

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

**January 19, 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

UPDATE:

Dr. Hilary Rockwell, Chief Medical Officer of Avera Queen of Peace Hospital, updated City Council regarding COVID cases in the community and the impact COVID-19 is having at the hospital. Rockwell stated numbers continue to drop but urged Council to continue the mask mandate until more residents have received the vaccine.

RESOLUTION:

Moved by Doescher, seconded by Sabers, to approve Resolution #R2020-83, Amending the Termination Date of Ordinance #O2020-13 by extending the mask mandate for an additional 30 days. Several members of the community spoke in favor and against the mask ordinance. Mayor Everson requested a roll call vote.

Members present voting aye: Allen, Doescher, Sabers, Tjarks. Members present voting nay: Barington, McCardle, Rice, Smith. Mayor Everson cast the tie-breaking vote, voting nay. Motion failed.

Council Member McCardle has left the meeting.

OATHS:

Mayor Everson administered the Oaths of Office to Michael Koster, Chief of Police and Marius Laursen, Chief of Fire & EMS for the City of Mitchell.

AGENDA:

Moved by Allen, seconded by Sabers, to remove a portion of Item F-the VFW/Sam Tronnes Raffle Permit and approve the following items on the consent agenda:

- a. City Council Minutes
 - 1. City Council January 4, 2021.
- b. Committee Meeting Minutes
 - 1. Planning Commission December 14, 2020,
- c. Department Reports
 - 1. Finance (December),
 - 2. Sales Tax Collections (December),
 - 3. Building Permits (December),
 - 4. Building Permits (2020),
 - 5. Police (December),
 - 6. Fire and EMS (December),
 - 7. Water (December) and
 - 8. Airport (December).
- d. Acceptance of Grant Funds from State Historical Society Deadwood Grant.
- e. Approval of Volunteer Board Appointments
 - 1. Larry Jirsa to the Main Street Bid Board for a term to run January 1, 2021-December 31, 2023,
 - 2. Matt Doerr to the Main Street Bid Board for a term to run January 1, 2021-December 31, 2023, and
 - 3. Jacob Sonne to the Planning & Zoning Board to fill an unexpired term from January 2021-June 30, 2024.
- f. Raffle Permits
 - 1. Mitchell Friends of NRA with the drawing to be held on June 1, 2021 and
 - 3. Friends of NRA (Mitchell) with the drawing to be held on September 11, 2021.
- g. Set date of 02-01-21 for hearings
 - 1. On the application to transfer Retail (On-Off Sale) Malt Beverage & SD Farm Wine License RB-25873 from I Mart Stores LLC dba I Mart Stores USA, 512 Sanborn Blvd, Mitchell to IYS Ventures LLC dba I Mart Stores, 512 South Sanborn Blvd, Mitchell.
- h. Set date 1:30 p.m., February 3, 2021 for bid opening for Asphalt/Concrete Crushing Project #2021-9.
- i. Approval of Gas and Fuel Quotes

<u>Howes Oil Company</u>	<u>Requested Gallons</u>	<u>Bid Gallons</u>	<u>Price per Product</u>	<u>Total Bid</u>
On Road Diesel-#2	700	700	\$1.935	\$ 1,354.50*
On Road Diesel-#1	700	700	\$2.1215	\$ 1,485.05*
Unleaded Gas- 10% Ethanol	6,100	6,100	\$1.716	\$10,467.60*
		Total Bid:		\$13,307.15*

- j. Pay Estimates January 19, 2021
 - Pay Estimate #2 in the amount of \$1,557.15 for Kibbee Ditch Staking #2018-31A contracted to SPN & Associates,
 - Pay Estimate #2 in the amount of \$11,900.00 for Public Safety Building Roof #2020-16 contracted to Weathercraft Companies,
 - Pay Estimate #9 in the amount of \$1,431.25 for Waste Water Treatment Plant Facility #2020-17 contracted to HDR Engineering,

Pay Estimate #10-Final in the amount of \$905.00 for Waste Water Treatment Plant Facility #2020-17 contracted to HDR Engineering,

Pay Estimate #19 in the amount of \$408.00 for Crafty Fox Window Repairs #2020-24 contracted to Custom Carpentry/Doug Driggs,

Pay Estimate #3-Final in the amount of \$13,460.45 for MAC Ice Arena Roof Repairs #2020-36 contracted to Mueller Lumber Company,

Pay Estimate #3 in the amount of \$10,553.08 for Emergency Repair Municipal Buildings Air Purification #2020-43 contracted to O'Connor Company,

Pay Estimate #3-Final in the amount of \$33.58 for Bridge Inspections contracted to South Dakota Department of Transportation, and

Pay Estimate #7 in the amount of \$3,719.63 for AIP'28 Airport ALP/Master Plan contracted to Helms & Associates.

k. 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 27, 2020 – JANUARY 9, 2021: City Council \$3,303.68, Mayor \$1,374.69, City Administrator \$5,296.46, Attorney \$4,401.38, Finance \$11,331.09, Human Resources \$3,542.93, Municipal Building \$1,694.56, Information Technology \$2,687.69, Police \$69,330.78, Traffic \$2,720.79, Fire \$28,825.94, Street \$31,095.81, Public Works \$23,285.63, Cemetery \$4,170.71, Library \$14,773.76, Recreation & Aquatics \$5,655.72, Recreation Center \$16,881.79, Sports Complexes \$10,036.64, Parks \$12,052.81, Supervision \$5,673.58, E911 \$23,033.49, MVP \$770.13, Palace Transit \$23,480.81, JVCC \$1,074.76, Nutrition \$3,264.57, Water Distribution \$12,930.49, Sewer \$12,974.03, Airport \$3,067.96, Recycling Program \$5,688.69, Waste Collection \$6,465.64, Landfill \$8,861.14, Corn Palace \$18,830.01, Golf Course \$2,918.09, Emergency Medical Services \$26,783.25.

SALARY ADJUSTMENTS:

FIRE: Thomas Schaffner-\$21.594

LIBRARY: Dennis Geidel-\$23.186, Ada Morales-\$21.892

RECREATION CENTER: Adam Fosness-\$18.102

STREET: Kevin Hughes-\$24.672

TERMINATIONS:

CORN PALACE: Mary Clarambeau, Spencer Morgan

LIBRARY: LaJeane Jons

RECREATION & AQUATICS: Kazlyn Schulz, Samantha Kludt

RECREATION CENTER: Tessa Hertel

STREET: Cooper Vermeulen

WARRANTS:

A & B Business Solutions, Supplies-\$4,067.83; A-Ox Welding Supply, Supplies-\$1,271.23; Acapulco Pools Limited, Supplies-\$745.00; Advance Auto Parts, Maintenance-\$24.14; Advantage Auto Glass, Supplies-\$396.95; AFSCME Council 65, Union Dues-\$502.95; AIA, Supplies-\$809.51; Al's Engraving, Supplies-\$63.35; Alex Young, Reimbursement-\$45.00; Amazon Capital Services, Supplies-\$1,643.73; American Garage Door, Supplies-\$105.50; Andrea Hamilton, Training-\$105.00; Andrew Schneider, Reimbursement-\$45.00; Aramark, Supplies-\$90.38; Arctic Refrigeration, Maintenance-\$340.02; AT&T Mobility, Utilities-\$937.84; ATV Holdings, Utilities-\$2,534.77; Avera Occupational Medicine, Contract Services-\$1,840.89; Axon Enterprise, Equipment-\$1,440.00; B & L Communications, Maintenance-\$1,626.85; B-Y Water District, December Usage-\$50,267.64; Bailey Metal Fabricators, Supplies-\$733.63; Baker & Taylor, Books-\$632.03; Bechen Electric, Supplies-\$91.23; Big Daddy D's, Contract Services-\$3,402.00; Blackstone Publishing, Audio Book-\$35.95; Boyer Trucks Sioux Falls, Supplies-\$1,000.84; Brad Gates, Reimbursement-\$45.00; Bridgewater Emery School District, Corn Palace Games-\$8,318.50; C & B Operations, Supplies-\$6.80; Carolina Software, Maintenance-\$500.00; Carquest Auto Parts, Supplies-\$33.96; Central Electric, Utilities-\$7,566.00; Century Link, Utilities-\$57.90; City of Mitchell, Utilities-\$121.68; Cloudcover, Maintenance-\$6,100.00; Coborns, Contract Services-\$165.00; Coca Cola Bottling, Supplies-\$1,793.13; Cody Pohlen, Reimbursement-\$45.00; Connections, Employee Assistance-\$1,385.91; Core & Main, Supplies-\$2,789.64; Core-Mark Midcontinent, Supplies-\$6,733.49; Corn Palace Concessions, Supplies-\$24.00; Corporate Translation Service, Professional Service-\$8.78; County Fair, Contract Services-\$585.00; Crystal Reitzel, Reimbursement-\$91.27; Custom Plus Collision Center, Repairs-\$3,857.93; Dakota Counseling, Allocation-\$6,562.50; Dakota Fluid Power, Repair-\$731.29; Dakota Heartland Development, 2021 Allocation-\$7,500.00; Dakota Pump, Supplies-\$910.53; Dakota Supply Group, Supplies-\$318.06; Dakota Transit Association, Travel-\$350.00; Darrington Water Conditioning, Rental-\$33.70; Davison County Register of Deeds, Copies-\$60.00; Davison County Search and Rescue, 2021 Allocation-\$1,500.00; Davison Rural Water Systems, Utilities-\$119.40; Debbie Vaughn, Reimbursement-\$227.90; Dennis Geidel, Reimbursement-\$45.00; Department of Environment and Natural Resources, State Garbage Fees-\$17,733.36; Department of Motor Vehicle, Plates for Sweeper-\$21.20; Department of Social Services, Child Support-\$1,126.96; Dice Benefits Consulting, December 2020 Fees-\$495.00; Diesel Laptops, Repairs-\$1,690.00; Dixie Veurink Trucking, Supplies-\$10,265.48; Don Trebil, Training-\$20.00; Doug Greenway, Reimbursement-\$45.00; Doug L Driggs, 2020-24 P.E. #19-\$408.00; Dug Out, Contract Services-\$575.75; ELO Prof, Annual Audit-\$4,585.00; Etterman Enterprises, Supplies-\$67.04; Evident, Supplies-\$85.00; Farmers Alliance, Supplies-\$185.96; Fastenal, Supplies-\$28.84; Fedex, Express Services-\$14.56; Forum Communications, Advertising-\$1,241.65; Fuller Williamson Nelsen & Preheim, Professional Fees-\$99.00; Gary Walton, Reimbursement-\$45.00; George Streetman, Training-\$60.00; Golden West Technologies, Maintenance-\$260.00; Goverlan, Supplies-\$253.00; Grainger, Supplies-\$24.35; HDR Engineering, 2020-17 P.E. #10 Final-\$2,336.25; Helms and Associates, AIP' 28 P.E. #7-\$3,719.63; Henry Schein, Supplies-\$560.88; Howes Oil, Supplies-\$13,305.43; ICAN, Publishing-\$750.00; Ingram Library Services, Books-\$5,633.13; Innovative Office Solution,

Supplies-\$285.65; Interstate Office Products, Supplies-\$7,615.06; Jacki Larson, Reimbursement-\$45.00; Jamie Henkel, Reimbursement-\$45.00; Jared Johnson, Corn Palace Games-\$228.90; Jaylon Tollefson, Reimbursement-\$45.00; JCL Solutions, Repair-\$3,230.56; Jeff Hanson, Reimbursement-\$45.00; Joe Galpin, Reimbursement-\$45.00; Joe Haiar, Reimbursement-\$45.00; Joe Schroeder, Reimbursement-\$45.00; John Hegg, Reimbursement-\$45.00; Jon Gamber, Training-\$20.00; Jon Vermeulen, Reimbursement-\$45.00; Jones Supplies, Supplies-\$1,694.40; Junior Library Guild, Books-\$1,887.50; Kathy Hanks, Reimbursement-\$45.00; Kevin Devries, Reimbursement-\$45.00; Kevin Dykes, Reimbursement-\$45.00; Kevin Kenkel, Reimbursement-\$45.00; Kevin Roth, Reimbursement-\$45.00; Kyle Croce, Reimbursement-\$45.00; Lakeview Veterinary Clinic, Service Dog Tommy-\$1,063.94; Larry's I-90 Service, Supplies-\$838.21; Lawson Products, Supplies-\$82.92; Lewis Family Drug, Supplies-\$4.99; Library Circulation/Ill, Book-\$31.00; Liz Kitchens, Reimbursement-\$45.00; Lori Schmidt, Corn Palace Games-\$275.00; Make It Mine Designs, Supplies-\$25.00; Menard's, Supplies-\$370.17; Meyers Oil, Supplies-\$2,814.79; Michelle Bathke, Reimbursement-\$45.00; Mid Dakota Properties, Refund-\$50.00; Mid-States Organized Crime, 2021 Membership Fees-\$200.00; Midcontinent Communication, Advertising-\$1,470.00; Midstates Equipment & Supplies, Supplies-\$13,250.00; Midwest Laboratories, Lake Testing-\$54.00; Minnesota Valley Testing, Lab-\$1,357.00; Mitchell Area Safehouse, 2021 Allocation-\$843.75; Mitchell Convention & Visitors Bureau, 2021 Funding January-\$20,800.00; Mitchell Exchange Club, 2021 Allocation-\$7,500.00; Mitchell Iron & Supply, Supplies-\$26.78; Mitchell Main Street and Beyond, 2021 Allocation-\$6,562.50; Mitchell School District, Utilities-\$1,429.13; Mitchell United Way, United Way Deductions-\$200.92; Mount Vernon School District, Contract Services-\$23.10; Mueller Lumber, 2020-36 P.E. #3 Final-\$13,658.44; Muth Electric, Repair-\$402.16; Napa Auto Parts, Supplies-\$427.23; Nate Hegg, Reimbursement-\$45.00; Nathan Powell, Reimbursement-\$45.00; New Deal Tire, Supplies-\$2,770.00; Nick Bakhtiari, Reimbursement-\$45.00; Northwestern Energy & Communications, Utilities-\$54,397.52; O'Connor, 2020-43 P.E. #3-\$10,553.08; Online Computer Library Center, Cataloging and Subscription-\$354.63; OPG-3, Annual Fees-\$6,468.00; Optical Xperts, Bid Deposits-\$164.95; Overdrive, Supplies-\$3,000.00; Papa Murphy's Pizza, Pizza-\$365.00; Parkston Boom's Restaurant, Contract Services-\$2,222.00; Pat Dockendorf, Corn Palace Games-\$275.00; Patrick Marler, Reimbursement-\$300.00; Penguin Management, Service-\$1,634.00; Pepsi Cola, Supplies-\$652.61; Peterbilt of Sioux Falls, Supplies-\$61.63; Planning & Development District, 2021 Dues-\$10,350.00; Porta Pros, Rental-\$151.00; Prehistoric Indian Village, 2021 Allocation-\$2,812.50; Premier Pest Control, Pest Control-\$350.00; Public Health Laboratory, Lab-\$60.00; Quick Med Claims, Ground Trips/Revenue-\$13,007.58; Reeves, Supplies-\$148.23; Roger Prewett II, Reimbursement-\$45.00; Rowman & Littlefield Publication, Book-\$220.33; Runnings Supply, Supplies-\$1,389.93; S & M Printing, Supplies-\$85.85; Saga Communications of South Dakota, Advertising-\$742.00; Santel Communications, Utilities-\$106.16; Savvik, Supplies-\$539.40; Schmucker Paul & Nohr, 2018-31A P.E. #2-\$1,557.15; South Dakota Association of Code Enforcement, 2021 Dues-\$40.00; South Dakota Building Officials, Dues-\$50.00; South Dakota Department of Transportation, 2019 Bridge Inspection-\$33.58; South Dakota Firefighters, Membership Dues-\$625.00; South Dakota Municipal Street Maintenance, Dues-\$35.00; South Dakota Planners, 2020-2021 Dues-\$50.00; South Dakota Police Chiefs, Dues-\$141.36; South Dakota Retirement System, Retirement Contributions-\$50,709.41; South Dakota Supplemental Retirement, Supplemental Retirement-\$3,034.80; South Dakota Supplemental Roth 457, Roth

457 Contributions-\$1,025.00; Sherwin Williams, Supplies-\$31.80; Sign Pro, Supplies-\$898.20; Solarwinds, Monthly Usage-\$420.02; Spencer Quarries, Supplies-\$86,489.40; Standard Insurance, Life Insurance-\$410.88; Staples, Supplies-\$559.47; Stephanie Ellwein, Reimbursement-\$45.00; Steve Anderson, Reimbursement-\$45.00; Steve Morgan, Corn Palace Games-\$50.00; Steve Stanforth, Corn Palace Games-\$275.00; Storey Kenworhty/Matt Parr, Supplies-\$518.24; Sturdevant's Auto Parts, Refund-\$2,495.93; Subway, Meals-\$41.94; Tapco, Supplies-\$2,232.00; Teamsters Local No. 120, Union Dues-\$830.00; Terry Johnson, Reimbursement-\$45.00; Tessier's, Supplies-\$222.70; Thomson Reuters West, Information Charges-\$803.39; Three-D Specialties, Supplies-\$765.80; TK Electric, Supplies-\$2,106.61; TMA Stores, Repair-\$117.35; Todd Cavanaugh, Reimbursement-\$45.00; Tractor Supply Credit Plan, Supplies-\$508.87; Two Way Solutions, Supplies-\$336.95; Tyler Vetch, Reimbursement-\$45.00; Upper Midwest Garage Door, Maintenance-\$96.93; United Parcel Service Store #4227, Supplies-\$943.52; Verizon Wireless, Utilities-\$199.44; Vern Eide Ford Lincoln, Maintenance-\$688.49; Wade London, Reimbursement-\$45.00; Walmart, Supplies-\$71.82; Weathercraft, Repairs-\$11,900.00; Wheelco Brake & Supply, Supplies-\$387.10; Wireless Links, Supplies-\$90.00; Youth Athletic Foundation, Sports Authority Promotion-\$2,253.75; South Dakota State Treasurer, Sales Tax-\$25,240.94; Ellwein Brothers, Supplies-\$312.00; Wage Works, Flex Expense-\$4,562.14; Wellmark of South Dakota-\$566,652.99.

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

Moved by Barington, seconded by Rice, to approve the VFW/Sam Tronnes Foundation raffle with the drawing to be held on July 1, 2021 or when all raffles are sold.

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

CITIZENS INPUT:

Parks and Recreation Director Nathan Powell stated presentations for a dredging design firm for Lake Mitchell will be held on Thursday at a meeting beginning at 3:00 pm.

Mitchell Main Street & Beyond Director Ashley Endres gave an update on the happenings of the organization and what is being planned.

Council Member Rice asked what would happen at city facilities such as the Ice Arena and the Corn Palace with the expiration of the mask mandate. Parks and Recreation Director Nathan Powell and Corn Palace Director Doug Greenway both stated they would keep the mask requirement in those facilities at this time.

BOARD OF ADJUSTMENT:

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

It was advised that this is the date and time set for hearing 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 East Hanson Ave, legally described as Lot 1, Block 46, Lawler's 1st Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R2 Single Family Residential 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 Rice, to approve said application. Motion carried.

Moved by Allen, seconded by Rice, to set date for February 1, 2021 on the application of Firesteel Capital LLC, owner Fredericksen Motels LLC for a conditional use permit to convert the buildings (Corn Palace Inn) to multi-family dwellings located at 1001 S Burr St, legally described as Weavers Squares Addition (NW ¼ 27), Squares 11 & 14 & vacated Ivy Ave and W 25 feet of vacated Burr St and Lot AB1, City of Mitchell, Davison County, South Dakota. The property is zoned HB Highway Oriented Business District. Motion carried.

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

CONSIDER APPROVAL:

Moved by Allen, seconded by Barington, to authorize 2021 contingency funds in the amount of \$100,000.00 for the replacement of golf carts. Motion carried.

Moved by Sabers, seconded by Tjarks, to approve four 15 minute parking spaces on the north side of East 4th Avenue by the Davison County courthouse. Motion carried.

Moved by Rice, seconded by Allen, to approve Agreement #A2021-03, West Side Water Tower Improvements Project #2021-16 in an amount not to exceed \$63,500.00. Motion carried.

HEARING:

It was advised that this is the date and time set for hearing on the proposed Resolution of Necessity for Anthony Avenue. There are 3 segments to the resolution: Segment 2020-01-Paving, Segment 2020-02-Storm Sewer, and Segment 2020-03-Sanitary Sewer. Residents in the proposed area spoke in reference to the project. The residents are in favor of Segment 2020-01-Paving, however Segment 2020-02 Storm Sewer and Segment 2020-03 Sanitary Sewer are cost prohibitive for residents in the area with costs of nearly \$20,000.00 for these two segments.

RESOLUTION:

Moved by Smith, seconded by Sabers, to approve Resolution #R2021-01, as amended by removing #26 and #27 from Segment 2020-01 and removing Segments 2020-02 and 2020-03, Declaring the Necessity for the Construction of Base Course, Asphalt Paving, Storm Sewer, Sanitary Sewer and Accessories, Engineering Fees, and Miscellaneous Expenses for Anthony Avenue. Motion carried.

This resolution will be published separately from these proceedings.

Moved by Barington, seconded by Allen, to approve Resolution # R2021-04, A Plat of Lot 8-I, Block 7 of Westwood First Addition, a Subdivision of the SW ¼ of Section 16, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota, as follows:

RESOLUTION NO. R2021-04

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 11th day of January, 2021; and

WHEREAS, it appears from an examination of the plat LOT 8-I, BLOCK 7 OF WESTWOOD FIRST ADDTION, A SUBDIVISION OF THE SW ¼ OF SECTION 16, 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 LOTS 8-I, BLOCK 7 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF THE SW ¼ OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA 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.

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 _____.