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

March 18, 2024
6:00 P.M.

PRESENT: Mike Bathke, John Doescher, Tim Goldammer, Kevin McCardle, Dan Sabers, Susan Tjarks

ABSENT: Marty Barington, Jeffrey Smith

PRESIDING: Mayor Bob Everson

AGENDA:

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

a. City Council Minutes
   1. City Council March 4, 2024.
b. Committee Reports
   1. Planning Commission February 26, 2024 and
   2. Planning Commission March 11, 2024 (unsigned).
c. Department Reports
   1. Sales Tax Collections (February),
   2. Building Permits (February),
   3. Police (February),
   4. Fire (February),
   5. Palace Transit (January/February),
   6. Water (February), and
   7. Airport (February).
d. Automatic Supplements
   1. Parks-Sports Complex in the amount of $135.64 from a donation of funds.
e. Raffle Permits
   1. VFW Post 2750 with the drawing to be held on July 15, 2024.
f. Surplus mini excavator from Cemetery to be traded in.
g. Purchase of mini excavator and attachments off of Sourcewell contract #011723.
h. Special Event Permit for Corn Palace Shrine Circus on Sunday, April 28th through Thursday, May 2nd.
i. Authorization to apply for SD Department of Health Regional Designation Grant.
j. Change Order #1 for Cadwell Park Press Box and Shade Structure Project #2022-34 decreasing the contract amount by $2,071.84 to Rexwinkel Concrete, adjust contract amount to $557,928.16.

k. Set date 1:30 p.m., April 3, 2024 for bid opening for 7th & Main Traffic Light Improvement Project #2022-08.

l. Set date of March 18, 2024 for hearing and action on the following applications
1. Corn Palace Shrine Club for a Special Event Liquor License located at the Masonic Hall for April 20, 2024 for a wedding and
2. Corn Palace Shrine Club for a Special Event Liquor License located at the Masonic Hall for May 10, 2024 for a wedding.

m. Pay Estimates March 18, 2024
Pay Estimate #6 in the amount of $8,666.66 for Mitchell Airport Snow Removal #2019-53R2 contracted to Quality Cut Lawn & Snow,
Pay Estimate #10 in the amount of $276,746.42 for Above Ground Storage Tank #2020-20 contracted to Rice Lake West,
Pay Estimate #9 in the amount of $726.25 for Above Ground Storage Tank #2020-20 contracted to GeoTek Engineering,
Pay Estimate #23 in the amount of $4,931.57 for Lake Mitchell-Phase II #2021-20 contracted to Barr Engineering,
Pay Estimate #36 in the amount of $39,587.25 for North Wastewater Improvements #2021-31 contracted to HDR Engineering,
Pay Estimate #21 in the amount of $83,888.50 for North Wastewater Improvements #2021-31 contracted to PKG Contracting,
Pay Estimate #7 in the amount of $1,160.00 for Spruce Street Railroad Crossing #2021-39 contracted to Brosz Engineering,
Pay Estimate #14 in the amount of $169,154.88 for Wastewater Treatment Plant-Phase II #2022-01 contracted to HDR Engineering,
Pay Estimate #1 in the amount of $855.00 for Cadwell Park Crow's Nest & Shade Structure #2022-34 contracted to Foerster Testing Limited,
Pay Estimate #1 in the amount of $8,960.00 for East 5th-Burr to Foster #2024-02 contracted to Brosz Engineering, and
Pay Estimate #1 in the amount of $41,870.50 for Randall Regional Waterline #2024-07 contracted to Randall Community Water District.

n. 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 FEBRUARY 18, 2024 – MARCH 2, 2024: City Council $3,626.48, Mayor $1,567.54, City Administrator $6,369.23, Administrative Boards $2,325.00, Attorney $5,332.08, Finance $14,477.70, Human Resources $4,379.84, Municipal Building $3,588.19, Information Technology $3,286.77, Police $79,822.02, Traffic $5,034.60, Fire $43,024.08, Street $32,631.52, Public Works $25,257.43, Cemetery $6,033.99, Library $18,663.52, Recreation & Aquatics $6,894.21, Recreation Center $22,486.14, Sports Complexes $10,852.55, Parks $13,522.08, Supervision $6,441.14, Corn Palace $24,457.05, E911 $23,593.42, MVP $938.88, Palace Transit $31,411.51, JVCC $1,670.02, Nutrition $4,444.42, Airport $3,643.78, Water Distribution $15,820.62, Sewer $13,956.01, Recycling Program $7,646.12, Waste Collection $6,838.45, Landfill $10,657.05, Golf Course $4,689.85, Emergency Medical Services $38,608.14

NEW HIRES:

CEMETERY: Andrew Gunnare-$13.70

SALARY ADJUSTMENTS:

CORN PALACE: Jeffery Hanson-$32.088, Diane Mutziger-$25.325

FIRE: Andrew Shank-$27.811

PALACE TRANSIT: Chad Mowry-$22.259

STREET: Spencer James-$23.853

TRAFFIC: Joshua Harvey-$31.768

WARRANTS: Accounts Management, Garnishment-$312.12; Advanced Engineering and Environmental Services, 2024-37 P.E. #1-$98.50; AFLAC, Aflac Withholding-$11,067.66; AFSCME Council 65, Union Dues-$533.45; Alivia Siegel, Department of Health Grant-$15.00; Amazon Capital Services, Supplies-$1,017.17; Aramark, Professional Service-$288.25; Avera Occupational Medicine, Physicals Screenings-$519.00; Avera Queen of Peace, Supplies-$160.00; Avera Queen of Peace Hospital, Liability Insurance-$1,805.00; Bailey Metal Fabricators, Supplies-$420.00; Big Daddy D's, Contract Services-$2,658.80; Blackstrap, Supplies-$1,955.47; Brosz Engineering, 2021-39 P.E. #6-$15,280.00; Buckin' Wild Ranch, Sports Authority Promo-$1,500.00; Butler Machinery, Supplies-$562.51; C&B Operations, Supplies-$1,747.13; California State Disbursement, Garnishment-$92.30; Carquest Auto Parts, Supplies-$4.79; CDW Government, Supplies-$2,558.00; Center Point Large Print, Books-$94.08; Central Electric, Utilities-$263.96; Century Link, Utilities-$13.66; Chesterman, Supplies-$3,396.80; CHR Solutions, Postage-$3,486.54; CHS Farmers Alliance, Maintenance-$419.01; City of Mitchell, Golf Course Deductions-$1,291.28; City of Mitchell, Recreation Deductions-$2,374.83; Converge One. Supplies-$4,957.66; Core & Main, Supplies-$80.00; Core-Mark Midcontinent, Supplies-$7,339.57; Corn Palace, Supplies-$29.50; Corporate Translation Service, Translation Service-$211.65; Corsica Stickney School District, Corn Palace Games-$3,374.10; County Fair, Supplies-$49.94; CTM Services, Maintenance-$331.72; Cummins Sales & Service, Maintenance-$487.02; Dakota Pump, Repair-$2,309.27; Dakota Supply Group, Repair-$672.57; Davison County Register of Deeds, Easement-$60.00; Delta Dental Plan of South Dakota, Dental Insurance-$17,405.76; Department of Motor Vehicle, Title-$16.70; Department of Social Services, Child Support-$864.46; DLT Solutions, Subscription-$5,127.60; Dockendorf Equipment, 2021-51 P.E. #3-$78,988.97; Easyvista, Renewal-$354.00; Elfstrand's Ace Hardware, Supplies-$40.98; Emergency Education, Training-$945.00; Eric Hieb, Contract Services-$5,402.71; Ethan Coop Lumber, Supplies-$97.50; Ethan School District, Corn Palace Games-$494.50; Fastenal, Supplies-$99.38; Fbi-Leeda, Membership-$50.00; First National Bank Omaha, Supplies-$20,763.34; Geotek Engineering & Testing, 2020-20 P.E. #8-$2,881.00; Grainger, Supplies-$99.49; Great Plains Roofing, Supplies-$316.33; H&W Contracting, 2020-20 P.E. #4-$66,002.72; Harve's Pro Prints, Supplies-$12.00; Hawkins,

Supplies-$50.00; Helms and Associates, AIP '28 Airport P.E. #32-$96,545.58; Henry Schein, Supplies-$516.50; I-State Truck Centers, Supplies-$2,162.60; Ingram Library Services, Books-$1,217.40; Innovative Intelligent Pro, Supplies-$495.83; Innovative Office Solution, Supplies-$303.96; Intellipro Security, Maintenance-$2,995.50; Interstate Glass & Door, Maintenance-$519.91; Interstate Office Products, Supplies-$522.78; Jennifer O'Connor, Supplies-$15.00; Joe Dolezal, Reimbursement-$152.99; Johnson Controls, Maintenance-$4,673.39; Jones Supplies, Supplies-$2,031.16; Josh's Tools, Subscription-$1,068.00; Kimball-Midwest, Supplies-$323.06; Krohmer Plumbing, Maintenance-$1,888.60; Larry's I-90 Service, Supplies-$1,399.50; Lawson Products, Supplies-$485.76; Leighton Family Farms, Supplies-$840.00; Lewis Family Drug, Supplies-$5.98; Lucky Devils Adult Hockey, Sports Authority Promotion-$3,000.00; Make it Mine Designs, Supplies-$205.70; MC&R Pools, Supplies-$164.25; McLaury Engineering, 2020-8 P.E. #13-$24,112.50; McLeod's Printing, Supplies-$129.80; Menard's, Supplies-$491.13; Mettler Implement, Supplies-$279.73; Michael Todd Industrial, Supplies-$1,524.40; Microsoft Corporation, Subscription-$910.00; Midcontinent Communication, Utilities-$101.87; Midcontinent Communication, Advertising-$2,380.70; Midwest Oil, Supplies-$83.68; Midwest Turf & Irrigation, Supplies-$1,623.28; Millennium Recycling, Single Stream Fee-$2,092.25; Mitchell Iron & Supply, Supplies-$19.17; Mitchell Music Boosters, Mitchell Show Choir Classic-$5,000.00; Mitchell Power Equipment, Maintenance-$94.42; Mitchell Quarry, Supplies-$1,522.51; Mitchell United Way, United Way Deductions-$198.00; Mueller Lumber, Supplies-$2,347.65; Muth Electric, Maintenance-$16,914.67; N-Able Technologies, Software-$171.64; Napa Central, Supplies-$1,228.02; North Central Heart Institute, Testing-$994.30; Northwestern Energy, Utilities-$31,826.81; Patzer Woodworking, Supplies-$5,359.19; Paulson Sheet Metal, Maintenance-$3,214.29; Pepsi Cola, Supplies-$1,036.32; Peterbilt of Sioux Falls, Supplies-$1,493.85; Premier Equipment, Supplies-$18,400.00; Premier Pest Control, Supplies-$225.00; Qualified Presort, Postage-$510.13; Rexwinkel Concrete, 2022-34 P.E. #5-$36,900.00; Riverside Technologies, Software-$6,888.63; Robert B Everson Jr, Travel-$166.77; Rod Brown, Department of Health Grant-$15.00; Runnings Supply, Supplies-$812.29; Save Our Space, Supplies-$3,528.46; Savvik Buying Group, Supplies-$1,032.77; Schmucker, Paul, Nohr, 2022-3 P.E. #11-$3,775.00; Schoenfelder Portables, Rental-$160.00; South Dakota Department of Transportation, 2022-36 P.E. #10-$2,058.64; South Dakota Music Education, Sports Authority Promo-$500.00; South Dakota Retirement System, Retirement Contributions-$122,001.28; South Dakota Supplemental Retirement, Supplemental Retirement-$2,794.50; South Dakota Supplemental Roth 457, Roth 457 Contributions-$1,421.00; South Dakota Waste Water/Sdwea, Registration-$160.00; Shannon Lerew, Department of Health Grant Program-$15.00; Sherwin-Williams, Supplies-$439.51; Sirchie Acquisition, Supplies-$521.41; Snap-On Credit, Supplies-$257.17; Standard Insurance, Life Insurance-$2,672.08; Staples, Supplies-$523.80; Sturdevants Auto Value, Supplies-$1,913.48; Subway, Meals-$39.95; Sun Gold Sports, Supplies-$90.00; Tapco, Supplies-$8,427.92; Tessier's, Maintenance-$219.00; The Ives Brothers Entertainment, 2024 Deposit-$2,125.00; Thune True Value & Appliance, Supplies-$142.29; Titan Machinery-Mitchell, Supplies-$3.20; TMA Stores, Repair-$1,695.28; Tobin Transfer, Maintenance-$360.00; Traditions Prepared Meals, Contract Services-$3,336.01; Traf-O-Teria System, Supplies-$789.01; Transource, Supplies-$125.04; Transwest Trucks of Sioux, Repair-$551.64; Two Way Solutions, Supplies-$145.99; United Parcel Service Store #4227, Postage-$92.06; Verizon Wireless, Utilities-$360.09; Vern Eide Ford, Supplies-$416.72; Walmart/Capital One, Supplies-$65.69; West Plains Engineering, 2021-51 P.E. #10-$500.00; Wheelco Brake & Supply,

Supplies-$348.54; Wisconsin Child Support, Garnishment-$395.58; Ellwein Brothers, Supplies-$1,274.00.

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

CITIZENS INPUT:

Mayor Everson congratulated the Mitchell Kernel boys basketball team for winning the State AA Tournament this past weekend.

Terry Sabers recognized Kernel's boys basketball coach Ryker Kreutzfeldt.

Stewart Hanson addressed Council about the potential dredging and draining of the lake.

Jen Bradley reminded the public about the lake informational meeting on Tuesday, March 19th.

Council Member Tim Goldammer stated the Kiwanis Club was hosting a spaghetti feed at Mitchell Technical College on Saturday and Wingapalooza will be held at the Corn Palace from 1-4 also on Saturday.

Council Member Kevin McCardle stated Dr. Margallo's son Chris is a physical therapist in New York and was selected to attend the Paris Olympics with the Track & Field team.

Council Member Kevin McCardle asked when election signs could be placed. Finance Officer Michelle Bathke stated signs could be placed 60 days prior to the election and need to be removed within 10 days after the election date. Police Chief Mike Koster reminded the public that the signs could not be placed in the right-of-way.

Council Member Mike Bathke asked when the leaf and compost site would be open. Public Works Director Joe Schroeder stated it is now open.

BOARD OF ADJUSTMENT:

Moved by Tjarks, seconded by Bathke, 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 Tara Volesky for a conditional use permit for a multi-family dwelling located at 2221 East Havens Avenue, legally described as Lot 2 in the NE ¼ & Lot 3B in the NW ¼ of the NE ¼ Ex H-1 & W 7 Rods of Lot 1 in the NE ¼ & W 7 Rods of the NE ¼ of NE Ex H1 of Section 26, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota. The property is zoned UD Urban Development District. The Planning Commission recommended approval of said application. Moved by Tjarks, seconded by Sabers, to approve said application. Motion carried.

It was advised that this is the date and time set for hearing on the application of Erika Hennessey for a conditional use permit to operate an educational institution located at 1325 Palmer Place, legally described as Lot 5 and West 3' of Lot 4, Block 8, Gardenview Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential District. The Planning Commission recommended approval of said application. Moved by Tjarks, seconded by McCardle, to postpone said application. Motion carried.

Moved by Goldammer, seconded by Tjarks, 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-5768 Retail (on-sale) Liquor License from Puddle Jumper LLC, 221 East 3rd Avenue to Puddle Jumper LLC dba CJ's Bar & Casino, 2700 North Main Street, Suite #1. Video Lottery is included. Notice of hearing has been given and affidavit of publication is on file. Moved by McCardle, seconded by Goldammer, to approve said application. Motion carried.

CONSIDER APPROVAL:

Moved by Goldammer, seconded by Tjarks, to approve a permanent easement with Bradley Theme LLC in relation to 514 North Main Street. Motion carried.

RESOLUTIONS:

Moved by McCardle, seconded by Sabers, to approve Resolution #R2024-07, Plat of Tract 1 of Tupper's Addition in the NE ¼ of the NE ¼ of Section 8, T 102 N, R 60 W of the 5th P.M., Davison County, South Dakota, as follows:

RESOLUTION #R2024-07

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 11th day of March, 2024; and

WHEREAS, it appears from an examination of the plat of TRACT 1 OF TUPPER'S ADDITION, IN THE NE 1/4 OF THE NE 1/4 OF SECTION 8, T 102 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 1 OF TUPPER'S ADDITION, IN THE NE 1/4 OF THE NE 1/4 OF SECTION 8, T 102

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 Sabers, seconded by Tjarks, to approve Resolution #R2024-16, Plat of Lot 1A in Block 3 of Stardust Subdivision, as follows:

RESOLUTION #R2024-16

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 11th day of March, 2024; and

WHEREAS, it appears from an examination of the plat of LOT 1A IN BLOCK 3 OF STARDUST SUBDIVISION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, as prepared by Aaron J. Norman, 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 1A IN BLOCK 3 OF STARDUST SUBDIVISION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, as prepared by Aaron J. Norman, 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 Goldammer, to approve Resolution #R2024-17, Plat of a Portion of North Capital Street, a Subdivision of Lot 14, except the West 40 feet, Block 1, Scott's Second Addition, as follows:

RESOLUTION #R2024-17

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 11th day of March, 2024; and

WHEREAS, it appears from an examination of the PLAT OF A PORTION OF NORTH CAPITAL STREET, A SUBDIVISION OF LOT 14, EXCEPT THE WEST 40 FEET, BLOCK 1, SCOTT'S SECOND ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, as prepared by Paul C. Kiepke, 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 A PORTION OF NORTH CAPITAL STREET, A SUBDIVISION OF LOT 14, EXCEPT THE WEST 40 FEET, BLOCK 1, SCOTT'S SECOND ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, as prepared by Paul C. Kiepke, 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 Sabers, to approve Resolution #R2024-18, Plat of Lots A, B, and C of Fawn Creek Addition, a subdivision of Previously Platted Lot No. 3, in the West ½ of the West ½ of Section 31, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota; and Lots D and E of Fawn Creek Addition, a subdivision of Previously Platted Lot No. 3 and of Irregular Tract No. 2 within Lot No. 3, in the West ½ of the West ½ of Section 31, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota, as follows:

RESOLUTION #R2024-18

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 11th day of March, 2024; and

WHEREAS, it appears from an examination of the PLAT OF LOTS A, B, AND C OF FAWN CREEK ADDITION, A SUBDIVISION OF PREVIOUSLY PLATTED LOT NO. 3, IN THE WEST 1/2 OF THE WEST 1/2 OF SECTION 31, T 104 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA; AND LOTS D AND E OF FAWN CREEK ADDITION, A SUBDIVISION OF PREVIOUSLY PLATTED LOT NO. 3 AND OF IRREGULAR TRACT NO. 2 WITHIN LOT NO. 3, IN THE WEST 1/2 OF THE WEST 1/2 OF SECTION 31, T 104 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA; as 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 A, B, AND C OF FAWN CREEK ADDITION, A SUBDIVISION OF PREVIOUSLY PLATTED LOT NO. 3, IN THE WEST 1/2 OF THE WEST 1/2 OF SECTION 31, T 104 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA; AND LOTS D AND E OF FAWN CREEK ADDITION, A SUBDIVISION OF PREVIOUSLY PLATTED LOT NO. 3 AND OF IRREGULAR TRACT NO. 2 WITHIN LOT NO. 3, IN THE WEST 1/2 OF THE WEST 1/2 OF SECTION 31, T 104 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, 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 Sabers, seconded by Bathke, to approve Resolution #R2024-19, Plat of West Plum Avenue; Lots 13-A thru 26-A, Block 2; Lots 1-A thru 7-A, Block 3; and Drainage Tract 1-A, Block 4, MLC Addition, a subdivision of Block 3; Lot 4B, Block 4; and Block 5, Morningview Addition, as follows:

RESOLUTION #R2024-19

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 11th day of March, 2024; and

WHEREAS, it appears from an examination of the PLAT OF WEST PLUM AVENUE; LOTS 13-A THRU 26-A, BLOCK 2; LOTS 1-A THRU 7-A, BLOCK 3; AND DRAINAGE TRACT 1-A, BLOCK 4, MLC ADDITION, A SUBDIVISION OF BLOCK 3; LOT 4B, BLOCK 4; AND BLOCK 5, MORNINGVIEW ADDITION TO THE 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 WEST PLUM AVENUE; LOTS 13-A THRU 26-A, BLOCK 2; LOTS 1-A THRU 7-A, BLOCK 3; AND DRAINAGE TRACT 1-A, BLOCK 4, MLC ADDITION, A SUBDIVISION OF BLOCK 3; LOT 4B, BLOCK 4; AND BLOCK 5, MORNINGVIEW ADDITION TO THE 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 Goldammer, to approve Resolution #R2024-20, Plat of Lots 1 through 6, Block 1-A; Lots 1 through 10, Block 1-B, Tract DR1-A; Block 2-A; Lots 1 through 9, Block 3-A; Lots 1 and 2, Block 4-A; Lots 1 through 13, Block 5-A; Block 6-A; Nagle Lane; Peace Place; Nursia Drive; and North Calhoun Street, all in Ridge View on Foster Addition, as follows:

RESOLUTION #R2024-20

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 11th day of March, 2024; and

WHEREAS, it appears from an examination of the PLAT OF LOTS 1 THROUGH 6, BLOCK 1-A; LOTS 1 THROUGH 10, BLOCK 1-B, TRACT DR1-A; BLOCK 2-A; LOTS 1 THROUGH 9, BLOCK 3-A; LOTS 1 AND 2, BLOCK 4-A; LOTS 1 THROUGH 13, BLOCK 5-A; BLOCK 6-A; NAGLE LANE; PEACE PLACE; NURSIA DRIVE; AND NORTH CALHOUN STREET, ALL IN RIDGE VIEW ON FOSTER ADDITION IN THE NW 1/4 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 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 1 THROUGH 6, BLOCK 1-A; LOTS 1 THROUGH 10, BLOCK 1-B, TRACT DR1-A; BLOCK 2-A; LOTS 1 THROUGH 9, BLOCK 3-A; LOTS 1 AND 2, BLOCK 4-A; LOTS 1 THROUGH 13, BLOCK 5-A; BLOCK 6-A; NAGLE LANE; PEACE PLACE; NURSIA DRIVE; AND NORTH CALHOUN STREET, ALL IN RIDGE VIEW ON FOSTER ADDITION IN THE NW 1/4 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 McCardle, seconded by Tjarks, to approve Resolution #R2024-21, A Resolution Amending #R2023-88-2024 Compensation Plan for the City of Mitchell, as follows:

RESOLUTION #R2024-21
A RESOLUTION AMENDING THE 2024 COMPENSATION PLAN FOR THE CITY OF MITCHELL

BE IT RESOLVED, THAT THE FOLLOWING COMPENSATION PLAN FOR THE CITY OF MITCHELL for FY2024 be amended as follows:

APPOINTED/ HIRED FULL TIME POSITIONS

Dept	Job Title	Wage Grade	FLSA Status
~~PD~~	~~Police Officer (17 FTE)~~	~~16~~	~~N~~

PD	Police Officer (19 FTE)	16	N

Motion carried and resolution declared duly adopted.

Moved by Tjarks, seconded by Goldammer, to approve Resolution #R2024-22, Setting Hearing and Appointing Appraisal Board for Exchange of Property Near 406th Avenue and Firesteel Creek, as follows:

RESOLUTION #R2024-22

A RESOLUTION SETTING A HEARING AND APPOINTING APPRAISERS FOR THE EXCHANGE OF REAL PROPERTY IN THE AREA OF 406th AVENUE AND FIRSTEEL CREEK

WHEREAS, the City of Mitchell owns a parcel of land near 406th Avenue and Firesteel Creek legally defined as:

> Lot D of Fawn Creek Addition, a Subdivision of Previously Platted Lot No. 3 and of Irregular Tract No. 2 Within Lot No. 3 in the West ½ of the West ½ of Section 31, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota (Lot D)

WHEREAS Ralph E. and Pamela K. Kiner (Kiner) are the owners of certain property near 406th Avenue and Firesteel Creek legally defined as:

> Lot A of Fawn Creek Addition, a Subdivision of Previously Platted Lot No. 3, in the West Half of the West ½ of Section 31, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota (Lot A)

WHEREAS the City of Mitchell and Kiner desire to exchange certain portions of the above-described properties; and

WHEREAS the proposed exchange would involve the City of Mitchell transferring to Kiner a sum of $200,000.00 and the portion of land described as follows:

> Lot D of Fawn Creek Addition, a Subdivision of Previously Platted Lot No. 3 and of Irregular Tract No. 2 Within Lot No. 3 in the West ½ of the West ½ of Section 31, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota (Lot D)

WHEREAS the proposed exchange would involve Kiner transferring to the City of Mitchell the portion of land described as follows:

> Lot A of Fawn Creek Addition, a Subdivision of Previously Platted Lot No. 3, in the West Half of the West ½ of Section 31, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota (Lot A)

THEREFORE, BE IT RESOLVED by the City Council of the City of Mitchell, SD that, pursuant to SDCL 9-27-34.1, the following individuals shall be appointed to the appraisal board

for the purpose of appraising the above-described City land to be transferred: Kevin Genzlinger, Jacob Sonne, Steve Schoenfelder.

BE IT FURTHER RESOLVED, that the City Council shall hold a hearing relative to the above-described exchange on April 1, 2024 at 6:00 PM in City Hall Council Chambers. Notice of hearing will be published at least 10 days in advance of the hearing in the local newspaper as required by law. Following the hearing, the City shall take such action as it deems appropriate relative to this proposed land exchange.

Motion carried and resolution declared duly adopted.

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 _____.