

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

July 17, 2023

6:00 P.M.

PRESENT: Marty Barington, Mike Bathke, John Doescher, Tim Goldammer,
Kevin McCardle, Dan Sabers, Jeffrey Smith, Susan Tjarks

ABSENT:

PRESIDING: Mayor Bob Everson

AGENDA:

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

- a. City Council Minutes
 - 1. City Council July 5, 2023.
- b. Department Reports
 - 1. Sales Tax Collections (June),
 - 2. Finance (June),
 - 3. Building Permits (June),
 - 4. Police (June),
 - 5. Fire/EMS (June),
 - 6. Code Enforcement (June),
 - 7. Palace Transit (June),
 - 8. Water (June), and
 - 9. Airport (June).
- c. MADC Quarterly Report
- d. Automatic Supplements
 - 1. Park-Sports Complexes in the amount of \$4,465.00 from a donation of funds.
- e. Raffle Permits
 - 1. Mitchell Athletic Booster Club with the drawing to be held at various basketball games, and
 - 2. Area Community Theatre with the drawings to be held on August 4-6 and 11-13, 2023.
- f. Special Event Permit for Corn Palace Festival from Wednesday, August 23 to Sunday, August 27, 2023.
- g. Special Event Permit for Dakota Wesleyan University Blue & White Days Parade on Saturday, September 16, 2023.
- h. Purchase of playground equipment off of Omnia contract.
- i. SD DOT Section 5311 Grant Agreement.
- j. Authorization to apply for SD DOH Health Improvement Innovation Grant.
- k. Set date of 3:00 p.m. on August 1, 2023 for bid opening for Lakeview Golf Course

Improvements Rebid Project #2023-02R.

l. Pay Estimates July 17, 2023

Pay Estimate #15 in the amount of \$30,268.05 for Lake Mitchell-Phase II #2021-20 contracted to Barr Engineering,

Pay Estimate #10 in the amount of \$310.00 for Recycling Building #2021-30 contracted to Helms & Associates,

Pay Estimate #9 in the amount of \$950.25 for North Wastewater Improvements #2021-31 contracted to GeoTek Engineering,

Pay Estimate #13 in the amount of \$996,150.00 for North Wastewater Improvements #2021-31 contracted to PKG Contracting,

Pay Estimate #21 in the amount of \$110.00 for Recreation Center Fitness Room-Phase II #2021-50 contracted to Schemmer,

Pay Estimate #6 in the amount of \$795.23 for Canal Bridge #2022-36 contracted to SD Department of Transportation,

Pay Estimate #4 in the amount of \$68,848.73 for Recreation Center Fitness Room contracted to Mueller Lumber,

Pay Estimate #5 in the amount of \$121,413.96 for Recreation Center Fitness Room contracted to Mueller Lumber,

Pay Estimate #6 in the amount of \$18,055.00 for Jetty & Marina Bike Trail contracted to Brosz Engineering,

Pay Estimate #1 in the amount of \$14,784.98 for Rock Chips #2023-10 contracted to Spencer Quarries,

Pay Estimate #3 in the amount of \$1,442.50 for Old Landfill Leachate Monitoring #2023-28 contracted to GeoTek Engineering,

Pay Estimate #3 in the amount of \$3,345.00 for New Landfill Monitoring #2023-29 contracted to GeoTek Engineering,

Pay Estimate #1 in the amount of \$308,893.00 for Curbtender #2023-30 contracted to Sanitation Products, and

Pay Estimate #26 in the amount of \$13,018.70 for AIP '28 Airport ALP/Master Plan contracted to Helms & Associates.

m. 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 25, 2023 – JULY 8, 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 \$13,305.12, Human Resources \$3,975.10, Municipal Building \$3,404.52, Information Technology \$3,053.20, Police \$75,398.57, Traffic \$3,625.12, Fire \$38,242.68, Street \$31,674.53, Public Works \$24,968.38, Cemetery \$7,218.16, Library \$17,622.27, Recreation & Aquatics \$31,018.60, Recreation Center \$17,845.92, Sports Complexes \$15,941.10, Cadwell Concessions-\$609.26, Parks \$24,166.69, Supervision \$6,081.69, E911 \$23,635.26, MVP \$536.24, Palace Transit \$29,191.39, JVCC \$1,492.69, Nutrition \$4,203.87, Water Distribution \$15,922.22, Sewer \$13,443.59, Airport \$2,868.47, Recycling Program \$7,219.03, Waste Collection \$6,435.42, Landfill \$9,956.69, Corn Palace \$27,674.29, Golf Course \$7,986.44, Campground \$2,276.40, Emergency Medical Services \$35,030.33

NEW HIRES:

CEMETERY: Douglas Cunningham-\$22.412

CITY COUNCIL: Michael Bathke-\$11,751.00, Timothy Goldammer-\$11,751.00

RECREATION & AQUATICS: April Geist-\$15.00

RECREATION CENTER: Katherine Grismer-\$13.30, Trell Kaupp-\$12.80, Macey Linke-\$13.30, Kennedy Olsen-\$13.80

SALARY ADJUSTMENTS:

FIRE: Colt Mayfield-\$22.197

POLICE: Jaclyn Larson-\$27.993, Paul Wilson-\$34.149

PUBLIC WORKS: John Hegg-\$36.304

WARRANTS: A-Ox Welding Supply, Supplies-\$442.61; Accounts Management, Garnishment-\$372.23; AFSCME Council 65, Union Dues-\$604.80; Alex Young, Reimbursement-\$69.99; Alignment X-Perts, Repair-\$25.00; Amazon Capital Services, Supplies-\$538.73; Aramark, Maintenance-\$200.54; Arctic Refrigeration, Supplies-\$541.67; ATV Holdings, LLC dba Mitchell Telecom-\$2,720.02; Avera Heart Hospital of South Dakota, Supplies-\$6,298.00; B-Y Water District, Utilities-\$156,674.73; Bailey Metal Fabricators, Supplies-\$1,050.00; Baker & Taylor, Books-\$117.91; Barr Engineering, 2021-20 P.E. #PH2-15-\$30,268.05; Bender's Sewer Cleaning, Maintenance-\$980.00; Big Daddy D's, Contract Services-\$3,971.20; Blackstone Publishing, Audiobook-\$39.94; Boyer Ford Trucks, Supplies-\$697.75; Brosz Engineering, 2023-3 P.E. #6-\$18,055.00; C&B Operations, Supplies-\$4,365.30; Cadwell Sanford Deibert & Garry, Supplies-\$120.00; Carolina Software, Software Support-\$500.00; Cengage Learning Inc/Gale, Books-\$1,172.40; Century Link, Utilities-\$58.48; CHS Farmers Alliance, Supplies-\$8,856.42; Cindy's K9 Treats, Supplies-\$135.00; City of Mitchell, Bid Tax-\$832.50; Civicplus, Annual Fee-\$4,806.90; CK Bicycles & Locks, Supplies-\$247.00; Coborns, Contract Services-\$891.00; Connections, Training-\$2,334.15; Core & Main, Supplies-\$10,951.62; Core-Mark Midcontinent, Supplies-\$5,001.91; County Fair, Supplies-\$986.07; Creekside Veterinary Clinic, Wellness Exam-\$770.32; Culligan Water Mitchell, Rental-\$52.00; Dakota Supply Group, Supplies-\$616.15; Darrington Water Conditioning, Rental-\$68.25; Davison County Register of Deeds-\$30.00; Davison Rural Water Systems, Utilities-\$40.90; Dean Knippling, Reimbursement-\$24.99; Demco, Supplies-\$403.26; Department of Agriculture, Solid Waste-\$3,064.78; Department of Motor Vehicle, Title, Plate and Registration-\$26.70; Department of Social Services, Child Support-\$921.22; Dice Benefits Consulting, Consulting Fee-\$507.00; Dimock Dairy, Supplies-\$279.00; Donna Weiland, Bus Trip Refund-\$55.00; Educate Station, Books-\$200.00; Elfstrand's Ace Hardware, Supplies-\$387.55; Fastenal, Supplies-\$143.32; Ferguson Waterworks #2516, Repair-\$799.30; Fox Paint & Blinds, Supplies-\$9.18; Gaylen's Gourmet Popcorn, Supplies-\$2,106.00; Geotek Engineering & Testing, 2021-31

P.E. #9-\$5,737.75; Golden West Technologies, Monitoring-\$225.00; Grace Olmsted, Bus Trip Refund-\$55.00; Grainger, Supplies-\$109.52; Great Western Tire, Repair-\$1,661.60; Hach, Supplies-\$99.38; Harve's Pro Prints, Supplies-\$72.00; Hawkins, Chemicals-\$7,243.65; Helms and Associates, 2021-30 P.E. #10-\$13,328.70; Henry Schein, Supplies-\$32.60; Honda of Mitchell, Supplies-\$95.63; Howes Oil, Supplies-\$24,544.25; ICan, Advertising-\$750.00; Ingram Library Services, Books-\$180.21; Innovative Office Solution, Supplies-\$180.35; Interstate Office Products, Supplies-\$55.14; Jason Dicus, Supplies-\$59.85; Jaylon Tollefson, Reimbursement-\$28.29; JCL Solutions, Supplies-\$1,112.20; JD Concrete Products, Supplies-\$520.00; Joann Moeller, Refund for Bus Trip-\$55.00; Joel Reiter, Reimbursement-\$300.00; Jones Supplies, Supplies-\$1,730.37; Josh's Tools, Supplies-\$239.45; Kimball-Midwest, Supplies-\$412.32; Krohmer Plumbing, Repair-\$559.78; Lakeview Veterinary Clinic, Supplies-\$1,188.78; Larry's I-90 Service, Parts-\$574.34; Lawson Products, Supplies-\$537.55; M&T Fire and Safety, Supplies-\$145.92; Make it Mine Designs, Supplies-\$526.00; Mark & Tanya Kitto, Programming Services-\$735.07; McLeod's Printing, Supplies-\$57.63; Mega Wash, Supplies-\$10.00; Menard's, Supplies-\$783.16; Mettler Implement, Service Fee-\$711.89; Midcontinent Communication, Utilities-\$291.77; Midcontinent Communication, Advertising-\$1,638.10; Midwest Turf & Irrigation, Supplies-\$210.25; Wantach, Water Refund-\$10.31; Mitchell Concrete Product, Supplies-\$522.38; Mitchell Convention & Visitors Bureau, Funding-\$20,800.00; Mitchell Iron & Supply, Supplies-\$45.97; Mitchell Power Equipment, Part-\$17.89; Mitchell Prehistoric Indian Village, 2023 3rd Quarter Allocation-\$3,250.00; Mitchell United Way, United Way Deductions-\$224.50; Mobotrex, Supplies-\$7,678.00; Mueller Lumber, 2022-50 P.E. #4-\$190,334.78; Muth Electric, Repair-\$2,563.45; Newman Signs, Supplies-\$764.78; Northwestern Energy, Utilities-\$57,715.22; O'Reilly Automotive, Supplies-\$50.60; Online Computer Library Center, Loan Services-\$5,315.15; One Source The Background, Background Checks-\$467.00; Outsound Productions, Entertainment-\$2,562.00; Overdrive, Ebooks-\$1,133.17; Overtime, Contract Services-\$2,526.75; Parkeon, Alarm Services-\$65.00; Pepsi Cola, Supplies-\$238.40; Peterbilt of Sioux Falls, Supplies-\$258.63; PKG Contracting, 2021-31 P.E. #13-\$996,150.00; Premier Pest Control, Pest Control-\$775.00; Public Health Laboratory, Labs-\$105.00; Qualified Presort, Postage-\$401.17; Ralph Riggert, Bus Trip Refund-\$55.00; Randy Aschman, Equipment-\$400.00; Riverside Technologies, Computer Software-\$15,760.00; Runnings Supply, Supplies-\$3,196.89; Rusty Rierson, Concert-\$150.00; S&M Printing, Supplies-\$225.00; Saga Communications of South Dakota, Advertising-\$573.00; Sanitation Products, Supplies-\$315,226.39; Santel Communications, Utilities-\$106.16; Schemmer Associates, 2021-50 P.E. #21-\$110.00; Schoenfelder Portables, Rental-\$100.00; Scott Supply, Supplies-\$436.04; South Dakota Department of Transportation, 2022-36 P.E. #6-\$795.23; South Dakota Public Assurance Alliance, Insurance-\$992.85; South Dakota Redbook Fund, Training-\$30.00; South Dakota Retirement System, Retirement Contributions-\$57,514.00; South Dakota Supplemental Retirement, Supplemental Retirement-\$2,779.50; South Dakota Supplemental Roth 457, Roth 457 Contributions-\$1,258.50; Sherwin-Williams, Supplies-\$3,005.74; Sign Solutions, Supplies-\$2,122.99; SL-Serco, Report-\$1,800.00; South Dakota 811, Message Fees-\$238.35; Spencer Quarries, 2023-10 P.E. #1-\$14,784.98; Stan Houston Equipment, Supplies-\$266.82; Standard Insurance, Life Insurance-\$432.35; Staples, Supplies-\$354.50; Sturdevants Auto Value, Supplies-\$3,266.34; Sun Gold Sports, Supplies-\$383.50; Teamsters Local No. 120, Union Dues-\$1,579.00; The Dugout, Contract Services-\$1,677.00; Thomas L Price, Evaluations-\$350.00; Thomson Reuters – West, Subscription-\$1,079.79; Thune True Value & Appliance,

Supplies-\$2,253.96; Tim Montana and The Shrednecks, Pre-Sturgis-\$3,750.00; Titze Electric & Remodeling, Supplies-\$2,942.14; TK Electric, Repair-\$1,171.91; TMA Stores, Maintenance-\$148.70; Traditions Prepared Meals, Contract Services-\$2,689.51; Traffic Control, Supplies-\$456.00; Transource, Supplies-\$13,056.53; Tyler Technologies, Computer Software-\$260.00; Verizon Wireless, Utilities-\$754.99; Vern Eide Ford Lincoln, Supplies-\$456.68; Walmart/Capital One, Supplies-\$65.14; Water Environment Federation, Renewal-\$155.00; Wheelco Brake & Supply, Supplies-\$706.69; Williams Drones, Maintenance-\$1,125.00; World Archives, Newspaper Archives-\$1,253.00; Zimco Supply, Supplies-\$1,280.00; Wellmark, Health Expense-\$263,602.48; Wageworks, Expense-\$7,357.18.

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

CITIZENS INPUT:

Mitchell resident, Jordan Hanson, discussed various topics including the process for fixing the lake and the golf course project.

Mitchell resident, Stewart Hanson, discussed issues that took place at the last council meeting, including the lake and the golf course project.

Mitchell resident, Randy Wittstruck, purchased a building at 1201 South Rowley and has questions regarding the uses of the building. Wittstruck will meet with the Public Works Department.

BOARD OF ADJUSTMENT:

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

Moved by Tjarks, seconded by Sabers, to set date for August 7, 2023 on the application of Latrice Franklin for a conditional use permit to operate a family residential daycare located at 1522 Pebble Beach Road, legally described as Lot 27, Block 4, Lakeview First Addition, City of Mitchell, Davison County, South Dakota. Motion carried.

Moved by McCardle, seconded by Goldammer, to set date for August 7, 2023 on the application of Bobbie Sperlich for a conditional use permit to operate a family residential daycare located at 2040 West 23rd Avenue, legally described as the East 100' of Lot B in the SE ¼ of Section 8, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota. Motion carried.

Moved by Sabers, seconded by Smith, to set date for August 7, 2023 on the application of CJG Properties LLC for a variance for an accessory building in the front yard and a front yard variance of 6' vs 25' located at 1821 West 8th Avenue, legally described as Lots 5 & 6, Block 3, Home Park Original Addition, Davison County, South Dakota. Motion carried.

Moved by Tjarks, seconded by Goldammer, 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 of the VFW Post #2750 for a Special Event Liquor License located at the Horseman Sports Arena for August 11-12, 2023 for the Shoot-Out by the Lake. Notice of hearing has been given and affidavit of publication is on file. Moved by Sabers, seconded by McCardle, to approve said application. Motion carried.

AWARD BID:

Bids were opened and read on Firesteel Creek Ducks Unlimited (Kelley Wetlands) Project #2023-26 on the 10th day of July, 2023. Moved by Tjarks, seconded by Bathke, to award, contingent on DANR approval, as follows:

**FIRESTEEL CREEK
PROJECT #2023-26**

Whiskeyboard Construction LLC, 18101 Road 58, Oshkosh, NE 69154

Total Bid	\$583,997.00
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Motion carried.

CONSIDER APPROVAL:

Moved by McCardle, seconded by Tjarks, to approve the request to apply for funds from the SD Attorney General's Drug Control Fund for drug detection dog and equipment. If funding is not approved from the drug control fund up to \$18,000.00 in contingency funds will be used. Motion carried.

Moved by Sabers, seconded by Barington, to approve Main Street parking space closures for Crazy Days on July 21-23, 2023. Motion carried.

RESOLUTIONS:

Moved by Tjarks, seconded by McCardle, to approve Agreement #A2023-06 and Resolution #R2023-55, West End Bridge Preservation Grant BIG Project #2023-23 with SD Department of Transportation, as follows:

RESOLUTION #R2023-55

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION, AUTHORIZING THE FUNDING AND COMPLETION OF A BRIDGE AND IMPROVEMENTS GRANT FOR PRESERVATION AGREEMENT FOR THE WEST END BRIDGE AND DESIGNATING AN AUTHORIZED REPRESENTATIVE TO EXECUTE AND SIGN ALL DOCUMENTS

WHEREAS, the City of Mitchell (the "City") has determined it is in the City's best interest to proceed with a Bridge Improvement Grant Agreement in conjunction with the South Dakota Department of Transportation for the South Foster Street Bridge; and

WHEREAS, improvements to the existing bridge deck, rust remediation, and other associated improvements will be completed; and

WHEREAS, it is necessary to designate an authorized representative to execute and submit applications on behalf of the City and to certify and sign payment requests,

NOW THEREFORE BE IT RESOLVED by the City as follows:

1. The City hereby approves the agreement which the City will reimburse the State of South Dakota the required funding match in the amount of 20% of eligible costs as described in the agreement.
2. The Mayor of the City of Mitchell is hereby authorized to execute and deliver such documents and perform all acts necessary to effectuate the proposed work.
3. The Mayor of the City of Mitchell is hereby designated as the authorized representative of the City to do all things on its behalf to certify and sign documents for the Project.

Motion carried and resolution declared duly adopted.

CONSIDER APPROVAL:

Moved by McCardle, seconded by Barington, to approve Agreement #A2023-25, Mitchell Regional Ambulance Standby Agreement. Motion carried.

RESOLUTIONS:

Moved by Smith, seconded by Barington, to approve Resolution #R2023-52, An Amendment to the 2023 Compensation Plan for the City of Mitchell, as follows:

RESOLUTION #R2023-52 A RESOLUTION APPROVING AN AMENDMENT TO THE 2023 COMPENSATION PLAN FOR THE CITY OF MITCHELL

BE IT RESOLVED, THAT THE FOLLOWING CHANGES TO THE 2023
COMPENSATION PLAN FOR THE CITY OF MITCHELL BE AMMENDED EFFECTIVE
July 17, 2023.

<u>APPOINTED/ HIRED FULL TIME POSITIONS</u>			
Dept	Job Title	Wage Grade	FLSA Status
PW	Wastewater Treatment Supervisor	17	N
PW	Wastewater Collection Supervisor	17	N
PW	Waste Water Pretreatment Assistant	12 ²	N

² Move to grade 13 with possession of Class II license, grade 14 with possession of Class III license.

Motion carried and resolution declared duly adopted.

ORDINANCE:

Moved by Goldammer, seconded by Sabers, to place Ordinance #O2023-05, Amending South Point Village Planned Development District on second reading. Motion carried. Moved by Smith, seconded by McCardle, to adopt Ordinance #O2023-05, Amending South Point Village Planned Development District, as follows:

ORDINANCE #O2023-05

An Ordinance amending 10-9E-4 Permitted Uses, South Point Village Planned Development District, Title 10 Zoning Regulations, City of Mitchell Municipal Code

NOW BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA:

Section 1.

That 10-9E-4: Permitted Uses, be amended by changing “Multi-family dwellings of twenty four (24) units or less” to “Multi-family dwellings”: so to be read as follows:

10-9E-4: PERMITTED USES:

Assisted living facility up to twenty four (24) units.
Community center privately owned or operated.
Education institution.
Lodging house.
Multi-family dwellings.
Open space.
Parks and Playgrounds.
Recreation indoor facility.

Recreation outdoor facility.
Religious institution.
Single-family dwellings.
Student housing (off campus). (Ord. 2411, 10-15-2012)

Section 2.

The City Finance Officer shall cause notice of adoption of this ordinance to be published in the official newspaper and twenty (20) days after the completed publication, unless the referendum is invoked, this ordinance shall become effective.

Members present voting aye: Barington, Bathke, Doescher, Goldammer, McCardle, Sabers, Smith, Tjarks. Members present voting nay: none. Motion carried and ordinance declared duly adopted.

EXECUTIVE SESSION:

Moved by Tjarks, seconded by Goldammer, to go into Executive Session as permitted by SDCL 1-25-2(4) Negotiations, SDCL 1-25-2(3) Legal and SDCL 1-25-2(1) Personnel. Motion carried.

Mayor Everson declared the board out of executive session at 9:12 p.m. and the City Council to reconvene in regular session at 9:13 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 _____.