

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

**April 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

**AGENDA:**

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

- a. City Council Minutes
  - 1. City Council April 5, 2021.
- b. Committee Meeting Minutes
  - 1. Planning Commission March 22, 2021,
  - 2. Community Services Advisory Board April 8, 2021,
  - 3. Golf/Cemetery Board March 8, 2021, and
  - 4. Park and Recreation Board March 11, 2021.
- c. Department Reports
  - 1. Sales Tax Collections (March),
  - 2. Finance (March),
  - 3. Building Permits (March),
  - 4. Code Enforcement (March),
  - 5. Airport (March),
  - 6. Fire and EMS (March),
  - 7. Police (March),
  - 8. Palace Transit (February and March), and
  - 9. Water (March).
- d. Quarterly Reports
  - 1. Public Works Project Update and
  - 2. Mitchell Area Chamber of Commerce.
- e. Authorization to Apply for the 2022 Speed Enforcement Grant.
- f. Authorization to Apply for the 2022 South Central Alcohol Task Force Grant.
- g. Authorization to Apply for the SDML WCF Trenching & Confined Space Safety Grant.
- h. Volunteer Board Appointments
  - 1. Jordan Unterbrunner to the Community Service Board to fill an unexpired term to run May 2021-June 2021 and July 2021-June 2024

- 2. Cole Morgan to the Community Services Board to fill an unexpired term to run May 2021-June 2021 and June 2021-June 2024.
- i. Set date of May 3, 2021 for hearings on the applications of the Corn Palace Shrine Club for Special Event Liquor Licenses located at the Masonic Hall for a wedding on May 15, 2021 and a wedding on June 12, 2021.
- j. Set date 1:30 p.m., April 26, 2021 for bid opening for 600 Block North Davison Utility Improvements Project #2021-26.
- k. Set date 1:30 p.m., April 26, 2021 for bid opening for Paving & Overlay Project #2021-15.
- l. Set date 1:30 p.m., April 26, 2021 for bid opening for West Harmon Utility Improvements Project #2021-16.
- m. Set date 1:30 p.m., April 26, 2021 for bid opening for Concrete Project #2021-4.
- 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	6,900	6,900	\$2.240	\$ 15,456.00*
		<b>Total Bid:</b>		<b>\$15,456.00*</b>

- o. Pay Estimates April 19, 2021
  - Pay Estimate #7-2020 in the amount of \$8,666.66 for Mitchell Airport Snow Removal #2019-53R2 contracted to Quality Cut Lawn & Snow,
  - Pay Estimate #2 in the amount of \$33,828.75 for West Ash CIPP Liner #2020-11 contracted to Hydro-Klean, LLC,
  - Pay Estimate #9 in the amount of \$3,000.00 for Dailey Drive Lift Station #2020-12 contracted to SPN & Associates,
  - Pay Estimate #29 in the amount of \$306.00 for Crafty Fox Window Repairs #2020-24 contracted to Custom Carpentry/Doug Driggs,
  - Pay Estimate #1 in the amount of \$18,515.00 for Foster Street Bridge #2021-2 contracted to Brosz Engineering,
  - Pay Estimate #3 in the amount of \$8,002.50 for Landfill Cell #4 #2021-8 contracted to Helms & Associates,
  - Pay Estimate #2 in the amount of \$21,857.50 for West Harmon Utility Improvements #2021-16 contracted to Brosz Engineering,
  - Pay Estimate #2 in the amount of \$521.00 for Old Landfill Monitoring #2021-28 contracted to Geotek Engineering,
  - Pay Estimate #2 in the amount of \$590.50 for New Landfill Monitoring #2021-29 contracted to Geotek Engineering,
  - Pay Estimate #1 in the amount of \$2,137.50 for North Wastewater Treatment Plant Improvements #2021-30 contracted to HDR Engineering, and
  - Pay Estimate #10 in the amount of \$5,579.44 for AIP '28 Airport ALP/Master Plan contracted to Helms & Associates.
- 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 MARCH 21, 2021 – APRIL 3, 2021:** City Council \$3,303.68, Mayor \$1,374.69, City Administrator \$5,296.46, Attorney \$4,401.38, Finance \$12,477.85, Human Resources \$3,542.93, Municipal Building \$3,003.29, Information Technology \$2,788.89, Police \$70,443.85, Traffic \$2,238.34, Fire \$32,199.65, Street \$26,914.68, Public Works \$23,285.63, Cemetery \$4,293.41, Animal Control \$1,573.90, Library \$13,798.42, Recreation & Aquatics \$5,606.35, Recreation Center \$18,288.54, Sports Complexes \$8,936.64, Parks \$11,317.80, Supervision \$5,696.46, E911 \$20,003.81, MVP \$777.53, Palace Transit \$23,432.79, JVCC \$1,074.75, Nutrition \$3,278.92, Water Distribution \$13,359.40, Sewer \$13,219.17, Airport \$3,067.95, Recycling Program \$5,925.93, Waste Collection \$5,875.61, Landfill \$9,008.93, Corn Palace \$15,393.59, Golf Course \$4,345.18, Emergency Medical Services \$30,313.62.

**NEW HIRES:**

CAMPGROUND: Tammy Ploof-\$10.95, James Ploof-\$10.95

CORN PALACE: Grant London-\$11.45, Lori Schmidt-\$15.00, Patti Zimmerman-\$15.00

GOLF COURSE: Michael Shearer-\$11.95, James Lynde-\$13.45

PARKS: Jonathon Thurman-\$20.478, John Schefsky-\$11.45, Steven Linke-\$11.95, Ernest Bies-\$13.45, Brian Weiss-\$11.45, Elisebeth Dickson-\$10.95

SPORTS COMPLEXES: Andrew Gunnare-\$10.95

TRAFFIC: Lincoln Erickson-\$13.45.

**SALARY ADJUSTMENTS:**

FIRE: Zachary Dalrymple-\$23.251, Brandon Manchester-\$21.051

LANDFILL: Jaylon Tollefson-\$30.798

PALACE TRANSIT: Donald Trebil-\$19.256

POLICE: Sawyer Gibson-\$31.164

RECREATION CENTER: Joseph Haiar-\$24.672

**TERMINATIONS:**

RECREATION CENTER: Christopher Mayer

**WARRANTS:**

A & B Business Solutions, Contract-\$3,554.83; A-Ox Welding Supply, Supplies-\$453.22; AAA Collections, Pre-Collection Letters-\$747.01; Advance Auto Parts, Supplies-\$16.14; AFSME

Council 65, Union Dues-\$479.00; All Flags, Supplies-\$66.30; Amazon Capital Services, Supplies-\$332.88; Anderson-Crane Rubber, Supplies-\$1,084.54; Aqua-Pure, Supplies-\$1,790.00; Aramark, Supplies-\$146.78; AT&T Mobility, Utilities-\$1,284.29; ATV Holdings, Supplies-\$2,576.49; Auto Body Specialties, Supplies-\$101.95; Automatic Building Control, Supplies-\$240.00; Avera Occupational Medicine, Testing-\$987.00; B & B Upholstery, Supplies-\$385.00; B-Y Water District, March Usage-\$48,892.50; Bailey Metal Fabricators, Supplies-\$187.34; Beacon Athletics, Supplies-\$1,944.00; Bechen Electric, Repair-\$91.11; Best Western Ramkota Hotel, Travel-\$444.00; Bierschbach Equipment & Supplies, Supplies-\$579.63; Big Daddy D's, Contract Services-\$5,166.00; Blackstone Publishing, Audio Books-\$93.89; Brosz Engineering, 2021-16 P.E. #2-\$40,372.50; Brown's Shoe Fit, Bid #3 Project-\$10,800.00; Buhl's Drycleaning, Supplies-\$44.00; Builders Firstsource, Supplies-\$483.39; Butler Machinery, Supplies-\$66.79; C & B Mitchell, Supplies-\$68.35; Carolina Software, Maintenance-\$500.00; Casey Tegethoff, Reimbursement-\$223.97; CDW Government, Supplies-\$666.94; Cengage Learning /Gale, Books-\$108.71; Center Point Large Print, Books-\$465.86; Central Electric, Utilities-\$11,717.06; Century Link, Utilities-\$58.57; Charlie's Shoe Repair, Bid #3 Project-\$11,545.00; City of Mitchell, Utilities-\$114.42; City of Mitchell, Alcohol Task Force-\$1,000.00; Coborns, Contract Services-\$535.00; Coca Cola Bottling, Supplies-\$16.80; Confluence, Professional Service-\$3,951.94; Connections, Training-\$1,385.91; Corn Palace Concessions, Supplies-\$12.00; County Fair, Contract Services-\$525.00; Creative Product Source, Supplies-\$206.08; Dakota Counseling, 2021 Allocation-\$6,562.50; Dakota Fluid Power, Supplies-\$645.31; Dakota Pump, Supplies-\$4,583.08; Dakota Supply Group, Supplies-\$73.08; Darrington Water Conditioning, Rental-\$89.45; David Sarne, Training-\$180.00; Davison County Register of Deeds, Copies-\$6.00; Davison County Title, Tract 1-Mitchell Waterworks 1<sup>st</sup> addition-\$150,494.00; Davison Rural Water System, Utilities-\$145.40; Dell Marketing, Supplies-\$6,666.71; Department of Environment and Natural Resources, State Game Fees-\$2,733.20; Department of Social Services, Child Support-\$831.64; Direct Digital Control, Repairs-\$165.00; Doug L Driggs, 2020-24 P.E. #29-\$306.00; Dr Hilary Rockwell, Contract Services-\$1,500.00; Dug Out, Contract Services-\$687.75; Ed's Pet World, Bid #3 Project-\$2,650.00; Emergency Education, Training-\$100.00; Environmental Toxicity, Lab Fees-\$575.00; Farmers Alliance, Supplies-\$1,093.07; Fastenal, Supplies-\$418.87; Fedex, Express Services-\$15.19; Ferguson Waterworks #2516, Supplies-\$674.27; Fisher Scientific, Supplies-\$1,418.86; Forum Communications, Publishing-\$1,408.34; G & R Controls, Repairs-\$2,039.02; Galls, Supplies-\$533.52; Geotek Engineering, 2021-28 P.E. #2-\$1,111.50; Golden West Technologies, Utilities-\$314.97; Grainger, Supplies-\$91.73; Great Western Tire, Supplies-\$4,811.40; Hach, Supplies-\$192.40; Harlow's Bus Sales, Supplies-\$495.08; Harve's Pro Prints, Supplies-\$284.40; HDR Engineering, 2021-30 P.E. #1-\$2,137.50; Helms and Associates, 2021-8 P.E. #3-\$13,581.94; Henry Schein, Supplies-\$582.22; Hotel Alex Johnson, Travel-\$471.00; Howes Oil, Supplies-\$15,458.13; Hydro-Klean, 2020-11 P.E. #2-\$33,828.75; ICAN, Advertising-\$750.00; Ingram Library Services, Books-\$694.89; James Valley Nursery, Supplies-\$183.74; Jones, Supplies-\$574.01; Josh's Tools, Supplies-\$549.01; Kansas Pro Sound, Deposit-\$10,000.00; Kevin Roth, Reimbursement-\$130.23; Kimball-Midwest, Supplies-\$397.72; Krohmer Plumbing, Maintenance-\$285.36; Lakeview Veterinary Clinic, Supplies-\$1,176.53; Larry's I-90 Service, Repair-\$115.11; Lawson Products, Supplies-\$590.11; Lewis Family Drug, Supplies-\$27.96; Liz Kitchens, Gift Certificates-\$150.00; Locale 481, 40 & 8, Fundraising-\$369.00; M & T Fire and Safety, Supplies-\$236.18; Mack Metal Sales, Supplies-\$190.00; Marilyn Jansen, Uniforms-

\$119.64; Master Blaster Cleaning Equipment, Maintenance-\$147.84; McLeod's Printing, Supplies-\$625.26; Menard's, Supplies-\$844.70; Meyers Oil, Supplies-\$1,975.05; Microsoft, Supplies-\$910.00; Mid-American Research Chemical, Supplies-\$680.86; Midcontinent Communication, Advertising-\$3,218.00; Minnesota Department of Transportation, Manual-\$14.50; Mitchell Area Chamber of Commerce, Mitchell Money-\$3,431.50; Mitchell Convention & Visitors Bureau, Rack Rental-\$20,950.00; Mitchell Iron & Supply, Supplies-\$220.62; Mitchell School District, Utilities-\$1,478.59; Mitchell United Way, United Way-\$195.00; Mount Vernon School District, Contract Services-\$45.10; Mueller Lumber, Supplies-\$63.91; Napa Auto Parts, Supplies-\$98.70; Nathan Powell, Supplies-\$8.00; Newman Signs, Maintenance-\$549.72; Nick Bakhtiari, Supplies-\$48.12; North Central Seed, Supplies-\$90.00; Northwestern Energy & Communications, Utilities-\$34,048.98; O'Connor & Son Trucking, Maintenance-\$1,921.25; Online Computer Library Center, Cataloging-\$709.26; One Source the Background, Background Checks-\$426.00; Overtime Steak House and Sports Bar, Contract Services-\$2,649.50; Pepsi Cola Theater, Supplies-\$127.30; Perfect Touch Auto Detailing, Supplies-\$320.00; Peterbilt of Sioux Falls, Supplies-\$313.04; Premier Pest Control, Maintenance-\$625.00; Public Health Laboratory, Lab-\$60.00; Qualified Presort, Postage-\$596.68; Quality Cut Lawn & Tree Service, 2019-53R2 P.E. #7-2020-\$8,666.66; Quick Med Claims, Contract Services-\$3,941.48; Reeves, Supplies-\$78.66; Rob's Short Stop, Supplies-\$118.77; Runnings Supply, Supplies-\$930.65; S & M Printing, Supplies-\$515.00; Saga Communications of South Dakota, Advertising-\$974.00; Sanitation Products, Supplies-\$4,307.88; Santel Communications, Utilities-\$106.16; Savvik, Supplies-\$3,899.24; Schmucker Paul & Nohr, 2020-12 P.E. #9-\$3,000.00; Scott Supply, Supplies-\$177.98; South Dakota Association of Code Enforcement, Registration-\$100.00; South Dakota Governmental Human Resources, Registration-\$50.00; South Dakota Newspaper Services, Advertising-\$573.60; South Dakota Retirement System, Retirement Contributions-\$51,325.01; South Dakota Supplemental Retirement, Supplemental Retirement-\$2,854.80; South Dakota Supplemental Roth 457, Roth 457 Contributions-\$1,283.50; South Dakota Parks and Recreation, Membership Dues-\$20.00; Sherwin-Williams, Supplies-\$1,163.91; Sign Pro, Supplies-\$8.60; Solarwinds Msp Canada, Software-\$190.76; South Dakota 811, Professional Service-\$195.30; Standard Insurance, Life Insurance-\$418.65; Staples, Supplies-\$1,334.65; Sturdevants, Supplies-\$2,513.68; Subway, Meals-\$41.94; Teamsters Local No. 120, Union Dues-\$830.00; Tessier's, Repairs-\$435.00; Thomson Reuters West, March Charges-\$803.39; Thune True Value Hardware, Supplies-\$147.92; TK Electric, Supplies-\$183.08; TMA Stores, Repair-\$171.19; Tractor Supply Credit Plan, Supplies-\$79.95; Traffic Control, Supplies-\$492.00; Trizetto Provider Solution, April Claims-\$71.70; Troy Kokesh, Reimbursement-\$129.99; United Parcel Service Store #4227, Shipping-\$869.66; USA Blue Book, Supplies-\$184.22; Verizon Wireless, Utilities-\$1,028.54; Walmart, Supplies-\$85.88; Wheelco Brake & Supply, Supplies-\$1,994.79; Wholesale Electronics, Supplies-\$64.08; Wireless Links, Supplies-\$333.60; Library fines, Expense Posting-1481.85; South Dakota State Treasurer, Sales Tax Payment-\$20,773.70.

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

**CITIZENS INPUT:**

Sonja Vanerdewyk distributed information to Council Members regarding Covid vaccinations and masks.

Mitchell residents voiced their concerns regarding citations being issued for dumping compost before the compost site was opened on April 5<sup>th</sup>. According to the local residents, there was conflicting information between the website information and press release. Also, the gates to the compost were open because recycling is located in the same area.

Mitchell resident Mike Bathke stated he still had concerns regarding the dirt being used in the development of the Westwood 1<sup>st</sup> Addition north of his business on West 8<sup>th</sup> Avenue.

**RESOLUTION:**

Moved by Allen, seconded by Rice, to approve Resolution #R2021-25, Annexation of Parcel A in Lot A of Section 23, T 103 N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota, as follows:

**RESOLUTION NO. #R2021-25**

**ANNEXATION OF PARCEL A IN LOT A OF SECTION 23, T 103 N, R 60 W OF THE 5<sup>TH</sup> P.M., DAVISON COUNTY, SOUTH DAKOTA INTO THE CORPORATE LIMITS OF THE CITY OF MITCHELL, SOUTH DAKOTA**

WHEREAS: Gregory and Kerry Brosz has petitioned to annex the real property legally described as Parcel A in Lot A of Section 23, T 103 N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota

WHEREAS: Gregory and Kerry Brosz are the sole owners and petitioners of the real property described in this resolution; and

WHEREAS: there are no registered voters residing on the real property and there are no persons residing on the said real property to be annexed; and

WHEREAS: there are no improvements on the real property; and

WHEREAS: the real property is contiguous to the corporate limits of the City of Mitchell, Davison County, South Dakota; and

WHEREAS: a visual depiction is hereto attached as an exhibit (Exhibit A).

NOW THEREFORE be it resolved that in accordance with SDCL Chapter 9-4, the City Council of the City of Mitchell, Davison County, South Dakota hereby annexes the above real property.

Motion carried and resolution declared duly adopted.

**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 Gregory and Kerry Brosz for a backyard variance of 7 feet vs 25 feet as required for construction of an attached garage at 409 South Wallace, legally described as Parcel A in Lot A of Section 23, T 103 N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota and Lot 3, Block 6, Sunnybrook Estates, 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. Moved by Barington, seconded by Tjarks, to approve said application. Motion carried.

It was advised that this is the date and time set for hearing on the application of Mueller Lumber Company for a backyard variance of 24 feet vs 25 feet as required to construct a twin home with attached garages located at 804 & 806 West Pine Avenue, legally described as Lot 5 and the West 42 feet of Lot 4, Block 6, MLC Addition, a Subdivision of Lot 4A, Morningview Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned Planned Unit Development. Notice of hearing has been given and affidavit of publication is on file. Moved by Rice, seconded by McCardle, to approve said application. Motion carried.

It was advised that this is the date and time set for hearing on the application of Darin Richey for a side-yard on a corner variance of 13 feet vs 20 feet and a height variance of 25 feet vs 22 feet as required to construct a detached garage located at 801 East Hanson Avenue, legally described as Lot 6, Block 5, Applegate 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. Planning Commission approved application with the condition the existing garage be removed. Moved by Rice, seconded by Allen, to approve said application with the Planning Commission recommendation. Motion carried.

It was advised that this is the date and time set for hearing on the application of Abbott House Inc. for a side-yard on a corner variance of 8 feet vs 20 feet as required to construct a detached garage located at 1001 South Main Street, legally described as Lots 1, 2, and North 50 feet of Lot 3, Block 14, University Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R3 Medium Density Residential District. Notice of hearing has been given and affidavit of publication is on file. Moved by Smith, seconded by McCardle, to approve said application. Motion carried.

It was advised that this is the date and time set for hearing on the application of Groeneweg Construction for a conditional use permit for construction of a building housing a childcare/preschool located at 1101 Commerce Street, legally described as Lot 5-B, Block 7, Westwood First Addition, a Subdivision of the SW ¼ of Section 16. T 103 N, R 60 W of the 5<sup>th</sup> P.M., City of Mitchell, Davison County, South Dakota. Notice of hearing has been given and

affidavit of publication is on file. Moved by Tjarks, seconded by Rice, to approve said application. Motion carried.

Moved by Rice, seconded by McCardle, 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 to transfer RB-26523 Retail (On-Off Sale) Malt Beverage & SD Farm Wine License from West Coast Tacos, 108 North Main Street to Jose L Haro Valencia dba La Catrina LLC, 108 North Main Street. Notice of hearing has been given and affidavit of publication is on file. Moved by Allen, seconded by McCardle, to approve said application. Motion carried.

It was advised that this is the date and time set for hearing on the application of Jose L Haro Valencia dba La Catrina LLC for a new Retail (On-Off Sale) Wine and Cider License located at 108 North Main Street. Notice of hearing has been given and affidavit of publication is on file. Moved by Rice, 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 of Logan Luxury Theatres Corporation for a new Retail (On-Off Sale) Malt Beverage & SD Farm Wine License located at 209 North Lawler Street. Notice of hearing has been given and affidavit of publication is on file. Moved by McCardle, seconded by Smith, to approve said application. Motion carried.

**CONSIDER APPROVAL:**

Moved by Sabers, seconded by Tjarks, to approve the Special Event application for the Back 40 and Moses Bike Show Event on June 5, 2021, including road closure, parking lot closure, consumption permit, noise permit, and waiver of all fees for the event. Motion carried.

**DISCUSSION:**

Discussion took place regarding parking lot and road closure notifications related to special events. Staff was instructed to bring back to the next meeting a proposed updated special event application form.

**AWARD BIDS:**

Bids were opened and read on Dailey Drive Lift Station Project #2020-12 on the 17<sup>th</sup> day of March, 2021. Moved by Allen, seconded by Rice, to award contingent on SD Department of Environment and Natural Resources review and approval, as follows:

**DAILEY DRIVE LIFT STATION  
PROJECT #2020-12**



H & W Contracting, LLC, 3416 W. Hovland Dr., Sioux Falls, SD 57107

Bid Schedule A	\$1,374,777.44
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Motion carried.

Bids were opened and read on Golf Carts Purchase Project #2021-22R on the 17<sup>th</sup> day of March, 2021. Moved by McCardle, seconded by Sabers, to award as follows:

**GOLF CARTS  
PROJECT #2021-22R**

Yamaha Golf & Utility, 3350 West Highway #13, Burnsville, MN 55337

Item 1-Golf Carts	\$211,104.00
Item 2-Trade-in	\$109,000.00
Total	\$102,104.00

Motion carried.

**RESOLUTION:**

Moved by Tjarks, seconded by Barington, to approve Resolution #R2021-29, Authorization to Apply for the Land & Water Conservation Fund (LWCF) Grant, as follows:

**#R2021-29  
Authorization to Apply for LWCF Grant**

WHEREAS, the United States of America and the State of South Dakota have authorized the making of grants from the Land and Water Conservation Fund (LWCF) to public bodies to aid in financing the acquisition and/or construction of specific public outdoor recreations projects;

NOW, THEREFORE BE IT RESOLVED:

1. That Robert B. Everson, Jr. Mayor is hereby authorized to execute and file an application on behalf of the City of Mitchell with the National Park Service, U.S. Department of the Interior, through the State of South Dakota, Department of Game, Fish and Parks, Division of Parks and Recreation, for an LWCF grant to aid in financing the Lake Mitchell Boat Dock and Marina Project for the City of Mitchell, South Dakota and its Environs.
2. That Michelle Bathke, Municipal Finance Officer, is hereby authorized and directed to furnish such information as the above mentioned federal and/or state agencies may reasonably request in connection with the application which is hereby authorized to be filed.
3. That the City of Mitchell shall provide a minimum of 50% of the total cost of the project;

and will assume all responsibility in the operation and maintenance of the project upon completion of construction, for the reasonable life expectancy of the facility.

Motion carried and resolution declared duly adopted.

**CONSIDER APPROVAL:**

Moved by Tjarks, seconded by Rice, to approve Agreement #A2021-19, Ground Storage Tank Design and Bidding Services with Infrastructure Design Group, Project #2020-20, in an amount not to exceed \$720,128.00. Motion carried.

**RESOLUTIONS:**

Moved by McCardle, seconded by Allen, to approve Resolution #R2021-24, Annexation of Various Parcels Owned by the City of Mitchell into the Corporate Limits (formerly Kelley Property), as follows:

**RESOLUTION #R2021-24**

**ANNEXATION OF REAL PROPERTY OWNED BY THE CITY OF MITCHELL INTO  
THE CORPORATE LIMITS OF THE CITY OF MITCHELL, DAVISON COUNTY,  
SOUTH DAKOTA**

WHEREAS, the City of Mitchell, by and through its Mayor, Robert B. Everson, Jr., has petitioned to annex certain real property legally described as:

Parcel 1. The W 208.75 feet of the S 208.75 feet of the SW ¼ of the SE ¼ of Section 36, T 104 N, R 61 W of the 5th P.M., Davison County, South Dakota;

Parcel 2. Kelley Tract 1, SW ¼ of the SE ¼ of Section 36, T 104 N, R 61 W of the 5th P.M., Davison County, South Dakota;

Parcel 3. The SW ¼ of SE ¼ Less Kelley Tract 1, Section 36, T 104 N, R 61 W of the 5th P.M., Davison County, South Dakota;

Parcel 4. The N ½ of the SE ¼ of Section 36 and SE ¼ of the SE ¼ of Section 36, Ex Irregular Tract 1, Ex W 208.75 feet of the S 208.75 feet, and Ex Lot 1 of DN & KN Addition, all located within the SE ¼ of Section 36, T 104 N, R 61 W of the 5th P.M., Davison County, South Dakota;

Parcel 5. Irregular Tract 1, Irregular Tract 1A, and Irregular Tract 5, all located within Lot 2, Section 31, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota;

Parcel 6. Irregular Tract 1 of Lot 3, Section 31, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota;

Parcel 7. Irregular Tract 2 of Lot 3, Section 31, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota;

Parcel 8. Irregular Tract 1 in the E ½ of W ½ of Section 31, T 104 N, R 60 W of the 5th P.M., Ex Lot C of J.A. Harris First Addition, Davison County, South Dakota; and

Parcel 9. Irregular Tract 3, SE ¼ of Section 31, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota.

WHEREAS, the City of Mitchell is the sole owner and petitioner of the real property described above; and

WHEREAS, there are no registered voters residing on the real property and there are no persons residing on the real property to be annexed; and

WHEREAS, there are improvements on the real property; and

WHEREAS, the real property is contiguous to the corporate limits of the City of Mitchell, Davison County, South Dakota; and

WHEREAS, a visual depiction is hereto attached as an exhibit (Exhibit A).

NOW THEREFORE be it resolved that in accordance with SDCL Chapter 9-4, the City Council of the City of Mitchell, Davison County, South Dakota hereby annexes the above described real property.

Motion carried and resolution declared duly adopted.

Moved by Rice, seconded by McCardle, to approve Resolution #R2021-26, A Plat of Lot 8, Block 4A, a Subdivision of Block 4 of Westwood First Addition in the NW ¼ of Section 16, T 103 N, R 60 W of the 5<sup>th</sup> P.M., City of Mitchell, Davison County, South Dakota, as follows:

#### **RESOLUTION NO. R2021-26**

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 12<sup>th</sup> day of April 2021; and

WHEREAS, it appears from an examination of the plat LOT 8, BLOCK 4A, A SUBDIVISION OF BLOCK 4 OF WESTWOOD FIRST ADDITION IN THE NW ¼ OF SECTION 16, T 103 N, R 60 W OF THE 5<sup>TH</sup> 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 4A, A SUBDIVISION OF BLOCK 4 OF WESTWOOD FIRST ADDITION IN THE NW ¼ OF SECTION 16, T 103 N, R 60 W OF THE 5<sup>TH</sup> 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 Tjarks, to approve Resolution #R2021-27, A Plat of Lot 7 in the Replat of Tract A, Wild Oak Golf Club Addition, City of Mitchell, Davison County, South Dakota, as follows:

#### **RESOLUTION NO. R2021-27**

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 12<sup>th</sup> day of April 2021; and

WHEREAS, it appears from an examination of the plat LOT 7 IN THE REPLAT OF TRACT A WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, 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 LOT 7 IN THE REPLAT OF TRACT A WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, be and the same is approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

Barington abstained. Motion carried and resolution declared duly adopted.

Moved by Allen, seconded by McCardle, to approve Resolution #R2021-28, A Plat of Blocks 1, 2, and 3, West Hoppy Loop, East Hoppy Loop, and Zeke Avenue of Lakeridge Addition, a Subdivision of Irregular Tracts Nos. 1 and 2 in the NW ¼ of Section 10, T 103 N, R 60 W of the 5<sup>th</sup> P.M., City of Mitchell, Davison County, South Dakota, as follows:

**RESOLUTION NO. R2021-28**

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 12<sup>th</sup> day of April 2021; and

WHEREAS, it appears from an examination of the plat BLOCK 1, 2, AND 3, WEST HOPPY LOOP, EAST HOPPY LOOP AND ZEKE AVENUE OF LAKERIDGE ADDITION, A SUBDIVISION OF IRREGULAR TRACTS NOS. 1 AND 2 IN THE NW ¼ OF SECTION 10, T 103 N, R 60 W OF THE 5<sup>TH</sup> 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 BLOCK 1, 2, AND 3, WEST HOPPY LOOP, EAST HOPPY LOOP AND ZEKE AVENUE OF LAKERIDGE ADDITION, A SUBDIVISION OF IRREGULAR TRACTS NOS. 1 AND 2 IN THE NW ¼ OF SECTION 10, T 103 N, R 60 W OF THE 5<sup>TH</sup> 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 Rice, seconded by Sabers, to place Ordinance #O2021-04, Supplemental Appropriation Ordinance on second reading. Motion carried. Moved by Rice, seconded by Smith, to adopt Ordinance #O2021-04, Supplemental Appropriation Ordinance, as follows:

**ORDINANCE NO. O2021-04  
SUPPLEMENTAL APPROPRIATION ORDINANCE  
CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA**

BE IT ORDAINED, BY THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, that the following sums be appropriated to authorize certain expenditures and to meet certain obligations for the year 2021 according to statute:

**GENERAL FUND**

**ELECTION**

101-41300-42900	Election	\$2,562
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**FINANCE**

101-41420-42200	Professional Services	\$3,065
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**INFORMATION TECHNOLOGY**

101-41935-42645	Computer Hardware	\$22,000
101-41935-43511	Computer Software	\$32,500

**TRAFFIC**

101-42130-43320	Upgrade Signal Lights	\$71,516
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**FIRE**

101-42200-43400	Machinery & Equipment	\$225,000
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**PUBLIC WORKS ADMINISTRATION**

101-43110-42200	Professional Services	\$50,000
101-43110-42916	Nuisance Abatement	\$123,219

**STREET & SIDEWALK**

101-43120-42630	Gravel Base	\$90,828
101-43120-43300	Street Overlay Maintenance	\$126,302
101-43120-43310	Parking Lot/Alley Paving	\$4,615
101-43120-43315	Sanborn	\$9,668

**STORM DRAINAGE**

101-43150-42200	Professional Services	\$169,045
101-43150-43306	Sanborn- 8 <sup>th</sup> to 15 <sup>th</sup>	\$695,623
101-43150-43328	Kibbee Ditch	\$6,019
101-43150-43329	Dry Run Creek Culverts	\$22,277

**CEMETERY**

101-43700-42510	Repair & Maintenance-Headstones	\$11,308
101-43700-43200	Buildings	\$2,225
101-43700-43300	Improvements	\$25,000

**LIBRARY**

101-45500-43400	Furniture & Equipment	\$3,165
101-45500-43440	Computer Hardware	\$301

**OTHER FINANCING USES**

101-49000-51101	Transfer Out to Park & Recreation	\$500,000
101-49000-51109	Transfer Out to Water (Lake)	\$354,625

The funding will come from the General Fund cash balance, designated cash balances, grants, and financing.

**SPECIAL REVENUE FUNDS**

**PARKS & RECREATION FUND**

**RECREATION CENTER**

201-45140-43400 Capital Equipment \$24,172

**SPORTS COMPLEX**

201-45160-43310 Capital Improvements \$585,445

**PARKS**

201-45210-42500 Repairs & Maintenance \$4,999

201-45210-42600 Supplies & Materials \$8,699

**SUPERVISION**

201-45220-42500 Repair & Maintenance-Signs \$9,312

The funding will come from the Park Fund cash balance.

**ENTERTAINMENT TAX FUND**

211-46311-42963 Community Projects \$144,837

The funding will come from the Entertainment Tax Fund designated cash balance.

**E911 FUND**

214-43500-42694 Computer Hardware \$3,725

The funding will come from the E911 Fund cash balance.

**COMMUNITY SERVICES FUND**

**PALACE TRANSIT**

218-45150-43411 Computer Hardware \$21,056

The funding will come from the Community Services Fund cash balance.

**INDOOR POOL CONSTRUCTION FUND**

537-49000-51100 Transfers out to 350 Debt Service \$14,375

The funding will come from the Indoor Pool Construction Fund cash balance.

**ENTERPRISE FUNDS**

**WATER FUND**

**LAKE MITCHELL**

602-43310-42200 Professional Services \$255,515

602-43310-42500 Repairs & Maintenance \$19,625

602-43310-42910 Shoreline Stabilization \$68,345

**WATER TREATMENT PLANT**

602-43330-42210 Professional Services \$35,099

**WATER DISTRIBUTION**

602-43340-42225 Professional Services \$24,175

602-43340-42520	Water Tower Repairs	\$19,426
602-43340-43321	Spruce Street Utilities	\$76,500
602-43340-43323	Sanborn 8 <sup>th</sup> to 15 <sup>th</sup>	\$127,691

The funding will come from the Water Fund cash balance and financing.

**WASTEWATER FUND  
WASTEWATER TREATMENT**

604-43200-42200	Professional Services	\$16,061
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**WASTEWATER COLLECTION**

604-43250-43310	Manhole Rehabilitation	\$74,600
604-43250-43317	CIIP	\$396,809
604-43250-43328	Wet Well Foster	\$125,000
604-43250-43334	Sanborn 8 <sup>th</sup> to 15 <sup>th</sup>	\$149,451
604-43250-43340	Dailey Drive Lift Station	\$1,141,152
604-43250-43345	Loma Linda Utilities	\$87,224

**OTHER FINANCING USES**

604-4900-51100	Transfers out to General Fund	\$571,594
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The funding will come from the Wastewater Fund cash balance, designated cash balance, and financing.

**SANITATION FUND  
RECYCLING**

612-43220-42250	Professional Fees	\$50,000
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**LANDFILL**

612-43240-42200	Professional Fees	\$49,574
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The funding will come from the Sanitation Fund cash balance.

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