

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

**November 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

EXECUTIVE SESSION:

Moved by Rice, seconded by McCardle, 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 6:10 p.m. and the City Council to reconvene in regular session at 6:11 p.m.

AGENDA:

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

- a. City Council Minutes
 1. Work Session October 18, 2021 and
 2. City Council October 18, 2021.
- b. Committee Meeting Minutes
 1. Planning Commission October 12, 2021 and
 2. Community Services Advisory Board October 14, 2021.
- c. Raffle Permits
 1. Mitchell Area Networking Association with the drawing to be held on January 12, 2022 and
 2. Mitchell Community Scholarship Fund with the drawing to be held on February 28, 2022.
- d. Special Event Application for 2021 Parade of Lights on November 30, 2021.
- e. Hairball Fireworks Permit on November 13, 2021 at the Corn Palace.
- f. Declare Surplus Items from Community Services to be sold on Purple Wave Auction.
- g. Declare Surplus Items from Police Department to be sold to a licensed dealer.
- h. Authorization to apply for EDA ARPA Tourism Grant.
- i. Set date of November 15, 2021 for hearings
 1. On the application to transfer Retail (On-off sale) Malt Beverage & SD Farm Wine License

RB-20236 from Jeanne Blaalid dba Leader Sporting Goods, 800 West Spruce Street to Jeanne Blaalid dba Leader Sporting Goods, 712 West Spruce Street and
2. On the application to transfer Retail (On-off sale) Wine and Cider License RW-20237 from Jeanne Blaalid dba Leader Sporting Goods, 800 West Spruce Street to Jeanne Blaalid dba Leader Sporting Goods, 712 West Spruce Street.

j. Pay Estimates November 1, 2021

Pay Estimate #1-2021 in the amount of \$8,666.66 for Mitchell Airport Snow Removal #2019-53R2 contracted to Quality Cut Lawn & Snow,

Pay Estimate #1 in the amount of \$36,293.00 for Crafty Fox Asbestos Repairs #2020-24 contracted to Horsley Specialties Inc.,

Pay Estimate #54 in the amount of \$707.79 for Crafty Fox Window Repairs #2020-24 contracted to Custom Carpentry/Doug Driggs,

Pay Estimate #2 in the amount of \$37,785.15 for Concrete Bid-Schedules B & C #2021-4 contracted to Rexwinkel Concrete Inc.,

Pay Estimate #3 in the amount of \$46,837.40 for Paving & Overlay #2021-15 contracted to Commercial Asphalt,

Pay Estimate #3 in the amount of \$990.00 for 600 Block North Davison Utilities #2021-38 contracted to Schoenfelder Construction,

Pay Estimate #4 in the amount of \$507.50 for Mowing-Schedule A #2021-43 contracted to Quality Cut Lawn & Tree Service,

Pay Estimate #6 in the amount of \$1,070.00 for Mitchell Rec Center Fitness Room #2021-50 contracted to Schemmer Associates, and

Pay Estimate #2 in the amount of \$5,256.35 for Drake Field Turf #2021-54 contracted to Mid-America Golf & Landscape Inc.

k. Approve Bills, Payroll, Salary Adjustments and New Employee Hires and Authorize Payment of Recurring and other expenses in advance as approved by the Finance Officer.

PAYROLL OCTOBER 3, 2021 – OCTOBER 16, 2021: City Council \$3,303.68, Mayor \$1,374.69, City Administrator \$5,446.46, Attorney \$4,401.38, Finance \$12,523.02, Human Resources \$3,549.72, Municipal Building \$3,003.27, Information Technology \$2,721.28, Police \$71,391.47, Traffic \$4,234.74, Fire \$32,039.00, Street \$28,865.96, Public Works \$18,592.30, Cemetery \$4,715.01, Animal Control \$1,559.29, Library \$15,826.60, Recreation & Aquatics \$6,343.45, Recreation Center \$17,446.31, Sports Complexes \$8,707.69, Parks \$15,046.22, Supervision \$5,696.46, E911 \$19,519.17, MVP \$777.55, Palace Transit \$23,454.91, JVCC \$277.08, Nutrition \$3,397.39, Water Distribution \$12,359.95, Sewer \$13,179.50, Airport \$3,099.91, Recycling Program \$6,828.87, Waste Collection \$6,002.79, Landfill \$8,171.17, Corn Palace \$16,546.72, Golf Course \$4,890.72, Campground \$131.40, Emergency Medical Services \$28,981.66.

NEW HIRES:

RECREATION & AQUATICS: Gayle Klein-\$13.45

RECREATION CENTER: Lauren Anderson-\$11.45, Abbey Grajkowske-\$11.45, Allison Gukeisen-\$11.45, Delana Henkel-\$11.45, Jacey Linke-\$11.45, Kobi Lutjens-\$11.45, Brooke Parker-\$11.45

SPORTS COMPLEXES: Levi Loken-\$9.45, Kaylee Nygaard-\$9.95.

SALARY ADJUSTMENTS:

E-911: Heather Merry-\$19.981

FINANCE: Marilyn Jansen-\$22.900

LANDFILL: Megan Davids-\$21.803

PARKS: Alexander Young-\$21.521

POLICE: John Badker-\$30.436

TERMINATIONS:

CORN PALACE: Charles McCardle, Nicholas Moller, Jack Vermeulen

RECREATION & AQUATICS: Patrick McGeough, Timothy Moon, Steven Schoenfelder

WARRANTS: AAA Collections, Pre-collection Letters-\$735.21; ABDO-Spotlight-Magic Wagon, Books-\$333.52; Accounts Management, Garnishment-\$256.77; AFLAC, Aflac Withholding-\$10,019.92; AFLAC Group, Critical Care-\$588.44; AFSCME Council 65, Union Dues-\$453.02; Alex Young, Reimbursement-\$45.00; Amazon Capital Services, Supplies-\$257.25; American Planning, Travel-\$383.00; Andrea Hamilton, Training-\$399.23; Andrew Schneider, Reimbursement-\$45.00; Aramark Uniform Services, Supplies-\$186.36; AT&T Mobility, Utilities-\$2,162.93; ATV Holdings, LLC DbA Mitchell Telecom, Utilities-\$148.99; Automatic Building Control, Utilities-\$721.00; Avera Occupational Medicine, Contract Services-\$1,088.00; Avera Queen of Peace Hospital, Supplies-\$122.50; Baete-Forseth HVAC, Excise Tax-\$44.00; Bailey Metal Fabricators, Supplies-54.67; Baker & Taylor, Books-\$279.59; Big Daddy D's, Contract Services-\$6,105.00; Blackstone Publishing, Audio Books-\$151.95; Bohlmann, Supplies-\$430.75; Bound Tree Medical, Supplies-\$143.29; Brad Gates, Reimbursement-\$45.00; Butler Machinery, Parts-\$236.22; C & B Operations, Supplies-\$3,251.04; Carolina Software, Maintenance-\$500.00; CDW Government, Supplies-\$9.45; Cengage Learning, Books-\$507.55; Center Point Large Print, Books-\$91.68; Central Electric, Utilities-\$1,447.52; Century Link, Utilities-\$13.58; CHR Solutions, September Billing-\$3,194.78; Cindy Roth, Reimbursement-\$157.36; City of Mitchell, Contribution-\$1,574.56; City of Mitchell, Memberships-\$4,500.00; City of Mitchell, Recreation Deductions-\$1,964.30; City of Sioux Falls, Water Tests-\$174.00; CK Bicycles & Locks, Supplies-\$15.00; Coca Cola Bottling, Supplies-\$767.70; Commercial Asphalt, 2021-15 P.E. #3-\$46,837.40; Core & Main, Repairs-\$2,314.71; Core-Mark Midcontinent, Supplies-\$2,502.01; Corporate Translation

Services, Translation Services-\$21.61; County Fair, Supplies-\$1,013.22; Culligan Water, Rental-\$50.00; DakTech, Supplies-\$4,750.00; Dakota Pump, Repairs-\$301.14; Dakota Riptide, Sports Authority Promotion-\$4,000.00; Dakota Supply Group, Repair-\$74.29; Dakota Wesleyan University, 2022 Mural Design-\$4,000.00; Davison Conservation District, Contract-\$1,200.00; Degen Stump Removal, Service-\$1,040.00; Delta Dental Plan of South Dakota, Dental Insurance-\$13,508.52; Dennis Geidel, Reimbursement-\$45.00; Department of Social Services, Child Support-\$600.87; Detco, Supplies-\$227.00; Dice Benefits Consulting, September Fees-\$507.00; Diesel Machinery, Supplies-\$185.80; DJ Joey Davis, Entertainment-\$500.00; Doug Greenway, Reimbursement-\$45.00; Doug L Driggs, 2020-24 P.E. #54-\$707.79; Earl Lehrmann, Reimbursement-\$50.00; Environmental Equipment & Services, Supplies-\$68.34; Eric Hieb, Contract Services-\$5,931.68; Etterman Enterprises, Supplies-\$38.50; Farm & Home Publishers, Books-\$391.50; Farmers Alliance, Supplies-\$495.00; Fedex, Express Services-\$18.85; First National Bank Omaha, Supplies-\$8,041.81; Gary Walton, Reimbursement-\$45.00; Golden West Technologies, Monitoring-\$225.00; Grainger, Supplies-\$539.41; Hairball Productions, Entertainment-\$22,000.00; Harve's Pro Prints, Supplies-\$259.80; Hawkins, Supplies-\$3,485.11; Heartland Ag Systems, Repair-\$184.54; Horsley Specialties, 2020-24 P.E. #1-\$36,293.00; Identisys, Supplies-\$350.00; Ingram Library Services, Books-\$1,316.97; Innovative Office Solution, Supplies-\$51.06; Interstate Commercial Laundry, Repair-\$343.50; Interstate Office Products, Supplies-\$227.13; Iverson Chrysler Center, Supplies-\$66.60; James Valley Nursery, Maintenance-\$2,173.92; Jamie Henkel, Reimbursement-\$45.00; Janice Peterson, Supplies-\$85.85; Jaylon Tollefson, Reimbursement-\$45.00; Jeff Hanson, Reimbursement-\$45.00; Joe Galpin, Reimbursement-\$45.00; Joe Haiar, Reimbursement-\$45.00; Joe Schroeder, Reimbursement-\$45.00; Joe Williams, Supplies-\$8,800.00; John Hegg, Reimbursement-\$45.00; Johnson South Dakota, Supplies-\$317.78; Jon Thurman, Reimbursement-\$22.50; Jon Vermeulen, Reimbursement-\$45.00; Jones Supplies, Supplies-\$1,545.32; Kathy Hanks, Reimbursement-\$45.00; Kevin Devries, Reimbursement-\$45.00; Kevin Dykes, Reimbursement-\$45.00; Kevin Kenkel, Reimbursement-\$45.00; Kevin Roth, Reimbursement-\$45.00; KO Pest Control, Professional Service-\$315.00; Krohmer Plumbing, Repair-\$130.42; Larry's I-90 Service, Supplies-\$1,576.42; Lawson Products, Supplies-\$1,354.46; Leighton Family Farms, Supplies-\$407.40; Liz Kitchens, Reimbursement-\$45.00; Make It Mine Designs, Supplies-\$568.00; McLeod's Printing, Supplies-\$259.90; Menard's, Supplies-\$707.53; Meyers Oil, Supplies-\$3,514.71; Michael Dufek, Supplies-\$120.04; Michael Leach, Reimbursement-\$45.00; Michael Todd & Company, Supplies-\$2,500.52; Michaels Fence & Supply, Supplies-\$1,217.76; Michelle Bathke, Reimbursement-\$45.00; Microsoft, Supplies-\$910.00; Mid-America Golf & Landscaping, 2021-54 P.E. #2-\$5,256.35; Midcontinent Communication, Utilities-\$240.76; Midway Service/Vollan Oil, Supplies-\$19,591.75; Midwest Fire & Safety, Maintenance-\$942.35; Midwest Laboratories, Testing-\$568.00; Millennium Recycling, Single Stream Fee-\$2,693.25; Miner County Auditor, Alcohol Task Force-\$96.95; BH Professional Pain, Refund-\$1,306.54; Mitchell Coed Softball, State Co-Ed Softball Tourney-\$3,000.00; Mitchell Concrete Product, Supplies-\$561.35; Mitchell Iron & Supply, Supplies-\$429.20; Mitchell Recreation Center, Memberships-\$9,000.00; Mitchell School District, Utilities-\$768.79; Mitchell Technical College, Stage Hands-\$2,250.00; Mitchell United Way, Contributions-\$195.00; Morgan Theeler, Recording Fee-\$30.00; Mueller Lumber, Maintenance-\$816.17; Muth Electric, Maintenance-\$610.84; N-Able Solutions, Software-\$231.70; Napa Auto Parts, Supplies-\$51.67; Nate Hegg, Reimbursement-\$45.00; Nathan Powell, Reimbursement-\$45.00; Newman Signs, Supplies-

\$8,086.72; Northwestern Energy & Communications, Utilities-\$21,255.47; Overdrive, Books-\$2,797.09; Peace Light, Supplies-\$465.00; Pepsi Cola, Supplies-\$178.25; Pheasants Forever Chapter, Sports Authority Promotion-\$1,500.00; Precision Grading, Deposit-\$1,500.00; Premier Equipment, Supplies-\$36.34; Premier Pest Control, Maintenance-\$400.00; Public Health Laboratory, Lab-\$120.00; Purple Hat Productions, Entertainment-\$3,750.00; Qualified Presort, Mailing Service-\$471.91; Quality Cut Lawn & Tree Service, 2019-53R2 P.E. #1-2021-\$9,174.16; Republic National Distributing, Supplies-\$161.75; Rexwinkel Concrete, 2021-4 P.E. #2-\$37,785.15; Roger Prewett II, Reimbursement-\$45.00; Ron's Saw Sales, Supplies-\$3,457.08; Runnings Supply, Supplies-\$2,480.23; S&M Printing, Supplies-\$120.50; S & S Willers, Supplies-\$2,431.33; Schemmer, 2021-50 P.E. #6-\$1,070.00; Schmucker Paul & Nohr, Prof Services-\$1,800.00; Schoenfelder Construction, 2021-38 P.E. #3-\$990.00; Schoenfelder Portables, Rentals-\$300.00; Schumacher Elevator, Maintenance-\$212.16; South Dakota Department of Transportation, Supplies-\$854.80; South Dakota Newspaper Services, Advertising-\$703.60; South Dakota Retirement System, Retirement Contributions-\$51,271.79; South Dakota Supplemental Roth 457, Roth 457 Contributions-\$1,458.50; South Dakota Supplemental Retirement, Supplemental Contributions-\$3,229.80; Shade Systems, Supplies-\$3,720.00; Sherwin-Williams, Supplies-\$325.73; South Dakota 811, Professional Service-\$259.35; Standard Insurance, Life Insurance-\$2,350.08; Staples, Supplies-\$321.55; Stephanie Ellwein, Annual Meeting-\$347.80; Steve Anderson, Reimbursement-\$45.00; Sturdevants Mitchell, Supplies-\$1,768.81; Subway, Meals-\$48.93; Sun Gold Sports, Supplies-\$140.61; Terry Johnson, Reimbursement-\$45.00; Thune True Value Hardware, Supplies-\$35.35; TK Electric, Supplies-\$572.20; TMA Stores, Supplies-\$107.82; Todd Cavanaugh, Reimbursement-\$45.00; Transource, Supplies-\$183.08; Two Way Solutions, Repairs-\$55.49; Tyler Technologies, Annual Fee-\$14,525.00; Tyler Vetch, Reimbursement-\$45.00; United Parcel Service- Store #4227, Shipping-\$94.58; Van Diest Supply, Supplies-\$6,598.50; Verizon Wireless, Utilities-\$400.15; Vern Eide Chevrolet Buick, Tow-\$175.00; Vern Eide Ford Lincoln, Supplies-\$431.28; Wade London, Reimbursement-\$45.00; Walmart/Capital One, Supplies-\$207.87; Wanda Graves, Reimbursement-\$37.50; Wheelco Brake & Supply, Supplies-\$1,246.13; Youth Athletic Foundation, Sports Authority Promotion-\$5,000.00; Zac Svedberg, Reimbursement-\$175.00; US Bank, Loan Payments-\$128,351.49.

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

CITIZENS INPUT:

Reed Bender, resident, spoke regarding mask mandates.

Sonya Vanerdewyk, Mitchell Township resident, spoke regarding mask mandates and constitutional rights.

BOARD OF ADJUSTMENT:

Moved by Barington, seconded by Rice, 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 Montessori School Mitchell for a conditional use permit for a childcare, preschool, and nursery located at 620 East 4th Avenue, legally described as Lot 2, Block 31, Cooley & Guernsey Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R2, Single Family Residential District. Notice of hearing has been given and affidavit of publication is on file. The Planning Commission recommended approval of said application with the following conditions, the permit is non-transferable, if the business ceases to operate for 6 months, a new application would be required, and pass a fire inspection. Moved by Allen, 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 Ricardo Cruz for a side yard on a corner variance of 0 feet vs 15 feet to construct a carport located at 1320 South Rowley Street, legally described as Lot 7, Block 26, University Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R4, High Density Residential District. Notice of hearing has been given and affidavit of publication is on file. Planning Commission motion to approve failed. Moved by Sabers, seconded by Barington, to approve said application with the condition a site survey be completed. Motion carried.

Moved by Allen, seconded by Rice, to set date for November 15, 2021 on the application of Helmut LLC for a conditional use permit for light manufacturing for a custom cabinet and woodworking shop located at 120 South Lawler, legally described as Lots 10 and 11, Block 20, Original Addition, City of Mitchell, Davison County, South Dakota. Motion carried.

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

CONSIDER APPROVAL:

Moved by McCardle, seconded by Tjarks, to approve the Special Event Application for the All Shriner's Parade on June 11, 2022. Motion carried.

Moved by McCardle, seconded by Sabers, to table the request for 15 MPH speed limit signs on Arrowhead Pass. Motion carried.

RESOLUTIONS:

Moved by Allen, seconded by Tjarks, to approve Resolution #R2021-71, Plat of Lots 20 and 21, Block 7, Westwood First Addition, City of Mitchell, Davison County, South Dakota, as follows:

RESOLUTION NO. R2021-71

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 25th day of October, 2021; and

WHEREAS, it appears from an examination of the plat of LOTS 20 AND 21, 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 of LOTS 20 AND 21, 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 Tjarks, seconded by Rice, to approve Resolution #R2021-72, Plat of Lot 2, Block 4A, a Subdivision of Block 4, Westwood First Addition, City of Mitchell, Davison County, South Dakota, as follows:

RESOLUTION NO. R2021-72

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 25th day of October, 2021; and

WHEREAS, it appears from an examination of the plat of LOT 2, 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 5TH P.M. CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA as prepared by Paul J. Reiland, a duly licensed Land Surveyor in and for the State of South Dakota, that said is in accordance with the system of streets and alleys set forth in the master plan adopted by the City Planning Commission of the City of Mitchell, South Dakota, and that such plat has been prepared according to law;

THEREFORE, be it resolved by the City Council of Mitchell, South Dakota that the plat of LOT 2, 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 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 Smith, seconded by Allen, to approve Resolution #R2021-73, Plat of Lot 9, Block 9, a Subdivision of Block 4, Westwood First Addition, City of Mitchell, Davison County, South Dakota, as follows:

RESOLUTION NO. R2021-73

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 25th day of October, 2021; and

WHEREAS, it appears from an examination of the plat of LOT 9, BLOCK 9 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF BLOCK 4 OF WESTWOOD FIRST ADDITION IN THE NW ¼ OF SECTION 16, T 103 N R 60 W OF THE 5TH P.M. CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA as prepared by Paul J. Reiland, a duly licensed Land Surveyor in and for the State of South Dakota, that said is in accordance with the system of streets and alleys set forth in the master plan adopted by the City Planning Commission of the City of Mitchell, South Dakota, and that such plat has been prepared according to law;

THEREFORE, be it resolved by the City Council of Mitchell, South Dakota that the plat of LOT 9, BLOCK 9 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF BLOCK 4 OF WESTWOOD FIRST ADDITION IN THE NW 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 McCardle, seconded by Rice, to approve Resolution #R2021-74, Plat of Lot 56 of the Island First Addition, City of Mitchell, Davison County, South Dakota, as follows:

RESOLUTION NO. R2021-74

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 25th day of October, 2021; and

WHEREAS, it appears from an examination of the plat of LOT 56 OF THE ISLAND FIRST ADDITION, A SUBDIVISION OF THE SE ¼ OF SECTION 31, 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 is in accordance with the system of streets and alleys set forth in the master plan adopted by the City Planning Commission of the City of Mitchell, South Dakota, and that such plat has been prepared according to law;

THEREFORE, be it resolved by the City Council of Mitchell, South Dakota that the plat of LOT 56 OF THE ISLAND FIRST ADDITION, A SUBDIVISION OF THE SE ¼ OF SECTION 31,

T 104 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 McCardle, to approve Resolution #R2021-75, Plat of Lot 1-A, a Subdivision of Lot 1 of Circle K Ranch Third Addition in Government Lot 4 in the NW ¼ of Section 6, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota, as follows:

RESOLUTION NO. R2021-75

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 25th day of October, 2021; and

WHEREAS, it appears from an examination of the plat of LOT 1-A, A SUBDIVISION OF LOT 1 OF CIRCLE K RANCH THIRD ADDITION IN GORVERNMENT LOT 4 IN THE NW ¼ OF SECTION 6, T 103 N R 60 W OF THE 5TH P.M. CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA as prepared by Paul C. Keipke, a duly licensed Land Surveyor in and for the State of South Dakota, that said is in accordance with the system of streets and alleys set forth in the master plan adopted by the City Planning Commission of the City of Mitchell, South Dakota, and that such plat has been prepared according to law;

THEREFORE, be it resolved by the City Council of Mitchell, South Dakota that the plat of LOT 1-A, A SUBDIVISION OF LOT 1 OF CIRCLE K RANCH THIRD ADDITION IN GORVERNMENT LOT 4 IN THE NW ¼ OF SECTION 6, T 103 N R 60 W OF THE 5TH P.M. CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA prepared by Paul C. Keipke, 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 Tjarks, to approve Resolution #R2021-76, Transfer of Lots 6, 7, and Part of Lot 5, Block 13, Original Addition, as follows:

RESOLUTION #R2021-76

A RESOLUTION AUTHORIZING TRANSFERS OF LOTS 6, 7, AND PART OF LOT 5, BLOCK 13, ORIGINAL MITCHELL

WHEREAS the City of Mitchell is the owner of approximately 2.5 lots located between 109 and 115 North Main Street, Mitchell, SD 57301 which are legally described as:

The West 88' of Lot 5 & All of Lots 6 and 7, all in Block 13, Original Town (now City) of Mitchell, Davison County, South Dakota; and

WHEREAS the City declared such property surplus at the 9/20/2021 council meeting, had the property appraised by board, published notice of sale, and listed such property with a broker; and

WHEREAS the City has received an offer related to Lots 6 and 7; and

WHEREAS, for the West 88' of Lot 5, the deed to the City dated 12/27/1977 recorded with the Davison County Register of Deeds Book 163 Page 186 has a restriction that if the City ceases to use the property as a parking lot, then the property reverts to the record owner of the remainder of Lot 5.

THEREFORE, BE IT RESOLVED BY THE MITCHELL CITY COUNCIL, that the City accept the offer made by Anisa Deinert for Lots 6 and 7 for the sum of \$12,000.00, and that the Mayor is hereby authorized to take such actions as may be necessary to complete the transfer of such property.

IT IS FURTHER RESOLVED, that the Mayor is hereby authorized to take such actions as may be necessary to transfer the City's interest in the West 88' of Lot 5 to the record owner of the remainder of Lot 5, AM & LM LLC.

Motion carried and resolution declared duly adopted.

ORDINANCE:

Moved by Tjarks, seconded by Doescher, to amend Ordinance #O2021-15 by increasing the subsidy allocation to Dakota Counseling by \$11,950.00 for a total amount of \$26,250.00 and reallocating \$11,950.00 of contingency. Motion carried.

Moved by Allen, seconded by Tjarks, to place amended Ordinance #O2021-15, 2022 Annual Appropriation Ordinance 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 _____.