

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

**May 15, 2023
6:00 P.M.**

PRESENT: Dan Allen, John Doescher, Kevin McCardle, Steve Rice,
Jeffrey Smith

ABSENT: Marty Barington, Dan Sabers, 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 May 1, 2023.
- b. Committee Reports
 - 1. Planning Commission April 24, 2023,
 - 2. Planning Commission May 8, 2023 (unsigned),
 - 3. Historic Preservation Commission April 6, 2023, and
 - 4. Historic Preservation Commission April 27, 2023 (unsigned).
- c. Department Reports
 - 1. Sales Tax Collections (April,
 - 2. Finance (April),
 - 3. Building Permits (April),
 - 4. Police (April),
 - 5. Fire/EMS (April),
 - 6. Code Enforcement (April),
 - 7. Palace Transit (March),
 - 8. Water (April), and
 - 9. Airport (April).
- d. Automatic Supplements
 - 1. Park Fund-Sports Complexes in the amount of \$3,321.41 from insurance proceeds.
- e. Raffle Permit
 - 1. Moose Lodge with the drawing to be held on July 15, 2023.
- f. Special Event Permit for Tour de Corn on Saturday, August 19, 2023.
- g. Purchase of a Greens Mower and extra set of reels through Sourcewell.
- h. Authorization to apply for Section 5311 and Title IIIB grant funds.
- i. Authorization to apply for funding for Local Efforts for Control of West Nile Virus.
- j. Acceptance of a Good and Healthy Community Grant for \$52,000 from the SD Department

of Health.

- k. Approve the election board and set election worker's compensation for the June 6, 2023 Municipal/School Election.
- l. Set date of June 5, 2023 for hearing
 - 1. On the application to transfer RB-3833 Retail (on-off sale) Malt Beverage & SD Farm Wine License from Marco's Pizza, 605 S Sanborn Blvd to MG Oil Company dba Jokerz Casino Mitchell-2, 716 N Rowley and
 - 2. On the application of the Corn Palace Stampede Inc for a Special Event Liquor License located at 5951 Airport Road for July 15 & 16 for the chili cook-off.
- m. Approval of Gas and Fuel Quotations

<u>Howe's Oil Company</u>	<u>Requested Gallons</u>	<u>Bid Gallons</u>	<u>Price per Product</u>	<u>Total Bid</u>
On Road Diesel-#2	1,000	1,000	\$2.7025	\$2,702.50
Off Road Diesel #2	6,500	6,500	\$2.4275	\$15,778.75
Total Bid:				\$18,481.25

- n. Pay Estimates May 15, 2023
 - Pay Estimate #17 in the amount of \$14,603.40 for Dry Run Creek Analysis #2019-33 contracted to Infrastructure Design Group,
 - Pay Estimate #1 in the amount of \$1,000.00 for Dry Run Creek Analysis-Hydrology #2019-33 contracted to Planning & Development District III,
 - Pay Estimate #8 in the amount of \$4,333.38 for Mitchell Airport Snow Removal #2019-53R2 contracted to Quality Cut Lawn & Snow,
 - Pay Estimate #8A in the amount of \$10,000.00 for Mitchell Airport Snow Removal #2019-53R2 contracted to Quality Cut Lawn & Snow,
 - Pay Estimate #18 in the amount of \$11,553.75 for Ground Storage Tank #2020-20 contracted to Infrastructure Design Group,
 - Pay Estimate #25 in the amount of \$4,047.48 for Landfill Cell #4 #2021-08 contracted to Helms & Associates,
 - Pay Estimate #4 in the amount of \$3,117.18 for West Harmon Utility Improvements #2021-16 contracted to H&W Contracting,
 - Pay Estimate #8 in the amount of \$8,355.00 for Recycling Building #2021-30 contracted to Helms & Associates,
 - Pay Estimate #11 in the amount of \$669,660.53 for North Wastewater Improvements #2021-31 contracted to PKG Contracting,
 - Pay Estimate #2 in the amount of \$34,487.37 for 200-400 Blocks of East 10th #2022-02 contracted to First Rate Excavating,
 - Pay Estimate #4 in the amount of \$2,440.00 for Jetty & Marina Bike Trail #2023-03 contracted to Brosz Engineering,
 - Pay Estimate #1 in the amount of \$4,300.00 for West Harmon Watermain Loop #2023-07 contracted to Kogel Archaeological Consulting,
 - Pay Estimate #1 in the amount of \$8,192.50 for 2nd/4th & Main Street #2023-21 contracted to McLaury Engineering, and

Pay Estimate #24 in the amount of \$7,439.26 for AIP '28 Airport ALP/Master Plan contracted to Helms & Associates.

- o. 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 APRIL 16, 2023 – APRIL 29, 2023: City Council \$3,615.68, Mayor \$1,562.81, City Administrator \$5,942.50, Administrative Boards \$2,211.81, Attorney \$4,938.27, Finance \$13,569.08, Human Resources \$3,975.10, Municipal Building \$3,729.59, Information Technology \$3,015.51, Police \$73,303.35, Traffic \$4,736.28, Fire \$35,578.28, Street \$29,658.72, Public Works \$21,680.49, Cemetery \$6,210.87, Library \$17,733.88, Recreation & Aquatics \$6,229.82, Recreation Center \$18,159.86, Sports Complexes \$11,253.15, Cadwell Concessions-\$162.68, Parks \$12,817.25, Supervision \$6,081.70, E911 \$23,650.14, MVP \$536.26, Palace Transit \$29,457.06, JVCC \$1,696.30, Nutrition \$4,405.70 Water Distribution \$14,554.17, Sewer \$15,397.29, Airport \$3,442.17, Recycling Program \$7,674.29, Waste Collection \$6,124.78, Landfill \$10,627.85, Corn Palace \$21,178.82, Golf Course \$5,307.00, Emergency Medical Services \$32,213.48

NEW HIRES:

CADWELL CONCESSIONS: Jaeda Stunes-\$10.80

CEMETERY: Abraham Gunnare-\$12.30

GOLF: Connor Kerkhove-\$12.30

PARKS: Steven Linke-\$14.30

RECREATION & AQUATICS: Addison Ducheneaux-\$12.80

RECREATION CENTER: Jennifer Krause-\$15.30

SALARY ADJUSTMENTS:

E-911: Grace Waters-\$21.868

EMS: Dakota Gamber-\$22.755

FIRE: Chad Cody-\$25.765, Daniel Pollreisz-\$102,731.00, Abigail Squier-\$20.360

PALACE TRANSIT: Donald Everson-\$20.304

POLICE: Kyle McLaughlin-\$34.534

STREET: Jason Tuttle-\$29.815

WARRANTS: 301 Rodz, Sports Authority Promotion-\$1,500.00; A&B Business Solutions, Contract Service-\$4,655.42; A-Ox Welding Supply, Supplies-\$480.02; Accounts Management, Garnishment-\$470.32; Advance Auto Parts, Supplies-\$80.00; AFSCME Council 65, Union Dues-\$529.20; Airside Solutions, Maintenance-\$868.46; Amazon Capital Services, Supplies-\$816.10; Aramark, Supplies-\$259.96; ATV Holdings, LLC dba Mitchell Telecom, Utilities-\$2,826.41; Avera Occupational Medicine, Physicals-\$1,928.00; Avera Queen of Peace Hospital, Supplies-\$407.30; B-Y Water District, April 2023 Usage-\$53,043.75; Baker & Taylor, Books-\$123.29; Bechen Electric, Supplies-\$381.73; Best Western Ramkota Hotel, Travel-\$592.00; Big Daddy D's, Contract Services-\$4,291.58; Blackstone Publishing, Audiobooks-\$99.98; Brosz Engineering, 2023-3 P.E. #4-\$2,440.00; Buhl's Drycleaners & Linen, Professional Service-\$26.50; C&B Operations, Supplies-\$28,070.71; Carquest Auto Parts, Supplies-\$806.97; CDW Government. Supplies-\$102.04; Center Point Large Print, Books-\$94.08; Central Electric, Utilities-\$21,255.04; Century Link, Utilities-\$58.48; Chesterman, Supplies-\$2,259.83; CHS Farmers Alliance, Supplies-\$2,146.12; Cindy's K9 Treats, Supplies-\$136.00; City of Mitchell, Campground-\$33.00; CK Bicycles & Locks, Supplies-\$36.00; Coborns, Contract Services-\$588.00; Core & Main, Supplies-\$13,952.57; Core-Mark Midcontinent, Supplies-\$8,807.56; Corn Palace, Supplies-\$92.30; Corn Palace Corn Hole, Sports Authority Promotion-\$1,000.00; Corporate Translation Service, Translation Service-\$128.20; County Fair, Contract Services-\$1,218.00; Culligan Water, Rental-\$52.00; Custom Plus Collision Center, Repair-\$9,459.14; Dakota Data Shred, Service-\$67.70; Dakota Fluid Power, Supplies-\$1,496.79; Dakota Pump, Repair-\$1,918.31; Dakota Supply Group, Supplies-\$62.66; Dale Steffen, Testing-\$90.00; Dan London, Travel-\$15.30; Dance Expressions, Corn Palace Games-\$8,212.00; Daniel Fechner, Travel-\$20.00; Darrington Water Conditioning, Rental-\$62.80; David Sarne, Reimbursement-\$287.99; Davison County Register of Deeds, Document Fees-\$60.00; Davison Rural Water Systems, Utilities-\$81.80; Dean Knippling, Travel-\$28.00; Deb Hanson-Sudbeck, Travel-\$20.40; Demco, Supplies-\$75.82; Department of Agriculture, Solid Waste-\$3,056.64; Department of South Dakota, Department of SD VFW-\$3,130.00; Department of Social Services, Child Support-\$921.22; Dimock Dairy, Supplies-\$375.00; Discount Cell, Supplies-\$440.00; Echo Group, Supplies-\$118.50; Environmental Equipment & Service, Supplies-\$284.29; Etix, Ticketing Fees-\$626.70; Fastenal, Parts-\$199.04; Ferguson Waterworks #2516, Supplies-\$1,866.13; First Rate Excavate, 2022-2 P.E. #2-\$34,487.37; Flexible Pipe Tools & Equipment, Supplies-\$83.80; Foreman Charters, Bus Trip-\$1,540.00; Forum Communications, Advertising-\$3,913.14; Gentle Spirit Horses Rescue, Horse Trainers Challenge-\$1,000.00; Global Specialty Contactor, Supplies-\$1,500.00; Grainger, Supplies-\$7.09; Greenwood Cleaning, Maintenance-\$525.00; H&W Contracting, 2021-16 P.E. #4-\$3,117.18; Harlow's Bus Sales, Supplies-\$867.09; Harve's Pro Prints, Service-\$36.00; Harve's Sport Shop, Supplies-\$169.99; Hawkins, Supplies-\$50.00; Heiman, Supplies-\$1,653.32; Helms and Associates, 2021-30 P.E. #8-\$19,841.74; Henry Schein, Supplies-\$995.05; Honda of Mitchell, Supplies-\$6.98; Independent Viking Glass, Repair-\$212.91; Info USA Marketing, Books-\$455.00; Infrastructure Design Group, 2019-33 P.E. #17-\$26,157.15; Ingram Library Services, Books-\$1,546.80; Innovative Office Solution, Supplies-\$161.20; Interstate Office Products, Supplies-\$162.74; JCL Solutions, Supplies-\$1,176.39; Jean Patrick, Reimbursement-\$15.30; Jones Supplies, Supplies-\$990.93; Kathy Kaye Foods, Supplies-\$3,916.80; Kogel Archaeological Consulting, 2023-7 P.E. #1-\$4,300.00; Krohmer Plumbing, Repair-\$42,121.95; Lakeview Veterinary Clinic, Management-\$900.00; Larry's I-90 Service, Maintenance-\$631.14; Leighton Family Farms,

Supplies-\$875.00; Lewis Family Drug, Supplies-\$37.49; Mark Gran, Reimbursement-\$33.00; McLaury Engineering, 2023-21 P.E. #1-\$8,192.50; McLeod's Printing, Supplies-\$3,738.66; Menard's, Supplies-\$491.34; Mettler Implement, Maintenance-\$1,238.94; Michael J Koster, Travel-\$28.00; Michaels Fence & Supply, Supplies-\$35.28; Mid-American Research Chemical, Supplies-\$511.20; Midcontinent Communication, Advertising-\$2,161.20; Miner County Auditor, Reimbursement-\$76.97; Mitchell Animal Rescue, Management Fee-\$350.00; Mitchell Area Community Triathlon, Sports Authority Promotion-\$2,200.00; Mitchell Area Housing, 622 N Duff Demolition-\$28,317.00; Mitchell Baseball, Youth Baseball-\$6,000.00; Mitchell Convention & Visitors Bureau, May 2023 Funding-\$20,800.00; Mitchell Iron & Supply, Supplies-\$35.12; Mitchell Kiwanis Club, Youth Baseball-\$500.00; Mitchell Republic, Renewal-\$250.80; Mitchell School District, Utilities-\$1,772.16; Mitchell School District, Sports Authority Promotion-\$1,750.00; Mitchell United Way, United Way Deductions-\$224.50; Most Dependable Fountains, Maintenance-\$134.00; Motorola Solutions, Mobile upgrade-\$60,398.80; Mount Vernon School District, Contract Services-\$169.50; MTC Marine Student Fund, Maintenance-\$58.00; Muth Electric, Repair-\$22,515.78; Napa Central, Supplies-\$21.22; Newman Signs, Repair-\$6,493.06; Norby Golf Course Design, Improvements-\$21,000.00; North Central Seed, Supplies-\$675.00; Northwest Pipe Fittings, Supplies-\$32,171.94; Northwestern Energy, Utilities-\$65,453.53; O'Connor, Maintenance-\$402.97 ; Online Computer Library Center, Cataloging-\$378.90; One Source The Background, Background Checks-\$680.00; Overtime, Contract Services-\$2,232.00; Palace City Shrine Club, Corn Palace Games-\$36,174.50; Papa Murphy's Pizza, Supplies-\$262.27; Parkeon, Service Fee-\$65.00; Pepsi Cola, Supplies-\$6,160.66; Pioneer Manufacturing, Supplies-\$2,591.70; PKG Contracting, 2021-31 P.E. #11-\$669,660.53; Planning & Development District, 2019-33 P.E. #1-\$1,000.00; Porter Distributing, Supplies-\$164.75; Premier Pest Control, Pest Control-\$650.00; Public Health Laboratory, Lab Fees-\$60.00; Qualified Presort, Postage-\$245.09; Quality Cut Lawn & Tree Service, 2019-53R2 P.E. #8-2022-\$14,333.38; Runnings Supply, Supplies-\$601.65; S&M Printing, Supplies-\$221.45; Saga Communications of South Dakota, Advertising-\$513.00; Santel Communications, Utilities-\$106.16; Schumacher Elevator, Maintenance-\$226.80; South Dakota Department of Public Safety, Boiler Inspections-\$230.00; South Dakota Newspaper Services, Advertising-\$2,167.46; South Dakota Public Assurance Alliance, Auto Physical Damage-\$965.37; South Dakota Retirement System, Retirement Contributions-\$57,136.04; South Dakota Supplemental Retirement, Supplemental Retirement-\$3,727.50; South Dakota Supplemental Roth 457, Roth 457 Contributions-\$1,408.50; South Dakota 811, April 2023 Services-\$259.35; Standard Insurance Company, Life Insurance-\$435.86; Staples, Supplies-\$349.07; Streicher's, Supplies-\$109.97; Sturdevants Auto Value, Supplies-\$2,355.76; Subway, Meals-\$15.98; Sun Gold Sports, Supplies-\$526.00; Teamsters Local No. 120, Union Dues-\$1,597.00; Teresa Matson, Reimbursement-\$20.99; Tessier's, Repair-\$7,185.91; The Abbey of the Hills, Bus Trip-\$330.00; The Dugout, Contract Services-\$1,036.00; Thomson Reuters West, Subscription-\$800.80; Thune True Value & Appliance, Supplies-\$182.69; TMA Stores, Repair-\$139.50; Traf-Sys, Supplies-\$240.00; Traffic Control, Supplies-\$472.00; Tyler Technologies, Supplies-\$250.00; Uline, Supplies-\$161.02; United Parcel Service-Store #4227, Postage-\$151.14; USA Bluebook, Supplies-\$674.53; Verizon Wireless, Utilities-\$757.14; Vern Eide Ford Lincoln, Supplies-\$554.19; Vernon Holding, Title Search-\$265.00; Walmart/Capital One, Supplies-\$101.21; Waterous, Maintenance-\$184.31; Watertown Wholesale, Parts-\$231.97; Wheelco Brake & Supply,

Supplies-\$1,530.09; Wholesale Electronics, Supplies-\$1.99; Zimco Supply, Supplies-\$15,700.00; Ellwein Brothers, Supplies-\$335.00; US Bank, Bond Payments-\$128,351.49.

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

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 Jensen Capital and Development LLC for a conditional use permit to construct multi-family dwelling units located at 1303 South Ohlman Street, legally described as the East 625' of Lot X lying north of X-2 in the SE ¼ of the NE ¼ of Section 29, T 103 N, R 60 W of the 5th PM, City of Mitchell, Davison County, South Dakota. The property is zoned HB Highway Business District. Moved by McCardle, seconded by Rice, to postpone said application until June 20, 2023. Motion carried.

Moved by Smith, seconded by Allen, to set date for June 5, 2023 on the application of Arlen Schuh for a front yard variance of 0' vs 35' to replace a shed that was damaged due to a snowstorm located at 1511 West 5th Avenue, legally described as Lots 4 through 9 and vacated alley, Block 28, Home Park Original, Davison County, South Dakota. 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 RL-5756 Retail (on-sale) Liquor License from Mitchell Hotel, LLC dba Ramada Inn, 1525 West Havens Avenue to Melissa Tuttle dba Love Every, LLC, 1525 West Havens Avenue. 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 Allen, seconded by Rice, to approve the applications for renewal of Malt Beverage Licenses. Motion carried.

Moved by Smith, seconded by Allen, to approve the Special Event Permit for the Scrapper Guy for a Sound Pressure Level Speaker Stereo Competition on Sunday, June 4, 2023 with adjusted hours of 12:00 pm to 4:00 pm and receipt of insurance policy. Motion carried.

Moved by Rice, seconded by Allen, to approve four reserved parking signs, Monday-Friday 8am-5pm, in the city parking lot west of the Chamber building and removal of three-1 hour parking signs.

Members present voting aye: Allen, Doescher, Rice. Members present voting nay: McCardle, Smith. Motion carried.

Moved by McCardle, seconded by Rice, to approve Agreement #A2023-16, Reiersen and Millan Irrigation for twenty years commencing on January 1, 2023. Motion carried.

Moved by Smith, seconded by Rice, to approve Agreement #A2023-17, Jim River Ridge Farms Irrigation for twenty years commencing on January 1, 2023. Motion carried.

Moved by Allen, seconded by Rice, to approve Agreement #A2023-18, West End Bridge Maintenance BIG Grant for Polymer Chip Seal Project #2023-23 with Brosz Engineering in an amount not to exceed \$49,400.00. Motion carried.

Moved by Allen, seconded by McCardle, to approve Agreement #A2023-19, VirTower at Mitchell Municipal Airport for a flat fee of \$6,000.00 per year. Motion carried.

RESOLUTIONS:

Moved by Allen, seconded by Smith, to approve Resolution #R2023-32, Creating Tax Increment District 30 and Approving the Project Plan, as follows:

RESOLUTION R2023-32

A RESOLUTION PROVIDING FOR THE CREATION OF CITY OF MITCHELL TAX INCREMENTAL DISTRICT NUMBER THIRTY

WHEREAS, the City of Mitchell has the power, pursuant to SDCL 11-9-2, to create Tax Incremental District Number Thirty (TID 30) and to define the district's boundaries; and

WHEREAS notice of the hearing before the city planning commission was provided pursuant to SDCL 11-9-3; and

WHEREAS, the City of Mitchell Planning Commission held a hearing on May 8, 2023 at which any interested parties were afforded a reasonable opportunity to express their views on the proposed creation of a tax incremental district; and

WHEREAS the City of Mitchell Planning Commission after said hearing has recommended the proposed plan for Tax Incremental District Number Thirty and has recommended its creation, setting the boundaries as listed in the project plan, and recommending adoption of the project plan.

THEREFORE, IT IS HEREBY RESOLVED:

1. Pursuant to SDCL 11-9-5, there is hereby created, as of May 15, 2023, the City of Mitchell Tax Incremental District Number Thirty (TID 30). TID 30 is legally described as follows:

Lots 1 through 13 and Lot A of Sharpstone Deuce Addition, in the W 1/2 of the S 1/2 of the SW 1/4 of the NW 1/4 of Section 9, Township 103 North, Range 60 West of the 5th P.M., City of Mitchell, Davison County, South Dakota, subject to easements, restrictions and reservations of record.

with a map showing said boundaries included in the Project Plan presented to Council on May 15, 2023.

2. A hearing by the City of Mitchell Planning Commission concerning the creation and boundaries of TID 30 was held on May 8, 2023.
3. The City Council, in consideration of the project plan, other documentary evidence, and testimony, hereby makes the following findings:
 - a. Pursuant to SDCL 11-9-8, not less than fifty percent (50%) by area of the real property within the proposed tax increment district will stimulate and develop the general economic welfare and prosperity of the City of Mitchell and State of South Dakota through the promotion and advancement of industrial, commercial, manufacturing, agricultural, or natural resources;
 - b. Further pursuant to SDCL 11-9-8, the improvement of the area is likely to enhance significantly the value of substantially all of the other real property in TID 30;
 - c. Pursuant to SDCL 11-9-13, the project plan for TID 30 includes information satisfying each of the 5 requirements contained therein;
 - d. Pursuant to SDCL 11-9-16, the project plan for TID 30 includes information satisfying each of the 6 requirements contained therein; and
 - e. The plan is feasible and in conformity with the master plan of the City.
 - f. The aggregate assessed value of the taxable property in the District, plus all other tax incremental districts does not exceed ten (10%) percent of the total assessed valuation of the City.
 - g. TID 30 will be designated as an Annual Appropriations TIF to ensure that it does NOT count against constitutional debt.
4. Based on the findings in Section 3 above, the City hereby approves and adopts the project plan and the proposed boundaries as recommended by the City of Mitchell Planning Commission.
5. The City hereby directs the City of Mitchell Finance Officer to take such action as is deemed necessary to accomplish SDCL 11-9-20.

6. There is hereby created, pursuant to SDCL 11-9-31, the Tax Incremental District Number Thirty Fund (TID 30 Fund).
7. All tax increments collected pursuant to TID 30 shall be deposited into the TID 30 Fund.
8. All funds in the TID 30 Fund shall be used solely for the purposes expressly stated and reasonably inferred in SDCL 11-9.
9. The City finds that the aggregate assessed value of the taxable property in the district plus the tax incremental base of all other existing districts does not exceed ten percent of the total assessed value of taxable property in the municipality.
10. The project plan is on file with the City of Mitchell Finance Officer.
11. A Developer's Agreement consistent with the provisions of this Resolution and the Project Plan shall be approved by separate action of the City Council.

Motion carried and resolution declared duly adopted.

Moved by McCardle, seconded by Rice, to approve Resolution #R2023-33, Plat of Tract 2 in the West 626.84 feet of Lot 5 of Crane's Addition, in the SE ¼ of Section 34, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota, as follows:

RESOLUTION #R2023-33

WHEREAS, it appears that the City Planning Commission of the City of Mitchell, South Dakota, did duly consider and did recommend the approval and adoption of the hereinafter described plat, at its meeting held on the 8th day of May, 2023; and

WHEREAS, it appears from an examination of the plat of TRACT 2 IN THE WEST 626.84 FEET OF LOT 5 OF CRANE'S ADDITION, IN THE SE ¼ OF SECTION 34, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA as prepared by Thomas Lynn Week, 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 TRACT 2 IN THE WEST 626.84 FEET OF LOT 5 OF CRANE'S ADDITION, IN THE SE ¼ OF SECTION 34, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA as prepared by Thomas Lynn Week, 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 Rice, to approve Resolution #R2023-34, Plat of Lots 42, 43, and 44 of the Island First Addition, as follows:

RESOLUTION #R2023-34

WHEREAS, it appears that the City Planning Commission of the City of Mitchell, South Dakota, did duly consider and did recommend the approval and adoption of the hereinafter described plat, at its meeting held on the 8th day of May, 2023; and

WHEREAS, it appears from an examination of the plat of LOTS 42, 43 AND 44 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, 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 42, 43 AND 44 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, 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 #R2023-35, Plat of Lots 2-B, 2-C, and 2-D, a subdivision of Lot 2 in the NE ¼ of Section 33, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota, as follows:

RESOLUTION #R2023-35

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 8th day of May, 2023; and

WHEREAS, it appears from an examination of the plat of LOTS 2-B, 2-C AND 2-D, A SUBDIVISION OF LOT 2 IN THE NE ¼ OF SECTION 33, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, prepared by Jeremy A. Wolbrink, a duly licensed Land Surveyor in and for the State of South Dakota, that said is in accordance with the system of streets and alleys set forth in the master plan adopted by the City Planning Commission of the City of Mitchell, South Dakota, and that such plat has been prepared according to law;

THEREFORE, be it resolved by the City Council of Mitchell, South Dakota that the plat of LOTS 2-B, 2-C AND 2-D, A SUBDIVISION OF LOT 2 IN THE NE ¼ OF SECTION 33, T 103

N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA as prepared by Jeremy A. Wolbrink, be and the same is approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

Motion carried and resolution declared duly adopted.

Moved by Rice, seconded by Allen, to approve Resolution #R2023-36, Updating the City of Mitchell Comprehensive Plan, as follows:

RESOLUTION #R2023-36

WHEREAS, The Mitchell City Council, through a cooperative effort with the Mitchell Planning Commission, the Davison County Planning Commission, and the Davison County Commission, has developed and proposes to adopt a Comprehensive Development Plan; and

WHEREAS, The City of Mitchell is required by South Dakota Codified Law to adopt a Comprehensive Plan prior to amending or adopting a zoning ordinance; and

WHEREAS, The City of Mitchell has certified the accuracy of the proposed document with the City Attorney prior to proceeding with the adoption proceedings; and

WHEREAS, The proposed plan will enable the Mitchell Planning Commission and City Council to guide the future land use within the city limits of, and extraterritorial areas as allowed by SDCL 11-6, and allow for the enforcement and amendment of other land use regulations.

WHEREAS, the Mitchell Planning Commission held a hearing and recommended adoption of the Comprehensive Plan on March 13, 2023, the City Council held discussion on the Comprehensive Plan on April 17, 2023 and May 1, 2023, and the City Council held a final hearing on the Comprehensive Plan on May 15, 2023 after publishing notice as required by law.

NOW THEREFORE, BE IT RESOLVED, that the Mitchell City Council hereby adopts the Davison County Comprehensive plan pursuant to SDCL 11-6-18 and calls for the publication of a summary and notice of adoption pursuant to SDCL 11-6-18.2.

Motion carried and resolution declared duly adopted.

Moved by Rice, seconded by Smith, to approve Resolution #R2023-37, Award Engineering Services to Helms Engineering for Airport RFP, as follows:

RESOLUTION #R2023-37

A RESOLUTION APPROVING HELMS AND ASSOCIATES FOR ENGINEERING SERVICES FOR THE CITY OF MITCHELL MUNICIPAL AIRPORT, SD

WHEREAS the South Dakota Department of Transportation requires the City to select an engineering consultant every five years for engineering services; and

WHEREAS the City of Mitchell has followed all South Dakota Department of Transportation requirements for such selection; and

WHEREAS Helms and Associates was the only firm to respond to such request for services.

THEREFORE, BE IT RESOLVED by the City Council of the City of Mitchell, SD that Helms and Associates shall be selected to perform engineering services for the term of five years at the City of Mitchell Municipal Airport.

Motion carried and resolution declared duly adopted.

EXECUTIVE SESSION:

Moved by Rice, seconded by McCardle, to go into Executive Session as permitted by SDCL 1-25-2(4) Negotiations. Motion carried.

Mayor Everson declared the board out of executive session at 7:30 p.m. and the City Council to reconvene in regular session at 7:31 p.m.

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 _____.