, NW ¼ of Section 27, City of Mitchell, Davison County, South Dakota and James River Housing Inc., owner of Block 29 and S ½ of vacated Kay and all of vacated Lawler and Linden Street abutting, Weaver's Square, City of Mitchell, Davison County, South Dakota respectfully in due and proper form, are requesting the Governing Body of the City of Mitchell to vacate the street right-of-way, subject to existing utilities and easement, described as set forth below pursuant to the statutes in such cases made, and provided, particularly SDCL 9-45-7, et. Seq. and the petitioners respectfully show and represent the following;

That portion of the South Kimball Street Right-of Way extending south from the Southwest property corner of Lot 1, Square 21, of Weavers Square Addition, City of Mitchell, Davison County, South Dakota, and,

That portion of the South Kimball Street Right-of-Way extending south from the Southeast property corner of the South Half of vacated Kay Ave bordering to the north of Block 29, Weavers Squares Addition, City of Mitchell, Davison County, South Dakota.

WHEREAS, This Council did thereupon consider said Petitions and did find that said Petitions and Consent in writing requesting and consenting to the vacation of said street right-of-way was signed by all of the owners of the property abutting the street right-of-way sought to be vacated; and

WHEREAS, Notice of Hearing in relation to said Petitions was made by publication as required by law providing that such Petitions would be heard and considered by the Governing Body of the said City Council on the 4th day of January, 2021 at 6:00 p.m., in the Chambers of the City Council of the City of Mitchell, South Dakota; and

WHEREAS, Said Council did meet to consider and hear said Petition on the said 4th day of January, 2020 at the time and place specified in said Notice, and that the said Petitions was duly heard and considered by this Council, the Petitioners and considerations of those objecting were heard by Council were presented in regards to said Petitions, in writing or otherwise.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Mitchell, South Dakota, in a regular meeting, on the 4th day of January, 2021 that upon proper hearing and consideration of said Petitions, this Council finds;

1. That due notice of the hearing of said Petition was given by the City Finance Officer by publication of a Notice thereof in the form prescribed by law in the *Mitchell Republic*, a newspaper, printed and published in the City of Mitchell, South Dakota, for two (2) successive weeks, to-wit: December 9 and 16, 2020.
2. That the Petitioners are the sole owners of all of the property abutting the street right-of-way requested to be vacated and have requested that said street right-of-way be vacated subject to existing utilities, easements, and other restrictions of record, and further subject to a prohibition against construction of improvements within the above described area to be vacated. Said owners having consented in writing to the vacation of said street and which consent is made part of the petition.

IT IS FURTHER RESOLVED the street right-of-way identified as:

That portion of the South Kimball Street Right-of Way extending south from the Southwest property corner of Lot 1, Square 21, of Weavers Square Addition, City of Mitchell, Davison County, South Dakota, and,


That portion of the South Kimball Street Right-of-Way extending south from the Southeast property corner of the South Half of vacated Kay Ave bordering to the north of Block 29, Weavers Squares Addition, City of Mitchell, Davison County, South Dakota.

Is hereby vacated subject to existing utilities, easements, and other restrictions of record, and further subject to a prohibition against construction of improvements within the above described area is hereby vacated.

Motion carried and resolution declared duly adopted.

ADJOURN:

There being no further business to come before the meeting, Mayor Everson adjourned the meeting.


Michelle Bathke
Finance Officer

Published once at the approximate cost of _____.