

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

**April 15, 2024
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 McCardle, seconded by Sabers, to approve the following items on the consent agenda:

- a. City Council Minutes
 - 1. City Council April 1, 2024
- b. Committee Reports
 - 1. Planning Commission March 25, 2024
 - 2. Planning Commission April 8, 2024 (unsigned)
- c. Department Reports
 - 1. Sales Tax Collections (March)
 - 2. Finance (January-March)
 - 3. Building Permits (March)
 - 4. Police (March)
 - 5. Fire (March)
 - 6. Code Enforcement (March)
 - 7. Palace Transit (March)
 - 8. Water (March)
 - 9. Airport (March)
- d. MADC Quarterly Report
- e. Automatic Supplements
 - 1. Parks-Recreation Center in the amount of \$699 from grant funds
 - 2. Parks-Recreation Center in the amount of \$570 from grant funds
- f. Raffle Permits
 - 1. Mitchell Technical College with the drawing to be held on May 13, 2024
 - 2. Heart & Sole with the drawing to be held on June 14, 2024
 - 3. Area Community Theatre with the drawing to be held on May 20, 2024
 - 4. Twin Rivers Old Iron Association with the drawing to be held on September 15, 2024
- g. Special Event Permit for Shoot Out at the Lake on Friday, June 21 and Saturday June 22, 2024
- h. Acceptance of Land and Water Conservation Fund Pickleball Court Grant

- i. Resolution #R2024-28, Land and Water Conservation Fund Grant Application
- j. Authorization to apply for 2025 Law Enforcement Grant for South Central Alcohol Task Force
- k. Authorization to apply for 2025 Law Enforcement Grant for Speed Enforcement
- l. Request for \$5,000 of contingency funds for additional costs of the HVAC System at Patton Young Park shelter in the 2024 budget
- m. Change Order #1 for West Harmon Water Main Loop Project #2024-15 decreasing the contract amount by \$34,249.00 to Halme Construction, adjust contract amount to \$364,835.50
- n. Set date 1:30 p.m., May 1, 2024 for bid opening for Paving & Overlay Project #2024-15
- o. Pay Estimates April 15, 2024
 - Pay Estimate #7 in the amount of \$8,666.66 for Airport Snow Removal #2019-53R2 contracted to Quality Cut Lawn & Snow
 - Pay Estimate #11 in the amount of \$509,030.38 for Above Ground Storage Tank #2020-20 contracted to Rice Lake West
 - Pay Estimate #8 in the amount of \$1,110.00 for Spruce Street Railroad Crossing #2021-39 contracted to Brosz Engineering
 - Pay Estimate #7 in the amount of \$8,225.00 for 3rd & Main Streetscape #2022-26 contracted to McLaury Engineering
 - Pay Estimate #6 in the amount of \$34,065.00 for Cadwell Park Crow's Nest & Shade Structure #2022-34 contracted to Rexwinkel Concrete
 - Pay Estimate #4 in the amount of \$2,600.00 for Lake Mitchell Jetty #2023-03 contracted to Shive Hattery
 - Pay Estimate #2 in the amount of \$47,257.42 for West Harmon Watermain Loop #2023-07 contracted to Halme Inc
 - Pay Estimate #7 in the amount of \$20,876.23 for 2nd/4th & Main Street #2023-21 contracted to McLaury Engineering
 - Pay Estimate #2 in the amount of \$10,492.50 for East 5th-Burr to Foster #2024-02 contracted to Brosz Engineering
 - Pay Estimate #1 in the amount of \$2,119.68 for AIP '28 Pavement Maintenance contracted to SD Department of Transportation
- p. 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 MARCH 17, 2024 – MARCH 30, 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 \$14,386.08, Human Resources \$4,379.83, Municipal Building \$3,551.70, Information Technology \$3,286.77, Police \$79,035.02, Traffic \$5,130.48, Fire \$39,021.33, Street \$36,610.25, Public Works \$25,257.43, Cemetery \$5,354.54, Library \$18,825.16, Recreation & Aquatics \$6,734.75, Recreation Center \$20,280.98, Sports Complexes \$10,096.80, Parks \$13,550.90, Supervision \$6,441.14, Corn Palace \$18,850.60, E911 \$21,699.16, Palace Transit \$31,536.50, JVCC \$3,065.03, Nutrition \$4,620.58, Airport \$4,274.85, Water Distribution \$16,016.38, Sewer \$14,463.28, Recycling Program \$7,077.92, Waste Collection \$7,312.04, Landfill \$10,009.38, Golf Course \$5,904.00, Emergency Medical Services \$34,979.10

NEW HIRES:

CEMETERY: Terence Heisinger-\$14.70

CORN PALACE: Jessica Olson-\$11.20

SALARY ADJUSTMENTS:

E-911: Brittani Dyce-\$23.386

FIRE: Matthew Geidel-\$22.373, Brandon Manchester-\$25.189

MVP – Amy Hurt-\$30.244

PALACE TRANSIT: Donald Trebil-\$23.158

POLICE: Sawyer Gibson-\$37.577

RECREATION CENTER: Joseph Haiar-\$29.658

WARRANTS: A&B Business Solutions, Supplies-\$9,080.53; A-Ox Welding Supply, Supplies-\$191.44; AAA Collections, Precollection-\$10.00; Aaron Hieb, Reimbursement-\$45.00; Accounts Management, Garnishment-\$311.70; AFSCME Council 65, Union Dues-\$508.25; Alex Air Apparatus, Testing-\$3,143.04; Alex Dagen, Reimbursement-\$45.00; Alex Young, Reimbursement-\$45.00; Amazon Capital Services, Supplies-\$1,106.43; Andrea Hamilton, Reimbursement-\$45.00; Andrew Schneider, Reimbursement-\$45.00; Aqua-Pure, Supplies-\$3,487.50; Aramark, Service-\$289.00; Arley K Fadness, Book-\$20.00; Arthur Pollreisz, Refund-\$230.06; AT&T Mobility, Utilities-\$576.12; AT&T Mobility, Utilities-\$1,201.69; ATV Holdings, LLC dba Mitchell Telecom, Utilities-\$2,662.32; B-Y Water District, Utilities-\$53,628.00; Bailey Metal Fabricators, Repairs-\$210.00; Baker & Taylor, Books-\$31.89; Bender's Sewer Cleaning, Maintenance-\$3,019.90; Big Daddy D's, Contract Services-\$4,726.00; Brad Gates, Reimbursement-\$45.00; Brady Andera, Reimbursement-\$45.00; Brian Daughters, Reimbursement-\$45.00; Brosz Engineering, 2021-39 P.E. #8-\$11,602.50; Buhl's Drycleaners & Linen, Laundry Service-\$157.50; Butler Machinery, Supplies-\$2,646.50; C&B Operations, Supplies-\$222.43; Cadwell Sanford Deibert & Garry, Indoor Pool/Puetz-\$312.00; Carolina Software, Supplies-\$500.00; Carquest Auto Parts, Supplies-\$125.96; Center Point Large Print, Books-\$94.08; Central Electric, 41151 256th St-\$12,201.00; Century Link, Utilities-\$64.79; CHS Farmers Alliance, Supplies-\$1,121.77; City of Mitchell, Refund-\$5.00; City of Mitchell, Corn Palace Cash Change-\$2,000.00; City of Mitchell, 2024 Hotel Tax-\$8.00; CK Bicycles & Locks, Supplies-\$15.00; Coborns, Contract Services-\$594.00; Cole Palmer, Reimbursement-\$49.99; Column Software, Supplies-\$1,676.43; Condrey & Associates, Maintenance-\$3,750.00; Connections, Training-\$2,586.33; Core & Main, Supplies-\$19,323.60; Core-Mark Midcontinent, Supplies-\$2,622.59; Corn Palace, Supplies-\$14.75; Corporate Translation Service, Translation Services-\$123.65; County Fair, Supplies-\$1,113.19; Craig Stucky, Reimbursement-\$45.00; Custom Plus Collision Center, Repair-\$6,236.10; Dakota Counseling, 2024 2nd Quarter

Allocation-\$3,250.00; Dakota Fluid Power, Repair-\$1,017.75; Dakota Pro Striping, Repair-\$180.00; Dakota Supply Group, Supplies-\$2,653.65; Daniel Mayer, Refund, \$188.83; Daniel Prendable, Tools Reimbursed-\$143.64; Darlene Paulson, Refund-\$99.75; Davison County Register of Deeds, Grant Research Copies-\$23.00; Davison Rural Water Systems, Water Usage-\$137.65; Dennis Geidel, Reimbursement-\$45.00; Department of Agriculture, Solid Waste Surcharge-\$2,685.71; Department of Motor Vehicle, License Plate Renewals-\$4.00; Department of Social Services, Refund-\$84.17; Department of Social Services, Child Support-\$864.46; DMC Wear Parts, Supplies-\$4,951.68; Doug Cunningham, Reimbursement-\$45.00; Doug Greenway, Reimbursement-\$45.00; Echo Group, Maintenance-\$19.77; Elfstrand's Ace Hardware, Supplies-\$6.59; Evident, Supplies-\$60.00; Fleetpride, Supplies-\$3,029.16; Flowbird America, Monitoring-\$65.00; Foreup Golf Software Billing, Supplies-\$1,648.51; Frontier Precision, Repairs-\$845.00; Gary Walton, Reimbursement-\$45.00; Golden West Technologies, Monitoring-\$225.00; Grainger, Supplies-\$146.17; Guardian Alliance Technology, Background Screening-\$250.00; Halme, 2023-7 P.E. #2-\$47,257.42; Henry Schein, Supplies-\$659.40; Honda of Mitchell, Supplies-\$137.94; Howes Oil, Supplies-\$42,552.37; Hub International Professional Services-\$5,900.00; Ice Bumper Cars International, Supplies-\$7,800.00; Ingram Library Services, Books-\$333.89; Innovative Office Solution, Supplies-\$57.24; Interstate Office Products, Supplies-\$400.29; Jamie Henkel, Reimbursement-\$45.00; Jaylon Tollefson, Reimbursement-\$90.00; JCL Solutions, Supplies-\$116.81; Jeff Hanson, Reimbursement-\$45.00; Jerry Summer, Refund-\$300.00; Jesse Schlingen, Reimbursement-\$30.00; Joe Galpin, Reimbursement-\$45.00; Joe Haiar, Reimbursement-\$45.00; Joe Schroeder, Reimbursement-\$45.00; Joelle Dammann, Reimbursement-\$45.00; John Hegg, Reimbursement-\$45.00; Johnson Bros of South Dakota, Supplies-\$1,967.66; Johnson Controls, Maintenance-\$8,053.30; Jon Thurman, Reimbursement-\$45.00; Jon Vermeulen, Reimbursement-\$45.00; Jones Supplies, Supplies-\$526.76; 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; Kevin Sibson, Reimbursement-\$45.00; Kimball Midwest, Supplies-\$114.00; Lavonne Schmit, Refund-\$522.60; Lawson Products, Supplies-\$482.48; Leroy Bradwish, Refund-\$100.00; Lexisnexis Matthew Bender, Book-\$98.08; Library Board of Trustees, Reimbursement-\$300.00; Liz Kitchens, Reimbursement-\$45.00; Lone Star Enterprises, Repair-\$2,633.57; Luke Nagel, Reimbursed-\$89.98; Lynn Peavey, Supplies-\$176.85; M&T Fire and Safety, Supplies-\$706.00; Make It Mine Designs, Supplies-\$362.00; Maribeth Hohn, Refund-\$150.00; McLaury Engineering, 2022-26 P.E. #7-\$29,101.23; McLeod's Printing, Supplies-\$3,160.23; Menard's, Supplies-\$858.97; Michael Leach, Reimbursement-\$45.00; Michelle Bathke, Reimbursement-\$45.00; Microsoft Corporation, Subscription-\$910.00; Midcontinent Communication, Advertising-\$3,132.80; Midwest Oil, Supplies-\$57.21; Midwest Turf & Irrigation, Supplies-\$779.02; Mitchell Animal Rescue, Management Fee-\$350.00; Mitchell Convention & Visitors, April 2024 Funding-\$20,800.00; Mitchell Iron & Supply, Supplies-\$118.46; Mitchell Plumbing & Heating, Repair-\$488.63; Mitchell Rotary Club, Dues-\$76.00; Mitchell School District, Utilities-\$1,853.98; Mitchell United Way, Deductions-\$173.00; Mount Vernon School District, Meals-\$126.00; Muth Electric, Supplies-\$1,583.25; Napa Central, Supplies-\$412.36; Nate Hegg, Reimbursement-\$45.00; Nedved Media, Advertising-\$1,680.00; Newman Signs, Supplies-\$771.70; Nolan Tegels, Reimbursement-\$30.00; North Central Seed, Supplies-\$150.00; Northwestern Energy, Utilities-\$68,428.90; O'Reilly Automotive, Supplies-\$19.98; One Source The Background, Background Check-\$243.00;

Overdrive, Ebooks-\$1,941.25; Overtime, Contract Services-\$2,569.50; Papa Murphy's Pizza, Supplies-\$169.70; Paul Thompson, Refund-\$103.64; Pepsi Cola, Supplies-\$239.77; Peterbilt of Sioux Falls, Supplies-\$173.78; Porter Distributing, Supplies-\$880.65; Premier Pest Control, Pest Control-\$450.00; Public Health Laboratory, Labs-\$121.16; Qualified Presort, Postage-\$376.93; Quality Cut Lawn & Tree Service, 2019-53R2 P.E. #7-2023-\$8,666.66; Republic National Distributing, Supplies-\$556.50; Rexwinkel Concrete, 2022-34 P.E. #6-\$34,065.00; Rice Lake West, 2020-20 P.E. #11-\$509,030.38; Robert Balcom, Refund-\$181.38; Robert McCardle, Reimbursement-\$45.00; Roger Prewett II, Reimbursement-\$45.00; Runnings Supply, Supplies-\$1,205.24; Ryland Devries, Reimbursement-\$45.00; S&M Printing, Advertising-\$68.70; Sabra McCarty, Refund-\$157.40; Saga Communications of South Dakota, Advertising-\$1,189.10; Sandy Smith, Refund-\$208.00; Santel Communications, Utilities-\$30.00; Schmucker, Paul, Nohr, Professional Service-\$7,410.93; Scholastic Library Publish, Books-\$24.23; South Dakota Department of Transportation, AIP '28 Pavement P.E. #1-\$2,119.68; South Dakota Municipal League, Registration-\$315.00; South Dakota-Supplemental Retirement, Supplemental Retirement-\$2,894.50; South Dakota-Supplemental Roth 457, Roth 457 Contributions-\$1,421.00; Sherwin-Williams, Supplies-\$41.89; Shive-Hattery, 2023-3 P.E. #4-\$2,600.00; Sirchie Acquisition, Supplies-\$190.58; Siteone Landscape Supply, Supplies-\$5,289.41; South Dakota 811, Supplies-\$155.40; Standard Insurance, Life Insurance-\$433.10; Staples, Supplies-\$57.80; Stephanie Ellwein, Reimbursement-\$45.00; Steve Anderson, Reimbursement-\$45.00; Sturdevants Auto Value Mitchell, Supplies-\$3,370.39; Subway, Meals-\$31.96; Sun Gold Sports, Supplies-\$590.96; Teamsters Local No. 120, Union Dues-\$1,593.00; Terry Johnson, Reimbursement-\$45.00; Tessier's, Repair-\$780.31; The Dugout, Contact Services-\$1,500.00; The Library Store, Book-\$1,895.10; Thomas Gullede, Reimbursement-\$45.00; Thomas Holleman, Reimbursement-\$45.00; Thomas L Price, Screening-\$350.00; Thomas Schuman, Reimbursement-\$45.00; Thomson Reuters – West, Subscription-\$824.82; Thune True Value & Appliance, Supplies-\$302.04; Titze Electric & Remodeling, Maintenance-\$341.46; TMA Stores, Repair-\$28.17; Todd Cavanaugh, Reimbursement-\$45.00; Traditions Prepared Meals, Supplies-\$3,488.74; Traffic Control, Repairs-\$94.00; Transwest Trucks of Sioux Falls, Supplies-\$230.97; Tyler Vetch, Reimbursement-\$45.00; Tylor Peterson, Reimbursement-\$45.00; Van Wall Equipment, supplies-\$1,974.28; Verizon Wireless, Utilities-\$757.03; Vern Eide Chevrolet GMC, Towing Fee-\$205.00; Walmart/Capital One, Supplies-\$602.24; Wanda Graves, Reimbursement-\$45.00; Wisconsin Child Support, Garnishment-\$395.58; Zach Scott Construction, Maintenance-\$2,267.05; Wage Works, Reimbursement-\$18,689.06; Wellmark, Administration, Prescriptions, Medical-\$236,009.76; Corn Palace, Deposit Books-\$191.28.

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

CITIZENS INPUT:

Mayor Everson presented a proclamation to Sawyer Stoebner for being recognized at the 2024 Girls AA State Championship for being awarded the Spirit of Su award.

Chief Mike Koster recognized this week as National Emergency Telecommunicator's Week.

Council Member Susan Tjarks stated a pipe broke at the Grace Reformed rectory and they had a large amount of water use. Tjarks stated she would like to see a system in place that an alarm would be triggered when this happened.

Brian Klock stated the residents of Mitchell need to take a bold move and step up and vote Yes on the lake issue.

BOARD OF ADJUSTMENT:

Moved by Tjarks, seconded by Goldammer, 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 Lori Schulz for a front yard variance of 15' vs 25' to build a 17' x 9' front porch located at 714 East 1st Avenue, legally described as Lot 11, Block 21, FM Greens 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 Barington, 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 Lynn Eckman for a side yard corner variance of 8' vs 20' to place a 12' x 20' storage shed located at 1528 Pebble Beach Road, legally described as Lot 29, Block 4, Lakeview First 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 McCardle, seconded by Smith, to approve said application. Motion carried.

Moved by Goldammer, seconded by Sabers, to set date for May 6, 2024 on the application of Adam Koch for a side yard variance of 3' vs 8' to build a 26' x 68' attached garage located at 2212 Kelly Drive, legally described as Lot 1 except the W 150', Country Living Estates in the NE ¼ of Section 14, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota. Motion carried.

Moved by Goldammer, seconded by Barington, to set date for May 6, 2024 on the application of Michael and Delana Krause for a variance for a combination of attached and detached accessory buildings of 2,716 square feet vs 2,000 square feet to build a new detached accessory building of 2,040 square feet located at 1020 Chalkstone Drive, legally described as Lot 1, Block 1, Northridge Park, City of Mitchell, Davison County, South Dakota. Motion carried.

Moved by McCardle, seconded by Smith, to set date for May 6, 2024 on the application of Chuck Stevenson for a variance for a combination of attached and detached accessory buildings of 4,216 square feet vs 2,000 square feet to build a new detached accessory building of 3,312 square feet located at 114 South Harmon Drive, legally described as Lots 4 & 5A, Block 3 and that portion of vacated Indian Head Drive, all in Indian Head Second Addition, City of Mitchell, Davison County, South Dakota. Motion carried.

Moved by Barington, 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 VFW Post #2750 for a Special Event Liquor License located at the Horseman Sports Arena for June 21-22, 2024 for the Shoot-Out by the Lake. Moved by Sabers, seconded by Bathke, to approve said application. Motion carried.

CONSIDER APPROVAL:

Moved by Sabers, seconded by Goldammer, to amend the noise permit for the Special Event Application for Dr. Lucky's Block Party/Street Dance on Saturday, May 25, 2024 to end at midnight. Motion carried. Moved by Sabers, seconded by Goldammer, to approve the Special Event Application for Dr. Lucky's Block Party/Street Dance on Saturday, May 25, 2024 as amended. Motion carried.

Moved by Barington, seconded by Goldammer, to approve a Special Event Application for Arts in the Park on Thursday, July 25 through Sunday, July 28, 2024. Motion carried.

AWARD BID:

Bids were opened and read on 7th & Main Traffic Light Project #2022-08 on the 3rd day of April, 2024. Moved by Tjarks, seconded by Barington, to award, as follows:

**7th & MAIN TRAFFIC LIGHT
PROJECT #2022-08**

Big Al's Contracting Inc., 4304 Vista Ln, Sioux Falls, SD 57105

Total Bid	\$544,404.52
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Members present voting aye: Barington, Sabers, Smith, Tjarks. Members present voting nay: Bathke, Doescher, Goldammer, McCardle. Motion failed.

CONSIDER APPROVAL:

Moved by Tjarks, seconded by Goldammer, to approve the relocation of three handicap signs within the 2nd & Lawler parking lot. Motion carried.

Moved by McCardle, seconded by Bathke, to approve the ratification for pipeline easement north of the Ground Storage Tank with Northern Natural Gas. Motion carried.

Moved by McCardle, seconded by Goldammer, to approve Agreement #A2024-15, Davison Rural Water Service Standing Release Agreement. Motion carried.

Moved by Tjarks, seconded by Goldammer, to approve Agreement #A2024-16, Construction Engineering for Jetty & Marina Bike Trail Project #2023-03 with Brosz Engineering in an amount not to exceed \$222,930.00. Motion carried.

Moved by McCardle, seconded by Barington, to approve Agreement #A2024-17, Memorandum of Understanding between the City of Mitchell and Teamsters Local Union No. 120. Motion carried.

Moved by Barington, seconded by Tjarks, to approve Agreement #A2024-18, An Agreement with Confluence for Professional Services in the amount of \$15,200.00. Motion carried.

RESOLUTIONS:

Moved by Goldammer, seconded by Tjarks, to approve Resolution #R2024-27, Creating Tax Increment District 33 and Approving Project Plan, as follows:

RESOLUTION R2024-27

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

WHEREAS, the City of Mitchell has the power, pursuant to SDCL 11-9-2, to create Tax Incremental District Number Thirty-Three (TID 33) 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 April 8, 2024 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-Three 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 April 15, 2024, the City of Mitchell Tax Incremental District Number Thirty-Three (TID 33). TID 33 is legally described as follows:

Lot 1 of Archer First Addition, a subdivision of Lots B-1 and B-2 within Lot B, and Lot C, formerly a portion of Irregular Tract No. 4A in the South 1/2 of Section 22, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota.

with a map showing said boundaries included in the Project Plan presented to Council on April 15, 2024.

2. A hearing by the City of Mitchell Planning Commission concerning the creation and boundaries of TID 33 was held on April 8, 2024.
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 33;
 - c. Pursuant to SDCL 11-9-13, the project plan for TID 33 includes information satisfying each of the 5 requirements contained therein;
 - d. Pursuant to SDCL 11-9-16, the project plan for TID 33 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 33 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-Three Fund (TID 33 Fund).
7. All tax increments collected pursuant to TID 33 shall be deposited into the TID 33 Fund.

8. All funds in the TID 33 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.

ORDINANCE:

Moved by Sabers, seconded by Bathke, to place Ordinance #O2024-03, Rezoning Lot 4 and North 5' of Lot 5, Block 11, D.A. Scott's 1st Addition, City of Mitchell, Davison County, South Dakota from CB Central Business District to R4 High Density Residential District on second reading. Motion carried. Moved by Sabers, seconded by Barington, to adopt Ordinance #O2024-03, Rezoning Lot 4 and North 5' of Lot 5, Block 11, D.A. Scott's 1st Addition, City of Mitchell, Davison County, South Dakota from CB Central Business District to R4 High Density Residential District, as follows:

ORDINANCE NO. O2024-03

AN ORDINANCE OF THE CITY OF MITCHELL, THAT CHANGES THE ZONING DISTRICT CLASSIFICATION OF THE REAL PROPERTY LEGALLY DESCRIBED AS; Lot 4 & North 5' of Lot 5, Block 11, D.A. Scott's 1st Addition, City of Mitchell, Davison County, South Dakota; be changed from CB Central Business to R4 High Density Residential District AND THE OFFICIAL ZONING MAP BE CHANGED TO REFLECT THE SAME.

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

Section 1: THE ZONING DISTRICT CLASSIFICATION OF THE REAL PROPERTY LEGALLY DESCRIBED; Lot 4 & North 5' of Lot 5, Block 11, D.A. Scott's 1st Addition, City of Mitchell, Davison County, South Dakota; be changed from CB Central Business to R4 High Density Residential District AND THE OFFICIAL ZONING MAP BE CHANGED TO REFLECT THE SAME.

Section 2. The City Finance Officer shall publish notice of this ordinance and the same shall be effective 20 days after the completed publication thereof, unless the referendum shall be invoked as provided by law.

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

Moved by Tjarks, seconded by Goldammer, to place Ordinance #O2024-04, Rezoning a portion of Lot 1 and Lot 10, Block 1-B, Ridge View on Foster Addition from UD Urban Development District to R3 Medium Density Residential District; a portion of Lots 6 through 10, Block 1-B, Ridge View on Foster Addition from R4 High Density Residential District to R3 Medium Density Residential District; a portion of Trac DR1-A, Ridge View on Foster Addition from R3 Medium Density Residential District to R4 High Density Residential District. 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 _____.