

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

**February 16, 2021
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

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.

Council Member McCardle has left the meeting.

AGENDA:

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

- a. City Council Minutes
 1. City Council February 1, 2021.
- b. Committee Meeting Minutes
 1. Planning Commission January 25, 2021.
- c. Department Reports
 1. Sales Tax Collections (January),
 2. Building Permits (January),
 3. Code Enforcement (January),
 4. Sidewalk Snow Removal (January),
 5. Airport (January),
 6. Fire and EMS (January),
 7. Police (January) and
 8. Water (January).
- d. Acceptance of Coronavirus Relief Funds for Nutrition and Corn Palace.
- e. Approval of New Vehicle for Hire Company Application for CabMe.

f. Raffle Permits

1. Mitchell Music Boosters with the drawing to be held on April 10, 2021,
2. Pheasants Forever Mitchell Area Youth Shooters with the drawing to be held on June 1, 2021,
3. Palace City Pedalers Tour de Corn Inc with the drawing to be held on August 21, 2021, and
4. Abbott House with the drawing to be held in October 2021 or when all tickets are sold.

g. Approval of Volunteer Board Appointments

1. Tonya Klingaman to the Main Street Bid Board to fill an unexpired term to run February 2021-December 2022 and
2. Mark Vandenhoeck to the Main Street Bid Board for a term to run February 2021-June 2024.

h. Set date 1:30 p.m., March 3, 2021 for bid opening for Rock Chips Project #2021-10.

i. Set date 1:30 p.m., March 3, 2021 for bid opening for Petroleum Products Project #2021-13.

j. Pay Estimates February 16, 2021

Pay Estimate #87 in the amount of \$997.50 for East Central Drainage Phase I-Water #2018-39 contracted to SPN & Associates,

Pay Estimate #6 in the amount of \$62,165.23 for Asphalt/Concrete Crushing #2019-9 contracted to Dakota Constructors Inc,

Pay Estimate #1 in the amount of \$935.00 for West Ash CIPP #2020-11 contracted to HDR Engineering,

Pay Estimate #22 in the amount of \$1,122.00 for Crafty Fox Window Repairs #2020-24 contracted to Custom Carpentry/Doug Driggs,

Pay Estimate #23 in the amount of \$375.73 for Crafty Fox Window Repairs #2020-24 contracted to Custom Carpentry/Doug Driggs,

Pay Estimate #1 in the amount of \$28,220.29 for Landfill Cell #4 #2021-8 contracted to Helms & Associates and

Pay Estimate #8 in the amount of \$26,037.40 for AIP '28 Airport ALP/Master Plan contracted to Helms & Associates.

i. 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 JANUARY 24, 2021 – FEBRUARY 6, 2021: City Council \$3,303.68, Mayor \$1,374.69, City Administrator \$5,296.46, Attorney \$4,401.38, Finance \$12,547.42, Human Resources \$3,542.93, Municipal Building \$1,658.72, Information Technology \$2,687.68, Police \$65,970.25, Traffic \$1,854.97, Fire \$32,559.01, Street \$29,478.61, Public Works \$23,285.64, Cemetery \$4,055.44, Library \$13,729.68, Recreation & Aquatics \$5,621.11, Recreation Center \$19,595.58, Sports Complexes \$10,046.19, Parks \$9,679.56, Supervision \$5,696.46, E911 \$20,126.22, MVP \$770.15, Palace Transit \$22,489.96, JVCC \$1,074.75, Nutrition \$3,343.96, Water Distribution \$12,970.95, Sewer \$13,369.13, Airport \$3,067.96, Recycling Program \$5,721.07, Waste Collection \$6,080.90, Landfill \$8,924.61, Corn Palace \$16,793.47, Golf Course \$3,164.09, Emergency Medical Services \$31,156.79.

NEW HIRES:

RECREATION CENTER: Ray VanOverschelde-\$11.45

SPORTS COMPLEXES: Coy Olson-\$9.45

SALARY ADJUSTMENTS:

FIRE: Daniel Esh-\$18.603

MUNICIPAL BUILDINGS: Kevin Dykes-\$20.734

LANDFILL: Stephen Laughlin-\$22.056

LIBRARY: Cynthia Meinen-\$27.901

TERMINATIONS:

PALACE TRANSIT: Jennifer Endorf

WARRANTS:

A-Ox Welding Supply, Supplies-\$647.74; AAA Collections, Pre-Collection Letters-\$30.00; AAA Lawn Care and Maintenance, Snow Removal-\$280.00; Advance Auto Parts, Supplies-\$32.19; AFSCME Council 65, Union Dues-\$479.00; AIA, Supplies-\$70.38; Al's Engraving, Supplies-\$29.20; Alcopro, Supplies-\$664.00; Amazon Capital Services, Supplies-\$577.87; Andrew Becker, Training-\$14.00; American Public Works, Renewal-\$720.00; Aqua-Pure, Supplies-\$1,693.75; Aramark, Supplies-\$310.31; AT&T Mobility, Utilities-\$2,565.64; ATV Holdings, Dba Mitchell Telecom-\$2,448.38; Auto Body Specialties, Supplies-\$80.50; Avera Medical Group, Contract Service-\$65.86; Avera Medical Group, Contract Service-\$165.00; Avera Occupational Medicine, Contract Services-\$595.80; Avera Patient Financial Service, Contract Service-\$453.00; Axon Enterprise, Equipment-\$9,056.00; B-Y Water District, Utilities-\$51,600.96; Bailey Metal Fabricators, Supplies-\$53.61; Baker & Taylor, Books-\$55.32; Bechen Electric, Repair-\$1,162.91; Bender's Sewer Cleaning, Maintenance-\$812.50; Big Daddy D's, Contract Services-\$3,816.75; Blackstrap, Supplies-\$9,231.89; BMI, Contract Services-\$331.20; Bound Tree Medical, Supplies-\$36.58; Buhl's Drycleaning, Service-\$99.50; Butler Machinery, Supplies-\$398.65; C & B, Supplies-\$136.35; Carquest Auto Parts, Supplies-\$37.96; Casey Tegethoff, Training-\$14.00; Cengage Learning, Books-\$157.43; Central Electric, Utilities-\$12,056.92; Century Link, Utilities-\$58.57; Coborns, Contract Services-\$280.00; Coca Cola Bottling, Supplies-\$4,149.47; Core & Main, Supplies-\$15,993.75; Core-Mark Midcontinent, Supplies-\$7,116.53; Corn Palace Concessions, Supplies-\$12.00; Corporate Translation Service, Language Translation-\$27.59; County Fair, Contract Services-\$575.00; Daily Republic, Supplies-\$223.08; Dak Tech, Supplies-\$956.00; Dakota Constructors, 2019-9 P.E. #6-\$62,165.23; Dakota Data Shred, Professional Service-\$59.67; Dakota Delivery Service, Supplies-\$30.00; Dakota Fluid Power, Supplies-\$353.27; Dakota Pump, Maintenance-\$19,422.71; Dakota Supply Group, Supplies-\$393.39; Dale Star, Reimbursement-\$350.00; Darrington Water Conditioning, Rent-\$43.05; Davison Conservation, Maintenance-\$937.50; Davison County Auditor, 2020 Election-\$2,561.99; Davison County Register of Deeds, Record Search-\$4.00; Davison County Treasurer, Plat Application-\$50.00; Davison Rural Water

Systems, Utilities-\$131.60; Demco, Supplies-\$90.75; Department of Environment and Natural Resources, Solid Waste-\$1,997.24; Department of Motor Vehicle, Plate, Title & Registration-\$25.20; Department of Social Services, Child Support-\$1,126.96; Dick's Towing, Towing-\$125.00; Doug Greenway, Supplies-\$7.96; Doug L Driggs, 2020-24 P.E. #22-\$1,497.73; Dr Hilary Rockwell, Contract Services-\$1,500.00; Dug Out, Contract Services-\$588.00; Educational Development, Book-\$14.99; ELO Prof, Professional Service-\$3,065.00; Emergency Education, Training-\$225.00; Environmental Equipment & Service, Supplies-\$2,116.02; Evident, Supplies-\$315.35; Farm & Home Publishers, Books-\$342.00; Farmers Alliance, Supplies-\$359.88; Fastenal, Supplies-\$149.50; Fedex, Express Services-\$60.72; Flexible Pipe Tool, Supplies-\$49,950.00; Forum Communications, Advertising-\$965.31; Fuller Williamson Nelsen & Preheim, Professional Fees-\$49.50; Galls, Supplies-\$48.94; Hali-Brite, Supplies-\$343.42; Hannah Willis, Reimbursement-\$44.95; HDR Engineering, 2020-11 P.E. #1-\$935.00; Heartland Ag Systems, Supplies-\$826.20; Helms and Associates, 2021-8 P.E. #1-\$54,257.69; Henry Schein, Supplies-\$340.92; Hohn's Services, Contract Services-\$8,740.00; Honda of Mitchell, Supplies-\$106.22; Identisys, Supplies-\$315.00; Independent Viking Glass, Supplies-\$294.12; Innovative Office Solution, Supplies-\$185.09; International Municipal Lawyers, Membership Renewal-\$625.00; Interstate Glass & Door, Maintenance-\$639.01; Interstate Office Products, Supplies-\$33.06; Intoximeters, Alcohol Task Force-\$325.00; Iverson Chrysler Center, Rental-\$30,141.95; James Valley Nursery, Supplies-\$4,060.18; JCL Solutions, Supplies-\$69.00; Jones Supplies, Supplies-\$480.55; Juan'l Whitley, Reimbursement-\$44.95; Kansas Highway Patrol Car, 2019 Ford Police Interceptor-\$26,350.00; Kimball-Midwest, Supplies-\$1,252.20; Krohmer Plumbing, Repair-\$255.97; Lakeview Veterinary Clinic, Supplies-\$959.95; Larry's I-90 Service, Supplies-\$406.00; Lynn Peavey, Supplies-\$162.45; M & T Fire and Safety, Supplies-\$50.38; Mark Eliasonm Training-\$120.00; McLeod's Printing, Supplies-\$388.94; Menard's, Supplies-\$846.48; Meyers Oil, Supplies-\$587.40; Microsoft, Online Services-\$910.00; Midcontinent Communication, Utilities-\$1,490.00; Midstates Equipment & Supplies, Supplies-\$24,994.56; Midwest Fire & Safety, Maintenance-\$67.50; Midwest Turf & Irrigation, Supplies-\$424.35; Miner County Auditor, Alcohol Task Force-\$77.55; Nagel, Robert/Shirley Refund-\$24.39; Mitchell Convention & Visitors Bureau, 2021 Funding-\$20,800.00; Mitchell Iron & Supply, Supplies-\$482.59; Mitchell Plumbing & Heating, Maintenance-\$5,725.00; Mitchell Power Equipment, Supplies-\$68.24; Mitchell United Way, United Way Deductions-\$199.00; Mount Vernon School District, Contract Services-\$26.95; Mueller Lumber, Supplies-\$19.99; Muth Electric, Maintenance-\$292.60; Napa Auto Parts, Supplies-\$262.99; Northwestern Energy, Buildings-\$82.86; Northwestern Energy & Communications, Utilities-\$65,187.84; One Source the Background, Background Checks-\$195.00; Overdrive, E-Books-\$314.12; Papa Murphy's Pizza, Pizza-\$692.00; Parkston Boom's Restaurant, Contract Services-\$2,255.25; Pepsi Cola, Supplies-\$1,920.63; Peter Arnold, Travel-\$14.00; Peterbilt of Sioux Falls, Supplies-\$407.46; Premier Equipment, Supplies-\$437.47; Premier Pest Control, Contract Services-\$350.00; Public Health Laboratory, Lab-\$255.00; Qualified Presort, Mailing Service-\$970.00; Reeves, Supplies-\$50.93; Riverside Technologies, Supplies-\$14,550.00; Rockmount Research & Alloy, Supplies-\$3,048.15; Ron's Bicycle and Locksmith, Supplies-\$8.25; Rowman & Littlefield Publishing, Book-\$45.74; Runnings Supply, Supplies-\$1,341.93; S & M Printing, Supplies-\$172.90; Saga Communications of South Dakota, Advertising-\$554.00; Santel Communications, Utilities-\$106.16; Schmucker Paul & Nohr, 2018-39 P.E. #87-\$997.50; Scott Supply, Repair-\$176.39; South Dakota Humanities Council, Shipping-\$10.00; South Dakota Newspaper Services,

Advertising-\$489.44; South Dakota Public Assurance Alliance, Insurance Coverage-\$83.64; South Dakota Redbook Fund, Supplies-\$436.80; South Dakota Retirement System, Retirement Contributions-\$50,448.11; South Dakota Supplemental Retirement, Supplemental Retirement-\$3,054.80; South Dakota Supplemental Roth 457, Roth 457 Contributions-\$1,025.00; South Dakota Municipal League Workers' Compensation, 2021 Renewal-\$202,984.00; Sherwin-Williams, Supplies-\$39.91; SHI International, Supplies-\$405.90; Smart Apple Media, Books-\$173.59; Solarwinds Msp Canada, Backup & Recovery-\$186.42; South Dakota 811, Professional Service-\$119.70; Stacey's Sweet Treats, Supplies-\$198.00; Standard Insurance, Life Insurance-\$418.65; Staples, Supplies-\$213.29; Storey Kenworthy/Matt Parr, Supplies-\$84.42; Stryker Sales, Supplies-\$1,215.24; Sturdevant's Auto Parts, Supplies-\$2,214.62; Subway, Meals-\$83.88; Sun Gold Sports, Supplies-\$14.00; Teamsters Local No. 120, Union Dues-\$830.00; Teleflex Funding, Supplies-\$2,215.50; Tessier's, Maintenance-\$1,651.06; Thomas L Price, Screening-\$700.00; Thomson Reuters West, January Charges-\$803.39; Thune True Value Hardware, Supplies-\$125.16; TK Electric, Supplies-\$357.14; TMA Stores, Supplies-\$123.95; Tractor Supply Credit Plan, Supplies-\$199.97; Traffic Control, Maintenance-\$7,375.00; Transource, Supplies-\$1,012.93; United Rotary Brush, Supplies-\$1,258.18; Upper Midwest Garage Door, Maintenance-\$113.26; United Parcel Services Store #4227, Shipping-\$59.71; USA Blue Book, Supplies-\$248.17; Valerie Potzler, Refund-\$750.00; Verizon Wireless, Utilities-\$1,013.09; Vern Eide Chevrolet Buick, Police Tow-\$6,469.57; Vern Eide Ford Lincoln, Supplies-\$385.82; Walmart, Supplies-\$462.88; Wheelco Brake & Supply, Maintenance-\$1,232.08; Wholesale Electronics, Supplies-\$327.98; South Dakota State Treasurer, Sales Tax-\$15,588.01.

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

PRESENTATION:

Dave Lambert, Interim Executive Director of the Mitchell Area Development Corporation and Chamber of Commerce, presented the 4th Quarterly Report for 2020.

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 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 South Burr Street, legally described as Weavers Square Addition (NW ¼ 27), Squares 11 & 14 & vacated Ivy Avenue and W 25 feet of vacated Burr St and Lot AB1, City of Mitchell, Davison County, South Dakota. The said real property is zoned HB Highway Oriented Business District. Notice of hearing has been given and affidavit of publication is on file. Application has been withdrawn.

Moved by Allen, seconded by Rice, to set date for March 1, 2021 on the application of Russell and Teresa Quist for a non-conforming lot size variance of 7,149 square feet vs 7,500 square

feet and a conditional use permit to construct an accessory building not located adjacent to a principal building located across the street from 5 W Harmon Drive, legally described as the West ½ of Lot 1, Nels Jensen 2nd Addition, Nels Jensen Subdivision, Lake Development Plan, City of Mitchell, Davison County, South Dakota. The property is zoned RL Residential Lake District. Motion carried.

Moved by Smith, seconded by Barington, to set date for March 1, 2021 on the application of Groeneweg Construction for a backyard variance of 32 feet vs 35 feet and a front yard variance of 25 feet vs 35 feet as required for the property at 3209 Canal Circle for the purpose of constructing a single family house, legally described as Lot 55, The Island 1st Addition, City of Mitchell, Davison County, South Dakota. The property is zoned UD Urban Development District. Motion carried.

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

CONSIDER APPROVAL:

Moved by Rice, seconded by Allen, to approve the concept for shared roadway markings and signage throughout the City to be consistent with the Trail Committee recommendations. Motion carried.

Moved by Rice, seconded by Barington, to approve Agreement #A2021-08, Purchase of 508 West Ash with FEMA Hazard Mitigation and state funding. Motion carried.

Moved by Allen, seconded by Sabers, to approve Agreement #A2021-10, New Recycling Building, Project #2021-31, with Helms & Associates for professional services in an amount not to exceed \$106,505.00 for design and bidding services. Motion carried.

Moved by Rice, seconded by Smith, to approve Agreement #A2021-11, North Wastewater Plant Improvements, Project #2021-30, with HDR Engineering for design and bidding services in an amount not to exceed \$1,114,680.00. Motion carried.

RESOLUTION:

Moved by Rice, seconded by Barington, to approve Resolution #R2021-08, A Plat of Lot S-12, a Subdivision of 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, as follows:

RESOLUTION NO. R2021-08

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 8th day of February, 2021; and

WHEREAS, it appears from an examination of the plat LOT S-12, A SUBDIVISION OF 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 as prepared by Jeremy A. Wolbrink, 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 LOT S-12, A SUBDIVISION OF 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 prepared by Jeremy A. Wolbrink, 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.

Moved by Allen, seconded by Barington, to approve Resolution #R2021-09, A Plat of Lots 8-J and 11, 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. R2021-09

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 8th day of February, 2021; and

WHEREAS, it appears from an examination of the plat LOTS 8-J AND 11, 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 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 LOTS 8-J AND 11, 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.

Moved by Rice, seconded by Barington, to approve Resolution #R2021-10, A Plat of Tract 1 of Mitchell Waterworks 1st Addition in the SW ¼ of the SW ¼ of Section 35, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota, as follows:

RESOLUTION NO. R2021-10

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 8th day of February, 2021; and

WHEREAS, it appears from an examination of the plat TRACT 1 OF MITCHELL WATERWORKS 1ST ADDITION IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4SW1/4) OF SECTION 35, TOWNSHIP 103 N, RANGE 60 WEST OF THE 5TH P.M., DAVISON COUNTY, 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 TRACT 1 OF MITCHELL WATERWORKS 1ST ADDITION IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4SW1/4) OF SECTION 35, TOWNSHIP 103 N, RANGE 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA 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.

CONSIDER APPROVAL:

Moved by Barington, seconded by Rice, to approve Agreement #A2021-09, Real Estate Purchase Agreement for Ground Water Storage Tank Project #2020-20 with Knox County Partnership for a total cost of \$149,971.50. Motion carried.

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 _____.