

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

**July 16, 2018
6:00 P.M.**

PRESENT: Dan Allen, John Doescher, Kevin McCardle, Steve Rice, Dan Sabers

ABSENT: Marty Barington, Jeffrey Smith, Susan Tjarks

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 Minutes July 2, 2018.
- b. Committee Meeting Minutes
 1. Planning Commission June 25, 2018.
- c. Department Reports
 1. Finance (June),
 2. Sales Tax Collections (June),
 3. Building Permits (June),
 4. Mowing (May),
 5. Police (June),
 6. Fire (June),
 7. EMS (June),
 8. Fire & EMS Combined (June),
 9. Mitchell Public Library (May),
 10. Palace Transit (June),
 11. Community Services (June),
 12. Airport (June), and
 13. Water (June).
- d. Appoint Kevin Genzlinger to fill the unexpired term of Bob Everson to run July 2019- July 2021 to Planning Commission.
- e. Automatic Supplement to the General Fund - Police Department in the amount of \$9,000.00 for radar speed boards from a donation.
- f. Authorize Purchase of used oil distributor truck City Project #2018-36.
- g. Amendment to Event Map for August 2 Special Event.
- h. Set date for bid opening 1:30 P.M., August 13, 2018 for Jitters Building Demolition City Project #2018-8.
- i. Pay Estimates July 16, 2018
Pay Estimate #17 in the amount of \$217,712.76 for Mitchell Aquatic Center #2016-11 contracted to Puetz Corporation,

Pay Estimate #14 in the amount of \$700.00 for Corn Palace Plaza #2016-18 contracted to CONFLUENCE,

Pay Estimate #9 in the amount of \$92,492.66 for Burr Street-City Portion #2016-26A contracted to T & R Contracting Inc., and

Pay Estimate #1 in the amount of \$3,046.55 for Sidewalk-Schedule "B" #2018-4 contracted to Top Grade Concrete.

- j. 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 JUNE 17, 2018 – JUNE 30, 2018: City Council \$3,016.00, Mayor \$1,255.00, City Administrator \$4,658.42, Attorney \$3,871.18, Finance \$12,795.99, Human Resources \$3,382.92, Municipal Building \$3,186.47, Information Technology \$2,393.47, Police \$72,647.74, Traffic \$4,999.45, Fire \$44,562.11, Street \$28,084.99, Public Works \$19,789.95, Cemetery \$5,432.68, Animal Control \$1,423.52, Emergency Medical Services \$10,841.50, Library \$13,120.00, Recreation & Aquatics \$21,621.53, Recreation Center \$19,304.75, Sports Complexes \$17,314.52, Parks \$20,512.37, Supervision \$5,010.24, E911 \$21,639.97, RSVP \$5,523.97, Palace Transit \$19,596.86, JVCC \$1,456.69, Nutrition \$715.01, Water Distribution \$12,867.08, Sewer \$13,892.34, Airport \$2,248.64, Waste Collection \$9,865.97, Landfill \$8,046.65, Corn Palace \$30,282.62, Golf Course \$11,912.97, Campground \$1,822.80.

NEW HIRES:

PARKS: Alexander Bergeson-\$10.35, James Zwinger-\$11.85.

SPORTS COMPLEX: Robert James Becker-\$10.35, Daewood Gerlach-\$9.35.

REC CENTER: Andrew Christiansen-\$9.35, Mikaela Stofferahn-\$9.85, Adaya Plastow-\$9.35.

REC & AQUATICS: Madison Bohlen-\$9.85, Bruce Mastel-\$10.35.

POLICE: Samantha Pulse-\$17.794.

CORN PALACE: Jake Jarman-\$9.85, Riley Filter-\$9.35.

COMMUNITY SERVICES: Al Jacklin-\$10.85.

SALARY ADJUSTMENTS:

POLICE: Terance Reyelts-\$29.531, Brian Larson-\$26.432, Dan Kopfman-\$26.770.

LIBRARY: Anessa Klumb-\$10.85.

PARK: Cody Pohlen-\$19.165.

CORN PALACE: Jeff Hanson-\$20.642.

LANDFILL: Travis Platt-\$19.641.

WASTE COLLECTION: Troy Sipes-\$21.174.

PUBLIC WORKS: John Hegg-\$28.459.

WARRANTS: A-Ox Welding Supply, Repairs-\$397.00; AAA Collections, Pre-Collection Letters-\$20.00; ABC-CLIO, Books-\$143.61; Accounts Management, Garnishment-\$620.44; Advance Auto Parts, Supplies-\$12.99; AFSCME Council 65, Union Dues-\$613.08; Al's Engraving, Supplies-\$6.90; AM Best Company, Book-\$189.00; Ameripride Services, Supplies-\$136.10; Aqua-Pure, Supplies-\$2,875.00; Argus Leader Media, Subscription-\$229.48; ATR Lighting Enterprises, Supplies-\$88.21; Avera Occupational Medicine, Contract Services-\$1,566.00; Avera Queen of Peace Hospital, Supplies-\$229.76; B & L Communications, Repairs-\$ 65.00; B-Y Water District, Utilities-\$106,494.36; Bailey Metal Fabricators, Supplies-\$147.24; Baker & Taylor, Books-\$967.57; Bechen Electric, Repairs-\$76.53; Bender's Sewer Cleaning, Maintenance-\$380.00; Betty Anderson, Reimbursement-\$36.00; Bierschbach Equipment and Supplies, Supplies-\$319.05; Big Daddy D's, Contract Service-\$3,664.50; Big Sky Racks, Supplies-\$312.84; Bill Marquardt, Combelt Team Camp June 2018-\$1,100.00; Blackburn Manufacturing, Supplies-\$133.64; Blackstone Publishing, Supplies-\$143.77; BNSF Railway, Permit-\$800.00; Break Time Portables, Rental-\$95.00; Brian Larson, Travel-\$104.00; Buhl's Dry Cleaning, Professional Service-\$10.79; Building Sprinkler, Maintenance-\$489.55; Butler Machinery, Supplies-\$2,079.00; C & B Operations, Supplies-\$3,314.20; Campbell Supply, Supplies-\$1,288.30; Carolina Software, Supplies-\$4,980.00; Carquest Auto Parts, Supplies-\$221.68; CDW Government, Supplies-\$1,334.89; Center Point Large Print, Books-\$89.28; Century Link, Utilities-\$144.42; CHR Solutions, Postage-\$3,008.09; City of Mitchell, Utilities-\$1,263.79; Coborn's, Contract Services-\$675.00; Coca Cola Bottling, Supplies-\$163.20; Commercial Asphalt/Spencer Quarries, Supplies-\$8,026.62; Community Safety Net, Service-\$75.00; Concrete Results, Supplies-\$16,887.28; Confluence, Service-\$1,350.00; Core & Main, Supplies-\$4,981.68; Core-Mark Midcontinent, Supplies-\$4,952.08; County Fair, Supplies-\$423.78; County Fair, Contract Services-\$480.00; Dakota Fluid Power, Supplies-\$398.98; Dakota Pump, Supplies-\$2,696.40; Dakota Retail Technologies, Repairs-\$100.00; Dakota Riggers & Tool Supplies, Supplies-\$1,070.34; Dakota Supply Group, Supplies-\$11,093.00; Dakota Two-Way, Repairs-\$85.00; Dakota Wesleyan University, Contract Services-\$3,500.00; Dale's A-1 Transmission, Police Tow-\$460.00; Danko Emergency Equipment, Supplies-\$63.01; Darrington Water Conditioning, Rental-\$84.50; Davison County Register of Deeds, Copies-\$4.00; Davison Rural Water Systems, Utilities-\$81.25;

Demco, Supplies-\$176.13; Department of Social Services, Child Support-\$1,275.22; Diesel Machinery, Supplies-\$352.93; DMM Systems, Repairs-\$670.00; Doug's Custom Paint & Body, Supplies-\$224.85; Dug Out, Contract Services-\$738.50; Dakota Wesleyan University Track, Track Coaching Fees-\$2,500.00; Farmers Alliance, Repairs-\$289.00; Fastenal, Supplies-\$75.59; Flexible Pipe Tool, Equipment-\$63,684.00; Forum Communications, Advertising-\$5,987.83; Fox Paint & Blinds, Repair-\$96.88; Gale, Books-\$1,386.47; Galls, Supplies-\$93.50; Gaylen's Homegrown Popcorn, Supplies-\$730.80; Glen Lowrie, Supplies-\$1,005.50; Golden West Technologies, Utilities-\$225.00; Graham Tire, Repair-\$15.52; Grainger, Supplies-\$191.36; Grey House Publishing, Book-\$498.95; Hach, Supplies-\$491.70; Happy Memories Band, Contract Service-\$150.00; Harve's Pro Prints, Supplies-\$24.00; Heartland Paper Company, Supplies-\$79.58; Heiman Fire Equipment, Supplies-\$76.65; Hohn's Services, Lawn Mowing-\$250.00; Holiday Inn City Centre Sioux Falls, Travel-\$290.00; Holly Larson, Travel-\$69.38; Honda of Mitchell, Supplies-\$544.81; Howes Oil, Supplies-\$17,589.91; In The Swim, Supplies-\$175.94; Infogroup, Books-\$455.00; Ingram Library Services, Books-\$48.98; Innovative Office Solution, Supplies-\$1,035.73; Integrity Transcription, Transcribing Service-\$278.40; Intellipro Security, Supplies-\$1,969.00; Interior Technicians, Repair-\$2,165.20; Interstate Glass & Door, Supplies-\$5,060.00; Interstate Office Products, Supplies-\$72.53; James Valley Nursery, Supplies-\$2,220.89; JCL Solutions, Supplies-\$2,249.99; Johnson Controls, Contract Services-\$3,760.23; Juan'l Garrett, Travel-\$15.00; Kelly Hohn, Lawn Mowing-\$165.00; Kelsey Braun, Travel-\$51.07; Ko Pest Control, Contract Services-\$300.00; Krohmer Plumbing, Repairs-\$588.37; Lakeview Veterinary Clinic, Supplies-\$2,048.40; Larry's I-90 Service, Maintenance-\$1,126.72; Locators and Supplies, Supplies-\$1,460.16; Make It Mine Designs, Supplies-\$1,810.50; Marlene Haines, Travel-\$77.00; Master Burn, Supplies-\$1,044.04; McFarland Supply, Supplies-\$275.81; McLeod's Printing, Supplies-\$1,891.20; Menard's, Supplies-\$2,333.25; Mettler Implement, Supplies-\$176.68; Meyers Oil, Supplies-\$7,541.40; Midamerica Books, Books-\$126.22; Midcontinent Communications, Utilities-\$94.49; Midcontinent Communication, Advertising-\$904.00; Midwest Drywall, Repair-\$434.69; Midwest Fire & Safety, Maintenance-\$480.25; Midwest Mini Melts, Supplies-\$2,460.00; Miscellaneous Vendor, Thompson, Refund-\$6.15; Mitchell Area Chamber of Commerce, Sports Authority Promotion-\$12,417.00; Mitchell Area Convention Visitors Bureau, 2018 Funding-July-\$17,333.00; Mitchell Area Development, 3rd 1/4 2018 Allocation-\$35,750.00; Mitchell Iron & Supply, Repair-\$110.40; Mitchell Lions Club, Contract Service-\$10,397.89; Mitchell Park & Recreation, Pickleball Revenue-\$485.00; Mitchell Recreation Center, Snack Pack Program Revenue-\$289.04; Mitchell School District, Utilities-\$1,398.98; Mitchell Telecom, Utilities-\$2,584.06; Mitchell United Way, United Way-\$170.67; Mueller Lumber, Supplies-\$692.74; Musco Sports Lighting, Repairs-\$8,750.00; Muth Electric, Supplies-\$3,123.84; Nancy's Lawn Barber, Service-\$60.00; Napa Auto Parts, Supplies-\$526.79; Nedved Media, Advertising-\$5,973.00; Newman Signs, Supplies-\$2,154.64; Northwestern Energy & Communications, Utilities-\$56,525.33; Online Computer Library Center, Cataloging-\$329.45; One Source,

Professional Service-\$111.00; Papa Murphy's Pizza, Pizza-\$72.00; Parkston Boom's Restaurant, Contract Services-\$2,868.50; Penguin Random House, Supplies-\$177.75; Pepsi Cola, Supplies-\$965.60; Premier Pest Control, Contract Services-\$175.00; Puetz, 2016-11 P.E. #17-\$217,712.76; Qualified Presort, Mailing Service-\$489.68; Reader's Den, Book-\$21.75; Recorded Books, Supplies-\$681.88; Recreonics, Equipment-\$4,314.95; Riverside Technologies, Equipment-\$8,523.00; Ron's Bicycle and Locksmith, Supplies-\$3.75; Rowman & Littlefield Publishing, Book-\$199.27; S & M Printing, Supplies-\$52.00; Santel Communications, Utilities-\$251.16; Satcom Global, Supplies-\$42.75; Schumacher Elevator, Repairs-\$951.50; South Dakota Department of Environment & Natural Resources, Water and Garbage Fees-\$2,746.07; South Dakota Department of Revenue, Registration Fee-\$21.20; South Dakota Federal Property Agency, Supplies-\$116.50; South Dakota Magazine, Renewal-\$25.00; South Dakota Public Assurance Alliance, Supplies-\$245.81; South Dakota Retirement System, Retirement Contributions-\$47,565.63; South Dakota Unemployment Insurance Division, Unemployment-\$37.03; South Dakota-Supplemental Retirement, Supplemental Retirement Contributions-\$3,037.66; South Dakota-Supplemental Roth 457, Contributions-\$425.00; Share Corporation, Supplies-\$151.44; Sherwin-Williams, Supplies-\$685.60; Shopko Stores Operating, Supplies-\$57.93; Sign Pro, Supplies-\$12.00; Siteone Landscape Supply, Supplies-\$2,243.78; Southeast South Dakota Tourism, Membership-\$240.00; Sports Imports, Equipment-\$2,831.90; Springer Customer Service, Book-\$465.36; Standard Insurance, Life Insurance-\$401.63; Sterling Codifiers, Supplement #27-\$448.00; Stitchtogether, Supplies-\$20.00; Sturdevant's Auto Parts, Supplies-\$3,703.33; Subway, Meals-\$25.16; Sun Gold Sports, Supplies-\$3,067.83; T & R Contracting, 2016-26A P.E. #9-\$92,492.66; Tactical Solutions, Supplies-\$172.00; Teamsters Local No. 120, Union Dues-\$776.00; Tessier's, Repairs-\$1,320.48; Texas Refinery, Supplies-\$2,200.95; Thomson Reuters - West, June Charges-\$642.76; Thune True Value Hardware, Supplies-\$452.29; Tim Murray, Boulevard Tree Program-\$100.00; TK Electric, Supplies-\$577.02; TMA Stores, Repair-\$199.08; Top Grade Concrete, 2018-4B P.E. #1-\$3,046.55; Traffic Control, Supplies-\$876.00; Transource, Supplies-\$386.03; United Parcel Services Store #4227, Shipping-\$581.13; US Foods, Supplies-\$344.02; Unites States Postal Service, Postage-\$75.33; USA Blue Book, Supplies-\$1,095.34; Van Diest Supply, Supplies-\$4,757.33; Verizon Wireless, Utilities-\$1,821.88; Vermeer High Plains, Repair-\$153.90; Vern Eide of Mitchell, Repair-\$145.88; Walmart, Supplies-\$269.34; Wheelco Brake & Supply, Supplies-\$54.46; Woelfel Jewelry Store, Supplies-\$181.00; Wright Brothers Aviation, Airport Administration June-\$500.00; Yankton Daily Press & Dakotan, Renewal-\$186.33; South Dakota State Treasurer, Sales Tax-\$21,827.18; Wells Fargo, Loan Payment-\$122,968.75; Wells Fargo, Loan Payment-\$6,206.25; Mitchell Public Library, Library Fines--\$737.83; Wellmark of South Dakota, Administration, Prescriptions, Medical Expenses-\$187,440.01; Wage Works, Flex Expense-\$6226.72.

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

CITIZENS INPUT:

Council Member Steve Rice informed the City Council and the public that Foster Street will begin chip sealing on Tuesday, July 17, 2018 and Spruce Street will be closed at the railroad crossing beginning on Wednesday, July 18, 2018 for one week.

Council Member Kevin McCardle asked Public Works Director Kyle Croce when Sanborn Street will be open. Croce stated it will be open next Friday, July 20, 2018.

COMMITTEE REPORT:

Traffic:

A tabled request from Susan Galpin for a "No Parking Zone" in front of her house/mailbox located at 1529 Country Drive was tabled until the October 2018 Traffic Commission meeting for further review.

A request from Kevin Stahl for the Classic Tractor Drive was approved for a parade permit. The parade route will begin at Shanard Road from the east, south on Foster Street to East 7th and, traveling West 7th up to the Corn Palace. After the activities at the Corn Palace the parade will continue west on 7th to Sanborn Street, south on Sanborn to Havens Street, east to Rowley turning south on Rowley to Spruce, east on Spruce to South Mentzer where the parade will end at Tractor Supply Company on Saturday, August 25, 2018.

A request from the Corn Palace Challenge Bull Ride to close the East portion of the City Hall parking lot from 5:00 a.m. on Tuesday, September 25, 2018 through 5:00 p.m. on Monday, October 1, 2018, the entire City Hall parking lot from 7:00 a.m. on Friday, September 28 through 7:00 a.m. on Sunday, September 30, 2018, and the 600 Block of North Main Street from 7:00 a.m. on Friday, September 28, 2018 through 7:00 a.m. on Sunday, September 30, 2018 was approved.

A request from Randy Vermeulen of D & E Music to install a "No Parking" sign and paint the curb between 117 South Lawler Street and the Daily Republic parking lot was approved.

A request from the Tour De Corn Committee to block off the west portion of the City Hall parking lot and the adjacent street in the 100 blk of East 7th from 6:00 a.m.-10:00 a.m. on August 18th for registration was approved.

A request from the Tour De Corn Committee for a parade permit for a police escort and traffic control at 12th and 23rd on Main Street on August 18, 2018 was approved.

Moved by McCardle, seconded by Allen, to approve the Traffic report. Motion carried.

HEARINGS:

It was advised that this is the date and time set for hearing on the application of Corn Palace Shrine Club for a Special Event Liquor License located at the Masonic Lodge on August 3, 2018 for the Lakeview Golf Mixer. Notice of hearing has been given and affidavit of publication is on file. Moved by Allen, seconded by Rice, to approve said application. Motion carried.

It was advised that this is the date and time set for hearing on the application to transfer Retail (On-Sale) Liquor License RL-5353 from LAB, LLC, 501 South Sanborn Blvd, Mitchell, South Dakota to The Back 40, LLC, dba The Back 40 Taphouse Grill, 511 North Main Street, Mitchell, South Dakota. Notice of hearing has been given and affidavit of publication is on file. Moved by McCardle, seconded by Rice, to approve said application. Motion carried.

It was advised that this is the date and time set for hearing on the application to transfer Retail (On-Off Sale) Malt Beverage License RB-2169 from The Back 40, LLC, dba The Back 40 Taphouse Grill, 511 North Main Street, Mitchell, South Dakota to LAB, LLC, 501 South Sanborn Blvd, Mitchell, South Dakota. Notice of hearing has been given and affidavit of publication is on file. Moved by Allen, seconded by Rice, to approve said application. Motion carried.

AWARD BIDS:

Bids were opened and read on the Jitters Building Asbestos Remediation Project #2018-8A on the 10th day of July, 2018 at 1:30 p.m. in the Council Chambers of City Hall. Moved by Rice, seconded by McCardle, to award as follows:

**JITTERS BUILDING ASBESTOS REMEDIATION
CITY PROJECT #2018-8A**

Horsley Specialties Incorporated, P.O. Box 1277, Rapid City, South Dakota 57709-1277.

| Description | Amount |
|---|------------|
| 1. Jitters Building 512 North Main Abestos Remediation L.S. | \$7,600.00 |

Completion date October 1, 2018.

Motion carried.

Bids were opened and read on the Wastewater Manhole Rehabilitation Project #2018-21 on the 10th day of July, 2018 at 1:30 p.m. in the Council Chambers of City Hall. Moved by Allen, seconded by McCardle, to award as follows:

WASTEWATER MANHOLE REHABILITATION

CITY PROJECT #2018-21

Key Contracting Inc., 245 7th Avenue NE, West Fargo, North Dakota 58078.

| DESCRIPTION | UNIT | UNIT PRICE | AMOUNT |
|------------------------------------|------------|-------------|--------------|
| 1. Incidentals and Bi-Pass Pumping | L.S. | \$25,000.00 | \$ 25,000.00 |
| 2. Renovate 20 Sanitary Manholes | 380.7 V.F. | \$ 486.50 | \$185,210.55 |
| 3. Renovate 20 Manhole Bottoms | 29 Each | \$ 1,000.00 | \$ 29,000.00 |
| Total Bid | | | \$239,210.55 |

Manufacturing Name: MADEWELL
Cement Liner: MADEWELL ML-72
Epoxy Manufacturer: MADEWELL D5-5

Motion carried.

HEARING:

It was advised that this is the date and time set for hearing on the North Sanborn Utilities Project SRF application. The City of Mitchell is seeking funding from the South Dakota Board of Water and Natural Resources to upgrade storm water, sanitary sewer and drinking water infrastructure along North Sanborn Boulevard. John Clem from Planning & Development District III spoke to the City Council regarding the proposed project, the proposed financing and the source of repayment for the loans. The project is estimated at \$7,782,000.00.

CONSIDER APPROVAL:

Moved by Allen, seconded by Rice, to approve and authorize the Mayor as signatory for all documents and approve Bridge Funding Agreement #A2018-20 with SDDOT for BIG Grant (Sanborn Bridge City Project #2018-22B) for Structure No. 18-149-095, BRF3710(00) 18-1 PCN06V8 with estimated costs of \$966,210.00 of which the City of Mitchell is responsible for 20% of the total construction costs which is estimated at \$193,210.00. Motion carried.

Moved by Rice, seconded by McCardle, to approve and authorize the Mayor to sign Agreement #A2018-22, Recreation Center Water Leak Slab Assessment with Geotek with a total engineering cost of \$9,515.00. Motion carried.

RESOLUTIONS:

Moved by McCardle, seconded by Rice, to approve Resolution #R2018-35, A Plat of Lot 13, Block 4 of the Woods First Addition, A Subdivision of the East 1/2 of the SW 1/4 of Section 23, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota, as follows:

RESOLUTION #R2018-35

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 9th day of July, 2018, and

WHEREAS, it appears from an examination of the plat of LOT 13, BLOCK 4 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 plat 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 prepared according to law;

THEREFORE, be it resolved by the City Council of Mitchell, South Dakota, that the plat of LOT 13, BLOCK 4 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, 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 McCardle, to approve Resolution #R2018-36, A Plat of Lot 21, Block 9 of CJM Second Addition in the West 1/2 of Section 32, T 104 N, R 60 W of 5th P.M., City of Mitchell, Davison County, South Dakota, as follows:

RESOLUTION #R2018-36

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 9th day of July, 2018, and

WHEREAS, it appears from an examination of the plat of LOT 21, BLOCK 9 OF CJM SECOND ADDITION IN THE WEST ½ OF SECTION 32, T 104 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 plat 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 prepared according to law;

THEREFORE, be it resolved by the City Council of Mitchell, South Dakota, that the plat of LOT 21, BLOCK 9 OF CJM SECOND ADDITION IN THE WEST ½ OF SECTION 32, T 104 N, R 60 W OF 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA as prepared by Paul J. Reiland, be and the same is approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

Motion carried and resolution declared duly adopted.

Moved by Rice, seconded by Allen, to approve Resolution #R2018-37, A Plat of Lot 3A, Block 1A of CJM Second Addition, A Portion of Previously Platted Block 1A of CJM Second Addition in the NW 1/4 of Section 32, and a Portion of Previously Platted Irregular Tract No. 3 in the SW 1/4 of Section 32, All in T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota, as follows:

RESOLUTION #R2018-37

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 9th day of July, 2018, and

WHEREAS, it appears from an examination of the plat of LOT 3A, BLOCK 1A OF CJM SECOND ADDITION, A PORTION OF PREVIOUSLY PLATTED BLOCK 1A OF CJM SECOND ADDITION IN THE NW ¼ OF SECTION 32, AND A PORTION OF PREVIOUSLY PLATTED IRREGULAR TRACT NO. 3 IN THE SW ¼ OF SECTION 32, ALL IN T 104 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 plat 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 prepared according to law;

THEREFORE, be it resolved by the City Council of Mitchell, South Dakota, that the plat of LOT 3A, BLOCK 1A OF CJM SECOND ADDITION, A PORTION OF PREVIOUSLY PLATTED BLOCK 1A OF CJM SECOND ADDITION IN THE NW ¼ OF SECTION 32, AND A PORTION OF PREVIOUSLY PLATTED IRREGULAR TRACT NO. 3 IN THE SW ¼ OF SECTION 32, ALL IN T 104 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA as prepared by Paul J. Reiland, be and the same is approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

Motion carried and resolution declared duly adopted.

Moved by McCardle, seconded by Rice, to approve Resolution #R2018-38, A Plat of Lot O, A Subdivision of Previously Platted Lot S of Maui Farms Second Addition, City of Mitchell, Davison County, South Dakota, as follows:

RESOLUTION #R2018-38

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 9th day of July, 2018, and

WHEREAS, it appears from an examination of the plat of LOT O, A SUBDIVISION OF PREVIOUSLY PLATTED LOT S OF MAUI FARMS SECOND ADDITION, 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 plat 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 prepared according to law;

THEREFORE, be it resolved by the City Council of Mitchell, South Dakota, that the plat LOT O, A SUBDIVISION OF PREVIOUSLY PLATTED LOT S OF MAUI FARMS SECOND ADDITON, CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA as prepared by Paul J. Reiland, be and the same is approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

Motion carried and resolution declared duly adopted.

Moved by Allen, seconded by Rice, to approve Resolution #R2018-39, A Plat of Lots A and B of Mason's Addition in the West 1/2 of the NE 1/4 of Section 17, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota, as follows:

RESOLUTION #R2018-39

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 9th day of July, 2018, and

WHEREAS, it appears from an examination of the plat of LOTS A AND B OF MASON'S ADDITION IN THE WEST ½ OF THE NE ¼ OF SECTION 17, T 103 N, R 60 W OF THE 5TH P.M., 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 plat 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 prepared according to law;

THEREFORE, be it resolved by the City Council of Mitchell, South Dakota, that the plat as LOTS A AND B OF MASON'S ADDITON IN THE WEST ½ OF THE NE ¼ OF SECTION 17, T 103 N, R 60 W OF THE 5TH P.M., 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 McCardle, seconded by Rice, to approve Resolution #R2018-40, A Plat of Lot 5 in Tract H, Wild Oak Golf Club Addition to the City of Mitchell, Davison County, South Dakota, as follows:

RESOLUTION #R2018-40

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 9th day of July, 2018, and

WHEREAS, it appears from an examination of the plat of LOT 5 IN TRACT H, WILD OAK GOLF CLUB TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA that said plat 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 prepared according to law;

THEREFORE, be it resolved by the City Council of Mitchell, South Dakota, that the plat of LOT 5 IN TRACT H, WILD OAK GOLF CLUB 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.

Motion carried and resolution declared duly adopted.

BOARD OF ADJUSTMENT:

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

Justin Johnson, City Attorney noted there was not the required number of Board of Adjustment members to act upon the following applications, however interested parties and applicants were provided the opportunity to address the board.

Moved by McCardle, seconded by Rice, to table the hearing on the application of Tammy Müller for a conditional use permit to operate a family residential child care center in her home at 506 W Birch Ave, legally described as Lot 6, Block 12, Railroad Addition, City of Mitchell, Davison County, South Dakota. Motion carried.

Moved by Rice, seconded by McCardle, to table the hearing on the application of Boyd Reimnitz for a front yard variance of 20 feet vs 25 feet as required and a back yard variance of 18 feet vs 25 feet as required to construct a single family house on the property legally described as the West 56 feet of Outlot #7A-SW 1/4 of Section 15, T 103 N, R 60 W, City of Mitchell, Davison County, South Dakota (200 Block of W 15th Ave). The property is zoned R2 Single Family Residential District. Motion carried.

Moved by Allen, seconded by McCardle, to table the hearing on the application of Dustin & Nichole Sullivan for a conditional use permit to construct a facility to provide outside commercial storage, outside storage, and a self-service storage facility on their property located at 40822 256th St, legally described as Lot 6, Kangas Addition, SW 1/4 Section 33, T 103 N, R 60 W, Davison County, South Dakota. The property is zoned UD Urban Development District. Motion carried.

Moved by Rice, seconded by Allen, to table the hearing on the application of Darlene Buhler for a sideyard variance of 1' vs 3' as required to construct a detached garage at 508 E. 6th Ave, legally described as Lot 9 & E 10 feet of Lot 8, Block 5, Burr's Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential District. 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.

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 _____.