

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

**March 1, 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 Rice, to remove Item k. and place on regular City Council Agenda and to approve the following items on the consent agenda:

- a. City Council Minutes
 - 1. City Council February 16, 2021.
- b. Committee Meeting Minutes
 - 1. Planning Commission February 8, 2021.
- c. Surplus Self-Contained Breathing Apparatus.
- d. Automatic Supplement to the Park Fund-Rec Center in the amount of \$900.00 from Grant Funds.
- e. 2020 Annual Report.
- f. Approve Property Tax Abatement for 2020 Taxes payable in 2021.
- g. Approve Purchase of 2021 Curbtender Project #2021-34 from Sanitation Products utilizing the Sourcewell Contract.
- h. Reject Bids for Golf Carts Purchase Project #2021-22.
- i. Set date 1:30 p.m., March 17, 2021 for rebid of Golf Carts Project #2021-22R.
- j. Set date 1:30 p.m., March 17, 2021 for bid opening for Dailey Drive Lift Station Improvement Project #2020-12.
- l. VFW Request for 2nd & Rowley Parking Lot and Alley Closure on April 16-17, 2021.
- m. Raffle Permit
 - 1. Palace City Renegades with the drawing to be held on May 1, 2021.
- n. 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>
Unleaded Gas				
-10% Ethanol	5,700	5,700	\$2.066	\$ 11,776.20*
		Total Bid:		\$11,776.20*

<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	1,000	1,000	\$2.395	\$ 2,395.00*
On Road Diesel-#1	1,000	1,000	\$2.745	\$ 2,745.00*
		Total Bid:		\$5,140.00*

o. Pay Estimates March 1, 2021

Pay Estimate #5-2020 in the amount of \$8,666.66 for Mitchell Airport Snow Removal #2019-53R2 contracted to Quality Cut Lawn & Snow,

Pay Estimate #24 in the amount of \$376.36 for Crafty Fox Window Repairs #2020-24 contracted to Custom Carpentry/Doug Driggs,

Pay Estimate #25 in the amount of \$357.00 for Crafty Fox Window Repairs #2020-24 contracted to Custom Carpentry/Doug Driggs,

Pay Estimate #1 in the amount of \$1,893.10 for Norway/Rowley Bike Path/Sidewalk #2021-1 contracted to HDR Engineering Inc.,

Pay Estimate #2 in the amount of \$2,818.00 for Norway/Rowley Bike Path/Sidewalk #2021-1 contracted to HDR Engineering Inc.,

Pay Estimate #1 in the amount of \$3,710.00 for Old Landfill Monitoring #2021-28 contracted to Geotek Engineering and

Pay Estimate #1 in the amount of \$7,700.00 for New Landfill Monitoring #2021-29 contracted to Geotek Engineering.

p. 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 FEBRUARY 7, 2021 – FEBRUARY 20, 2021: City Council \$3,303.68, Mayor \$1,374.69, City Administrator \$5,446.46, Attorney \$4,401.38, Finance \$12,292.34, Human Resources \$3,542.93, Municipal Building \$4,651.72, Information Technology \$2,687.68, Police \$74,328.78, Traffic \$2,435.73, Fire \$35,496.38, Street \$27,201.99, Public Works \$23,285.63, Cemetery \$4,166.41, Library \$13,661.13, Recreation & Aquatics \$5,457.51, Recreation Center \$19,350.51, Sports Complexes \$9,728.34, Parks \$9,679.56, Supervision \$5,696.46, E911 \$21,536.31, MVP \$770.15, Palace Transit \$22,265.59, JVCC \$1,074.76, Nutrition \$3,289.23, Water Distribution \$14,074.65, Sewer \$13,130.63, Airport \$3,067.96, Recycling Program \$6,274.15, Waste Collection \$6,279.67, Landfill \$9,304.85, Corn Palace \$17,089.50, Golf Course \$2,945.76, Emergency Medical Services \$34,280.68.

NEW HIRES:

PALACE TRANSIT: Jacquelyn High-\$18.784

MUNICIPAL BUILDINGS: Michael Leach-\$16.807

POLICE: Bryce Fuchs-\$24.950, Austin Resick-\$25.262

SALARY ADJUSTMENTS:

POLICE: Crystal Reitzel-\$21.268

E-911: Kyleena Dumas-\$25.617

TERMINATIONS:

FIRE: Scott Tschetter

PALACE TRANSIT: Kenyon Graves

POLICE: Kelly Loudenburg

WARRANTS:

A-Ox Welding Supply, Supplies-\$77.25; AAA Collections, Pre-Collection-\$69.56; AAA Lawn Care and Maintenance, Contract Service-\$8,617.50; AFLAC, Aflac Withholding-\$10,526.80; AFLAC Group, Critical Care-\$714.04; AFSCME Council 65, Union Dues-\$479.00; Amazon Capital Services, Supplies-\$713.54; Andrea Hamilton, Reimbursement-\$35.00; Aramark, Supplies-\$365.14; Armour School District, Corn Palace Games-\$1,065.50; ATV Holdings, DbA Mitchell Telecom, Utilities-\$244.91; Auto Body Specialties. Supplies-\$59.64; Avera Occupational Medicine, Testing-\$2,303.74; Bailey Metal Fabricators, Supplies-\$1,229.43; Big Daddy D's, Supplies-\$3,575.33; Bob Young, Refund-\$42.00; Boyer Trucks Sioux Falls, Supplies-\$50.00; Bryce Fuchs, Reimbursement-\$84.99; C & B – Mitchell, Supplies-\$9.60; Carquest Auto Parts, Supplies-\$130.00; Casey Tegethoff, Supplies-\$64.99; Center Point Large Print, Books-\$89.28; Central Electric, Utilities-\$800.08; Century Link, Utilities-\$13.61; Charlie's Shoe Repair, Repair-\$25.00; Cincinnati Insurance, Equipment Coverage-\$6,134.00; Civicplus, Annual Fee-\$2,088.06; Coca Cola Bottling, Supplies-\$908.70; Cook Implement, Supplies-\$1,264.00; Core & Main, Supplies-\$162.48; Core-Mark Midcontinent, Supplies-\$2,358.77; Corn Palace Concessions, Supplies-\$12.00; Corn Palace Corn Hole, Sports Authority Promotion-\$5,000.00; Corporate Translation Service, Translation Services-\$191.65; Dakota Fluid Power, Supplies-\$1,732.70; Dakota Riptide, Sports Authority Promotion-\$3,500.00; Dale Steffen, CDL-\$90.00; Dan London, Reimbursement-\$7.96; Darrington Water Conditioning, Rental-\$21.00; Davison County Register of Deeds, Recording-\$30.00; Dean Knippling, Reimbursement-\$214.97; Delta Dental Plan of South Dakota, Dental Insurance-\$13,744.78; Denny Kaemingk/David Dykstra, Refund Rent, Closing, Attorney-\$2,120.75; Department of Motor Vehicle, Plates/Title-\$21.20; Department of Social Services, Child Support-\$1,126.96; DEX YP, Publishing-\$320.83; Dice Benefits Consulting. January Fees-\$495.00; DLT Solutions, Renewal-\$4,692.60; Doug L Driggs, 2020-24 P.E. #24-\$733.36; Dakota Wesleyan University Athletics, Sports Authority Promotion-\$2,000.00; Emergency Education, Training-\$200.00; Eric Hieb, Contract Services-\$4,460.42; Farmers Alliance, Supplies-\$3,821.75; Fastenal, Supplies-\$179.22; FBI-Leeda, Membership Dues-\$150.00; Fedex, Express Services-\$20.12; Findaway World, Books-\$708.05; First National Bank Omaha, Loan Payment-\$7,923.07; Galls, Supplies-\$244.70; Geotek Engineering, 2021-28 P.E. #1-\$11,410.00; Graham Tire, Supplies-\$72.00; Grainger, Supplies-\$10.58; Great Western Tire, Repair-\$812.84; Harve's Pro Prints, Supplies-\$126.00; HDR Engineering, 2021-1 P.E. #2-\$4,711.10; Henry Schein, Supplies-\$977.69; Howes Oil, Supplies-\$11,784.53; Ican, Contract-\$1,080.00; Identisys, Supplies-\$350.00; Innovative Office

Solution, Supplies-\$21.62; Interstate Office Products, Supplies-\$90.32; JCL Solutions, Supplies-\$80.16; Jones Supplies, Supplies-\$1,042.80; Kone Chicago, Maintenance-\$835.41; Krohmer Plumbing, Supplies-\$66.60; Lawson Products, Supplies-\$657.92; Lewis Family Drug, Supplies-\$29.97; Lori Schmidt, Corn Palace Games-\$115.00; Make It Mine Designs, Supplies-\$7,378.26; McLeod's Printing, Supplies-\$236.93; Menard's, Supplies-\$2,068.40; Meyers Oil, Supplies-\$795.72; Microsoft, Online Service-\$910.00; Midwest Alarm Company, Maintenance-\$81.00; Midwest Fire & Safety, Maintenance-\$217.00; Midwest Turf & Irrigation, Supplies-\$682.91; Millennium Recycling, Contract Services-\$2,328.55; Mitchell Figure Skate Club, Sports Authority Promotion-\$3,000.00; Mitchell Plumbing & Heating, Supplies-\$160.29; Mitchell Power Equipment, Supplies-\$98.68; Mitchell United Way, United Way-\$271.00; Mueller Lumber, Supplies-\$130.11; Music & Sound, Supplies-\$143.99; Napa Auto Parts, Supplies-\$287.31; Nick Bakhtiari, Supplies-\$5.98; Northwestern Energy & Communications, Utilities-\$23,174.05; Pat Dockendorf, Corn Palace Games-\$115.00; Pepsi Cola, Supplies-\$488.65; Powerphone, Training-\$845.00; Prairie Fire Solutions, Repair-\$985.00; Prairie Turf Equipment, Equipment-\$20,500.00; Public Health Laboratory, Lab-\$225.00; Qualified Presort, Mailing Service-\$484.39; Quality Cut Lawn & Tree Service, 2019-53R2 P.E. #5-2020-\$8,666.66; Quick Med Claims, Contract Services-\$4,266.85; R & R Products, Supplies-\$188.71; Runnings Supply, Supplies-\$1,371.28; S & M Printing, Supplies-\$172.00; Sanitation Products, Supplies-\$667.20; Schoenfelder Portables, Rentals-\$120.00; Scott Supply, Supplies-\$210.78; South Dakota Department of Public Safety, Annual Charge-\$2,108.00; South Dakota Retirement System, Retirement Contributions-\$52,117.39; South Dakota Supplemental Retirement, Supplemental Retirement-\$4,547.76; South Dakota Supplemental Roth 457, Roth 457 Contributions-\$1,025.00; South Dakota State University Agricultural Engineering, Improvements-\$1,094.66; Sherwin-Williams, Supplies-\$133.54; Shive-Hattery, Service-\$3,700.00; Sign Pro, Supplies-\$62.60; South Dakota 811, Professional Service-\$35.70; Standard Insurance, Life Insurance-\$2,096.33; Staples, Supplies-\$315.10; Sturdevants Mitchell, Supplies-\$2,117.17; Sturdevants Sioux Falls, Freight-\$25.00; Subway, Supplies-\$41.94; Sun Gold Sports, Supplies-\$392.50; Three-D Specialties, Supplies-\$514.92; Thune True Value Hardware, Supplies-\$326.18; TK Electric, Supplies-\$760.00; TMA Stores, Repair-\$23.47; Traditions Prepared Meals, Contract Services-\$2,071.00; Transource, Supplies-\$4,311.23; True North Steel, Supplies-\$18,353.20; United Laboratories, Supplies-\$546.33; USA Blue Book, Supplies-\$839.62; Verizon Wireless, Utilities-\$280.13; Vern Eide Chevrolet Buick, Repair-\$3,750.46; Vern Eide Ford Lincoln, Supplies-\$19.60; Vernon Holding, Title Insurance-\$535.00; Walmart, Supplies-\$49.86; Wheelco Brake & Supply, Supplies-\$896.34; Wholesale Electronics, Supplies-\$13.42; Wireless Links, Monthly Support-\$243.00; Zimco Supply, Supplies-\$2,960.00; The Title Company, 508 W Ash-\$40,482.00; US Bank, Loan Payments-\$128,351.49; First National Bank, 2013 Norway Lift Station-\$9,058.30; South Dakota State Treasurer, Sales Tax Payment-\$11, 713.03.

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

CONSIDER APPROVAL:

Moved by McCardle, seconded by Tjarks to approve Item k. Mitchell Main Street & Beyond Temporary Street and Parking Closure and Consumption Permit Request for 2021 First Friday

Events (May 2021 through September 2021). Back 40 business owner, Keke Leiferman, requests Main Street from 5th to 6th in front of her business to remain open. Discussion also took place with Mitchell Main Street & Beyond. The organization would like a decision to be made soon so they can continue scheduling events. Moved by Smith, seconded by Barington, to amend the previous motion and table the application for two weeks. Motion carried. Vote then held on amended motion to table application for two weeks. Amended motion carried.

CITIZENS INPUT:

The resident of 3 W. Harmon asked City Council if the ditch across the street was county or city property. He stated a tree has been laying in the ditch for some time. Parks Director Nathan Powell stated he would take care of it.

BOARD OF ADJUSTMENT:

Moved by Rice, seconded by McCardle, 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 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 construction of a single family house for the property located at 3209 Canal Circle, legally described as Lot 55, The Island 1st Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned UD Urban Development District. Notice of hearing has been given and affidavit of publication is on file. Moved by Tjarks, seconded by Sabers, to approve said application. Allen voting nay. Motion carried.

It was advised that this is the date and time set for hearing on the application of Russell and Teresa Quist for 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 said real property is zoned RL Residential Lake District. Notice of hearing has been given and affidavit of publication is on file. Moved by Rice, seconded by Smith, to approve said application. Motion carried.

It was advised that this is the date and time set for hearing 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 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 said real property is zoned RL Residential Lake District. 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.

Moved by Tjarks, seconded by Allen, to set date for March 15, 2021 on the application of David Baker for a side-yard on a corner variance of 8 feet vs 15 feet, a backyard variance of 24 feet vs

25 feet, and a height variance on an attached accessory building of 25 feet vs 22 feet for construction of an attached garage located at 400 W 14th Avenue, legally described as Lot 12, Block 12, Capital Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R4 High Density Residential District. Motion carried.

Moved by Barington, seconded by Rice, to set date for March 15, 2021 on the application of MPR Real Estate Holdings LLC (Pizza Ranch) for a parking space variance of 73 spaces vs 78 spaces due to construction of an addition at 502 East Norway Avenue, legally described as Lot S-11, Replat of Lot S, NW ¼ of Section 27, T 103 N, R 60 W, City of Mitchell, Davison County, South Dakota. The property is zoned HB Highway Oriented Business 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.

CONSIDER APPROVAL:

Moved by Rice, seconded by Sabers, to approve the quarterly funding request from the Mitchell Area Development Corporation in the amount of \$41,750.00. Motion carried.

Moved by McCardle, seconded by Rice, to approve 2021 contingency funds in the amount of \$19,625.00 for HVAC control replacement at Deerland Estate. Motion carried.

AWARD BID:

Bids were opened and read on Asphalt & Concrete Crushing Project #2021-09 on the 3rd day of February, 2021. Moved by Allen, seconded by Smith, to award as follows:

**ASPHALT & CONCRETE CRUSHING
PROJECT #2021-09**

Dakota Constructors Inc, PO Box 542, Harrisburg, SD 57032

Bid Schedule A	\$136,500.00
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Motion carried.

CONSIDER APPROVAL:

Moved by Allen, seconded by McCardle, to approve Agreement #A2021-12, Perpetual Easement with CJM Consulting Inc. in conjunction with Dailey Lift Station Improvements Project #2020-12. Motion carried.

RESOLUTION:

Moved by Tjarks, seconded by Rice, to approve Resolution #R2021-11, A Plat of Tract 1 of Backash Addition in the SW ¼ of the SW ¼ of Section 24, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota, as follows:

RESOLUTION NO. R2021-11

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 22nd day of February, 2021; and

WHEREAS, it appears from an examination of the plat TRACT 1 OF BACKASH ADDITION IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4SW1/4) OF SECTION 24, TOWNSHIP 103 NORTH, 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 BACKASH ADDITION IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4SW1/4) OF SECTION 24, TOWNSHIP 103 NORTH, RANGE 60 WEST 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.

Moved by Rice, seconded by McCardle, to approve Resolution #R2021-12, A Plat of Lot 8, Block 7 of the Woods First Addition, a Subdivision of the East ½ of the SW ¼ of Section 23, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota, as follows:

RESOLUTION NO. R2021-12

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 22nd day of February, 2021; and

WHEREAS, it appears from an examination of the plat LOT 8, BLOCK 7 OF THE WOODS FIRST ADDITION, A SUBDIVISION OF THE EAST ½ OF THE SW ¼ OF SECTION 23, 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 LOT 8, BLOCK 7 OF THE WOODS FIRST ADDITION, A SUBDIVISION OF THE EAST ½ OF THE SW ¼ OF SECTION 23, 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.


ORDINANCES:

Moved by Allen, seconded by Sabers, to place Ordinance #O2021-01, Rezoning of Certain Lots Platted and Unplatted with The Island First Addition, City of Mitchell from UD Urban Development to R1 Single Family Residential District on first reading. Motion carried.

Moved by McCardle, seconded by Tjarks, to place Ordinance #O2021-02, Rezoning of Lots 9, 10 & East ½ of Lots 11 & 12, Block 12, Van Eps 1st Addition, City of Mitchell from R3 Medium Density Residential District to HB Highway Oriented Business District (113 W Douglas Ave) on first reading. 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 _____.