

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

**January 18, 2022
6:00 P.M.**

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

ABSENT: Susan Tjarks

PRESIDING: Mayor Bob Everson

AGENDA:

Mayor Everson moved Item #24, Council Update: Transportation Study by HDR to Item 7A.

Moved by Rice, seconded by Allen, to approve the following items on the consent agenda:

- a. City Council Minutes
 1. City Council January 3, 2022.
- b. Department Reports
 1. Sales Tax Collections (December),
 2. Sales Tax Overview (2021),
 3. Finance (December),
 4. Building Permits (December),
 5. Building Permits (2021),
 6. Police (December),
 7. Fire/EMS (December),
 8. Airport (December),
 9. Water (December), and
 10. Public Works Project Updates.
- c. MADC Quarterly Report.
- d. Agreement #A2022-01, Grant Agreement with Medica Foundation in the amount of \$5,000.
- e. Agreement #A2022-03, SD DOT Fast Act Funds-Facility.
- f. Agreement #A2022-04, SD DOT Fast Act Funds-Hardware.
- g. Agreement #A2022-05, SD DOT Fast Act Funds-Software.
- h. Agreement #A2022-06, SD DOT Fast Act Funds-Vehicle Cameras.
- i. Request to Apply for Homeland Security Grant.
- j. Request to Apply for FEMA's Staffing for Adequate Fire & Emergency Response (SAFER) Grant.
- k. Raffle Permit
 1. Dakota Riptide with the drawing to be held on March 6, 2022.

- l. Declare Property Surplus to be sold on Purple Wave Auction.
- m. Property Tax Abatements for 2020 Taxes Payable in 2021.
The property tax abatements will be on file for review in the Finance Office at City Hall.
- n. Change Order #1 for Recreation Center Pool Infill Project #2020-25 decreasing the contract amount by \$4,010.00 to Mueller Lumber, adjust contract amount to \$94,790.00.
- o. Change Order #1 for Rock Salt Project #2021-27 increasing the contract amount by \$58,492.50 to Blackstrap, Inc., adjust contract amount to \$108,122.50.
- p. Set date of February 7, 2022 for hearing.
 - 1. On the application of the Corn Palace Shrine Club for a Special Event Liquor License located at the Masonic Hall on March 5, 2022 for a Corn Hole Tournament.
- q. Pay Estimates January 18, 2022
 - Pay Estimate #55 in the amount of \$125.00 for East Central Drainage Phase II #2019-39 contracted to SPN & Associates,
 - Pay Estimate #56 in the amount of \$2,040.35 for East Central Drainage Phase II #2019-39 contracted to SPN & Associates,
 - Pay Estimate #4-2021 in the amount of \$8,666.66 for Mitchell Airport Snow Removal #2019-53R2 contracted to Quality Cut Lawn & Snow,
 - Pay Estimate #1 in the amount of \$60,713.00 for Rec Center Pool Infill #2020-25 contracted to Mueller Lumber,
 - Pay Estimate #1 in the amount of \$550.00 for Rec Center Pool Infill #2020-25 contracted to Schemmer,
 - Pay Estimate #9 in the amount of \$12,006.00 for 9th-Sanborn to Lawler and 5th-Sanborn to Main #2021-7 contracted to McLaury Engineering,
 - Pay Estimate #8 in the amount of \$4,510.00 for West Harmon Utility Improvements #2021-16 contracted to Brosz Engineering,
 - Pay Estimate #10 in the amount of \$203,563.50 for North Wastewater Improvements #2021-31 contracted to HDR Engineering,
 - Pay Estimate #4 in the amount of \$9,629.65 for Mitchell Risk & Resilience Assessment #2021-36 contracted to HDR Engineering,
 - Pay Estimate #2 in the amount of \$24,412.50 for Spruce Street Railroad Crossing #2021-39 contracted to Brosz Engineering, and
 - Pay Estimate #3 in the amount of \$10,171.30 for Corn Palace Renovation Planning #2021-44 contracted to Schemmer.
- h. 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 26, 2021 – JANUARY 8, 2022: City Council \$3,411.04, Mayor \$1,474.35, City Administrator \$5,536.92, Attorney \$4,601.23, Finance \$13,055.29, Human Resources \$3,703.81, Municipal Building \$3,258.62, Information Technology \$3,021.52, Police \$70,324.23, Traffic \$4,258.97, Fire \$35,140.89, Street \$25,872.17, Public Works \$19,145.87, Cemetery \$4,976.91, Animal Control \$1,609.91, Library \$16,011.15, Recreation & Aquatics \$5,941.23, Recreation Center \$18,428.00, Sports Complexes \$10,815.44, Parks \$10,207.49, Supervision \$1,915.20, E911 \$20,173.70, MVP \$595.30, Palace Transit \$22,868.50, JVCC \$937.28, Nutrition \$3,897.65, Water Distribution \$13,610.97, Sewer \$15,365.37, Airport

\$3,410.89, Recycling Program \$6,033.87, Waste Collection \$6,154.83, Landfill \$9,334.57, Corn Palace \$23,072.58, Golf Course \$2,582.23, Emergency Medical Services \$31,724.37.

NEW HIRES:

CORN PALACE: Dakota Becker-\$10.45, Isaiah Jacobsen-\$11.45, Reed Renken-\$9.95/\$11.45

GOLF COURSE: Alex Dagen-\$21.143

RECREATION CENTER: Cody Cavanaugh-\$15.00, Brian Daughters-\$13.45, John Jackson-\$10.45, Josef Jackson-\$10.95/\$15.00, Ethan McCune-\$9.95/\$15.00, Hunter Shanks-\$9.95, Justin Sorensen-\$10.45

SALARY ADJUSTMENTS:

E-911: Sachiko Evans-\$20.124, Crystal Reitzel-\$25.167, Hannah Willis-\$20.124

EMS: Douglas Glover-\$23.338, Joshua Harvey-\$23.338, Madison Jones-\$23.338, Samantha Pulse-\$23.338, Amy Storm-\$23.338

FINANCE: Paula Morgan-\$21.407, Kristi Schneider-\$19.155

FIRE: Mark Eliason-\$20.953, Robert Parker-\$22.680, Thomas Schaffner-\$22.574, Scott Tschetter-\$19.310

JVCC: Kimberly Burg-\$15.45, Anthony Lucas-\$9.95

LIBRARY: Dennis Geidel-\$23.186, Ada Morales-\$22.886

NUTRITION: James Higgs-\$11.45, Alfred Jacklin-\$11.45, Darlys Kruse-\$10.95, Marjorie Novak-\$11.95, Elaine Schaefer-\$11.45, Diane Schulz-\$11.95

PALACE TRANSIT: John Bumgardner-\$19.155, Geoffry Byrd-\$19.155, Rex Crockett-\$19.155, Dan Johnson-\$19.155, Robert Kroger-\$19.155, Larry Kunkel-\$19.155, Patrick Leach-\$19.155, Earl Lehrman-\$19.155, Terrance Lynde-\$19.155

POLICE: Patrick Olesen-\$19.155

RECREATION & AQUATICS: Jane Schubert-\$13.00

RECREATION CENTER: Adam Fosness-\$18.924, Lisa Schulz-\$15.45, Christal Whetstine-\$13.45

STREET: Kevin Hughes-\$25.792

TERMINATIONS:

CORN PALACE: Earlwin Bernie, Eric Meng, Austin Ryland

WARRANTS: A-Ox Welding Supply, Supplies-\$266.66; Accounts Management, Garnishment-\$636.79; AFSCME Council 65, Union Dues-\$486.80; Airside Solutions, Supplies-\$317.22; Amazon Capital Services, Supplies-\$330.47; Aqua-Pure, Supplies-\$1,693.75; Aramark Uniform Services, Supplies-\$246.38; Arctic Refrigeration, Supplies-\$900.85; ATV Holdings, LLC DBA Mitchell Telecom, Utilities-\$2,574.76; Avera Occupational Medicine, Contract Services-\$1,512.00; B-Y Water District, Utilities-\$46,255.38; Baker & Taylor, Books-\$64.70; Big Daddy D's, Contract Services-\$3,524.06; Blackstrap, Supplies-\$5,660.67; Bound Tree Medical, Supplies-\$167.90; Boyer Trucks, Supplies-\$893.14; Brosz Engineering, 2021-16 P.E. #8-\$28,922.50; Buhl's Drycleaning, Supplies-\$34.00; C & B Operations, Supplies-\$43.45; C & D Pedal Pulls, 2021 National Pedal Pull-\$4,000.00; Carahsoft Technology, Supplies-\$315.68; Carolina Software, Supplies-\$500.00; Carquest Auto Parts, Supplies-\$50.49; Century Link, Utilities-\$123.32; CK Bicycles & Locks, Supplies-\$18.00; Cloudcover, Maintenance-\$6,100.00; Coborns, Contract Services-\$493.50; Coca Cola Bottling, Supplies-\$1,738.70; Colliers Securities, Professional Services-\$700.00; Commercial Asphalt/Spencer Quarries, Supplies-\$1,624.50; Connections, Training-\$1,915.20; Core-Mark Midcontinent, Supplies-\$11,440.53; Corn Palace, Supplies-\$14.00; County Fair, Supplies-\$660.12; Cranny Sales & Service, Testing-\$135.00; Culligan Water, Rental-\$50.00; Cummins Sales and Service, Inspection-\$487.02; Dakota Counseling, 2022 Allocation-\$6,562.50; Dakota Data Shred, Professional Service-\$190.25; Dakota Gamber, Reimbursement-\$140.00; Dakota Heartland Development, Annual Contribution-\$7,500.00; Dale Star, Supplies-\$35.00; Darrington Water Conditioning, Rent-\$36.70; Davison County, TID #18 - Starlite Estates-\$68,138.47; Davison County Search and Rescue, 2022 Allocation-\$1,500.00; Davison Rural Water System, Utilities-\$157.40; Department of Agriculture, NPDES Municipal Fees-\$15,500.00; Department of Social Services, Child Support-\$600.87; Dick's Towing, Tow-\$145.00; Dimock Dairy, Supplies-\$150.60; Dug Out, Contract Services-\$693.00; Eric Hieb, Contract Services-\$4,552.95; Etix, Contract Services-\$617.90; Farmers Alliance, Supplies-\$5,533.00; Fastenal, Supplies-\$266.95; Foreman Sales & Service, Bus Trip To Capitol-\$975.00; Frontier Precision, Training-\$100.00; GF Advertising Services, Supplies-\$767.52; Golden West Technologies, Monitoring-\$314.97; Goverlan, Maintenance-\$291.00; Grainger, Supplies-\$11.76; Great Western Tire, Supplies-\$4,101.30; Guardian Alliance Technology, Investigations-\$50.00; Harve's Pro Prints, Supplies-\$221.46; Hauge Associates, Garnishment-\$324.45; HDR Engineering, 2021-31 P.E. #10-\$213,193.15; Howes Oil, Supplies-\$18,594.48; Ican, Publishing-\$750.00; Imagetrend, Annual Fee-\$3,218.75; Ingram Library Services, Books-\$862.76; Innovative Office Solution, Supplies-\$279.88; Interstate Glass & Door, Maintenance-\$66.33; Interstate Office Products, Supplies-\$98.84; JCL Solutions, Supplies-\$1,829.00; Joe Galpin, Travel-\$60.00; Jones Supplies, Supplies-\$1,081.99; Justin Adams, Training-\$110.50; Karl's, Supplies-\$515.98; Krohmer Plumbing, Supplies-\$349.87; Lakeview Veterinary Clinic, Supplies-\$1,161.59; Lawson Products, Supplies-\$374.76; Leighton Family Farms, Supplies-\$450.00; M & T Fire and Safety, Supplies-\$180.00; Maximum Promotions, Supplies-\$550.00; McLaury Engineering, 2021-7 P.E. #9-\$12,006.00; McLeod's Printing, Supplies-\$136.47; Menard's, Supplies-\$453.76 ; Meyers Oil, Supplies-\$1,249.00; Microfilm Imaging Systems, Repair-\$245.00; Mid-States Organized Crime, Membership Fees-

\$200.00; Midcontinent Communication, Publishing-\$2,448.00; Midwest Alarm, Inspection-\$810.00; Midwest Fire & Safety, Service-\$45.00; Minnesota Valley Testing, Lab-\$933.00; Mitchell Area Development, Allocation-\$41,750.00; Mitchell Convention & Visitors Bureau, 2022 Funding January-\$20,800.00; Mitchell Iron & Supply, Supplies-\$120.26; Mitchell Main Street and Beyond, 2021 Allocation-\$8,750.00; Mitchell Park & Recreation, Youth Wrestling-\$720.00; Mitchell School District, Utilities-\$1,734.14; Mitchell United Way, United Way Deductions-\$199.66; Mitchell Wrestling, Youth Wrestling-\$3,124.67; Mueller Lumber, 2020-25 P.E. #1-\$60,721.77; Muth Electric, Labor-\$7,023.38; Napa Auto Parts, Supplies-\$336.22; Northern Truck Equipment, Supplies-\$243.18; Northwestern Energy & Communications, Utilities-\$61,668.65; Nova Fitness Equipment, Maintenance-\$173.71; Online Computer Library Center, Cataloging Subscription-\$361.72; One Source the Background, Background Checks-\$106.00; Overdrive, Ebooks-\$4,096.13; Overtime Steak House and Sports Bar, Contract Services-\$2,044.00; Palmetto, Refund-\$757.57; Penguin Management, Service-\$1,634.00; Pepsi Cola, Supplies-\$1,567.65; Peter Arnold, Reimbursement-\$345.02; Premier Pest Control, Contract Services-\$200.00; Premier Specialty Vehicles, Supplies-\$23.29; Public Health Laboratory, Lab-\$148.00; Qualified Presort, Mailing Service-\$279.93; Quality Cut Lawn & Tree Service, 2019-53R2 P.E. #4-2021-\$8,666.66; Quick Med Claims, Supplies-\$4,665.19; Riverside Technologies, Supplies-\$3,998.00; Robert B Everson Jr, Travel-\$135.66; Rockmount Research & Alloy, Supplies-\$651.24; Runnings Supply, Supplies-\$62.72; Sacred Hoops Basketball, Corn Palace Games-\$6,339.00; Safe Place of Eastern South Dakota, 2022 Distribution-\$4,500.00; Saga Communications of South Dakota, Publishing-\$1,227.00; Sanitation Products, Supplies-\$2,713.19; Santel Communications, Utilities-\$106.16; Schemmer Associates, 2020-25 P.E. #1-\$10,721.30; SPN, 2019-39 P.E. #55-\$2,165.35; Scott Supply, Supplies-\$332.56; South Dakota Building Officials, 2022 Membership Dues-\$60.00; South Dakota Department of Environment & Natural Resources, Solid Waste-\$2,575.13; South Dakota Governmental Human Resources, 2022 Membership Dues-\$25.00; South Dakota Retirement System, Retirement Contributions-\$52,350.04; South Dakota Supplemental Roth 457, Roth 457 Contributions-\$1,303.50; South Dakota Supplemental Retirement, Supplemental Retirement-\$3,199.80; Sherwin-Williams, Supplies-\$637.58; SHRM, Membership Dues-\$219.00; Sign Pro, Supplies-\$51.60; Sign Solutions, Supplies-\$765.96; Standard Insurance Company, Life Insurance-\$418.65; Staples, Supplies-\$55.50; Storey Kenworthy/Matt Parrott, Tax Forms-\$408.61; Sturdevants Mitchell, Supplies-\$798.40; Sun Gold Sports, Supplies-\$70.00; Teamsters Local No. 120, Union Dues-\$1,521.00; Teleflex Funding, Supplies-\$1,115.50; Terry Johnson, GPS Conference-\$98.12; Tessier's, Supplies-\$1,063.23; Thomson Reuters-West, Supplies-\$827.49; Thune True Value Hardware, Supplies-\$275.63; Tim's Cutting Edge, Supplies-\$63.90; Tim's Towing & Recovery, Police Tow-\$145.00; TK Electric, Supplies-\$107.63; Top Grade Concrete, Supplies-\$551.14; Transource, Supplies-\$312.51; Trizetto Provider Solution, Claims-\$74.40; True North Steel, Supplies-\$4,108.20; Two Way Solutions, Supplies-\$22,507.00; Tyler Vetch, Supplies-\$26.99; Upper Midwest Garage Door, Maintenance-\$104.10; United Parcel Service Store #4227, Shipping-\$957.47; USA Blue Book, Supplies-\$162.96; Van Diest Supply, Supplies-\$389.04; Verizon Wireless, Utilities-\$710.98; Vern Eide Chevrolet Buick, Repair-\$4,115.43; Vern Eide Ford Lincoln, Repair-\$140.81; Walmart, Supplies-\$96.14; Wheelco Brake & Supply, Supplies-\$234.38; Wholesale Electronics, Supplies-\$14.34; Youth Athletic Foundation, Corn Palace Games-\$10,799.30; Ellwein Brothers, Supplies-\$594.00.

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

CITIZENS INPUT:

Geri Beck, Executive Director of the Mitchell Area Development Corporation and Chamber of Commerce, presented the 4th Quarterly Report for 2021.

UPDATE:

Jonathan Wiegand, PE, Transportation Planning Project Manager with HDR, discussed the various tasks, phases, and outcomes of the Transportation Study. A public meeting will be held on January 27th to discuss and receive input on the Transportation Plan.

EXECUTIVE SESSION:

Moved by Rice, seconded by Sabers, to go into Executive Session as permitted by SDCL 1-25-2(3) Consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters. Motion carried.

Mayor Everson declared the board out of executive session at 6:45 p.m. and the City Council to reconvene in regular session at 6:46 p.m.

BOARD OF ADJUSTMENT:

City Attorney Justin Johnson reviewed the process of the medical cannabis dispensaries discussing the buffer zones. Johnson suggested to change the language in the ordinance by removing the right of way exclusion from the distance requirement. Staff initially reviewed for required variances, but missed several that would have been required under a strict interpretation of the ordinance due to significant portions running parallel to and almost entirely within a right of way. Such results were not intended and unfortunately were not even identified until now. Johnson recommends the City Council table all pending variances, conditional use permits, and license applications for the medical cannabis dispensaries until the new zoning ordinance can be heard and adopted. Johnson believes this process is the most fair to all applicants, most consistent with the original intent of the ordinance, and most likely to be upheld by a court if challenged.

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

Comments opposing the variance were given by Doug Dailey on behalf of his clients adjacent to the proposed location. Nick Moser provided comments in favor of his client's, DLJ LLC, variance.

It was advised that this is the date and time set for hearing on the application of DLJ LLC for a variance of approximately 448 feet vs 1000 feet as required to be from another cannabis dispensary located at 501 East Juniper, legally described as Lot S-3A except East 63 feet in the Replat of Lot S in the NW ¼ of Section 27-103-60 of the 5th P.M., City of Mitchell, Davison County, South Dakota. The property is zoned HB Highway Business District. Notice of hearing has been given and affidavit of publication is on file. The Planning Commission recommended denial of said application. Moved by Rice, seconded by Smith, to table said application. Motion carried.

Roll Call Vote: Members present voting aye: Barington, Doescher, McCardle, Rice, Sabers, Smith. Members present voting nay: Allen. Motion carried.

Emmett Reistroffer, owner, provided comments in favor of the conditional use permit for Genesis Farms. Pastor Parks provided comments opposing the conditional use permit for Genesis Farms.

It was advised that this is the date and time set for hearing on the application of Genesis Farms LLC for a conditional use permit to operate a Medical Cannabis Dispensary located at 106 West 5th Avenue, legally described as Lots 11 and 12, Block 12, Rowley's 1st Addition, City of Mitchell, Davison County, South Dakota. The property is zoned CB Central Business District. Notice of hearing has been given and affidavit of publication is on file. The Planning Commission recommended approval of said application. Moved by Smith, seconded by Allen, to table said application. Motion carried.

It was advised that this is the date and time set for hearing on the application of Genesis Farms LLC for a variance of 0 feet vs 300 feet as required to be from a religious institution located at 106 West 5th Avenue, legally described as Lots 11 and 12, Block 12, Rowley's 1st Addition, City of Mitchell, Davison County, South Dakota. The property is zoned CB Central Business District. Notice of hearing has been given and affidavit of publication is on file. The Planning Commission recommended denial of said application. Moved by McCardle, seconded by Rice, to table said application. Motion carried.

It was advised that this is the date and time set for hearing on the application of FSST Pharms, LLC dba Native Nations Cannabis for a variance of approximately 16 feet vs 300 feet as required to be from an educational institution and a variance of approximately 950 feet vs 1,000 feet as required to be from another cannabis dispensary located at 1620 South Burr Street, Suite #5, legally described as Lot 4 of AMOCO Irregular Tract in the SE ¼ of Section 27-103-60 of the 5th P.M., City of Mitchell, Davison County, South Dakota. The property is zoned HB Highway Business District. Notice of hearing has been given and affidavit of publication is on file. The Planning Commission recommended approval of said application. Moved by Rice, seconded by Sabers, to table said application. 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.

HEARING:

It was advised that this is the date and time set for hearing on the application of DLJ, LLC for a Medical Cannabis Dispensary License located at 501 East Juniper Street. Moved by Smith, seconded by Allen, to table said application. Motion carried.

It was advised that this is the date and time set for hearing on the application of Genesis Farms, LLC for a Medical Cannabis Dispensary License located at 105 West 5th Avenue. Moved by Barington, seconded by McCardle, to table said application. Motion carried.

It was advised that this is the date and time set for hearing on the application of FSST Pharms, LLC dba Native Nations Cannabis for a Medical Cannabis Dispensary License located at 1620 South Burr, Ste 5. Moved by McCardle, seconded by Sabers, to table said application. Motion carried.

CONSIDER APPROVAL:

Moved by Smith, seconded by Barington, to approve the contingency request of up to \$20,000.00 to cover the installation costs of playground equipment at Kiwanis Park. Motion carried.

Moved by Allen, seconded by McCardle, to approve the purchase of playground equipment at Kiwanis Park off of the Sourcewell bid contract in the amount of \$133,650.39. Motion carried.

Moved by Rice, seconded by Allen, to approve the Foster Street Bridge Preservation (BIG) utility and right-of-way certificates. Motion carried.

Moved by Smith, seconded by Sabers, to approve Agreement #A2022-02, Ohlman & 23rd Lift Station Design and Bidding with SPN, Project #2022-03, in an amount not to exceed \$49,500.00. Motion carried.

Moved by Rice, seconded by McCardle, to approve Agreement #A2022-07, SD DOT Fast Act Grant Funds-Vehicles. Motion carried.

RESOLUTIONS:

Moved by Rice, seconded by McCardle, to approve Resolution #R2022-02, Dissolving Tax Increment District #18, as follows:

**RESOLUTION #R2022-02
Resolution Dissolving Tax Increment District #18**

PREAMBLE:

WHEREAS, Tax Increment District #18, hereinafter referred to as TID #18, was established on or about November 5, 2012; and

WHEREAS, the positive tax increments during the term of this TID have been deposited in a special fund denominated "Tax Increment District Number Eighteen", for the payment of the incurred authorized debt and expenses of the TID; and

WHEREAS, all debts and expenses of TID #18 have been paid in full, and pursuant to SDCL 11-9-46, the TID shall terminate and the District will be dissolved when the payment of all projected costs and all tax incremental bonds and notes have been paid;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MITCHELL:

That Tax Increment District #18 be, and it is hereby, dissolved, inasmuch as the payment of all projected costs and all tax incremental bonds and notes have been paid in full.

Motion carried and resolution declared duly adopted.

Moved by Allen, seconded by Sabers, to approve Resolution #R2022-03, Plat of Lot 1 of Plain's Addition, City of Mitchell, Davison County, South Dakota, as follows:

RESOLUTION #R2022-03

WHEREAS, It appears that the City Planning Commission of the City of Mitchell, South Dakota, did duly consider and did recommend the approval and adoption of the hereinafter described plat, at its meeting held on the 10th day of January, 2022; and

WHEREAS, it appears from an examination of the plat LOT 1 OF PLAIN'S ADDITION, IN SECTION 23, TOWNSHIP 103 NORTH, RANGE 60 WEST TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA as prepared by Steven G Zimmer, a duly licensed Land Surveyor in and for the State of South Dakota, that said is in accordance with the system of streets and alleys set forth in the master plan adopted by the City Planning Commission of the City of Mitchell, South Dakota, and that such plat has been prepared according to law;

THEREFORE, be it resolved by the City Council of Mitchell, South Dakota that the plat of LOT 1 OF PLAIN'S ADDITION, IN SECTION 23, TOWNSHIP 103 NORTH, RANGE 60 WEST TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA as prepared by Steven G. Zimmer, be and the same is approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

I, Michelle Bathke, Finance Officer/Dep. Finance Officer of the City of Mitchell, South Dakota, do hereby certify that the foregoing resolution was passed by the City of Mitchell, South Dakota, at a meeting thereof held on the 18th day of January, 2022.

Motion carried and resolution declared duly adopted.

Moved by McCardle, seconded by Rice, to approve Resolution #R2022-04, Plat of Lot 5, Block 1 of Woodland Heights First Addition, City of Mitchell, Davison County, South Dakota, as follows:

RESOLUTION #R2022-04

WHEREAS, It appears that the City Planning Commission of the City of Mitchell, South Dakota, did duly consider and did recommend the approval and adoption of the hereinafter described plat, at its meeting held on the 10th day of January, 2022; and

WHEREAS, it appears from an examination of the plat of LOT 5, BLOCK 1 OF WOODLAND HEIGHTS FIRST ADDITION, A SUBDIVISION OF LOT 2, CRANE'S ADDITION IN THE SE ¼ OF SECTION 24, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA as prepared by Paul J Reiland, a duly licensed Land Surveyor in and for the State of South Dakota, that said is in accordance with the system of streets and alleys set forth in the master plan adopted by the City Planning Commission of the City of Mitchell, South Dakota, and that such plat has been prepared according to law;

THEREFORE, be it resolved by the City Council of Mitchell, South Dakota that the plat of LOT 5, BLOCK 1 OF WOODLAND HEIGHTS FIRST ADDITION, A SUBDIVISION OF LOT 2, CRANE'S ADDITION IN THE SE ¼ OF SECTION 24, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA as prepared by Paul J Reiland, be and the same is approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

I, Michelle Bathke, Finance Officer/Dep. Finance Officer of the City of Mitchell, South Dakota, do hereby certify that the foregoing resolution was passed by the City of Mitchell, South Dakota, at a meeting thereof held on the 18th day of January, 2022.

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 _____.