

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

**June 3, 2024
6:00 P.M.**

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

ABSENT: Susan Tjarks

PRESIDING: Mayor Bob Everson

AGENDA:

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

- a. City Council Minutes
 - 1. City Council May 20, 2024
- b. Committee Reports
 - 1. Planning Commission May 13, 2024
 - 2. Planning Commission May 28, 2024 (unsigned)
- c. Automatic Supplements
 - 1. Parks-Recreation Center in the amount of \$2,000 from a donation of funds
 - 2. Parks-Recreation Center in the amount of \$739.14 from a donation of funds
 - 3. Parks-Recreation Center in the amount of \$1,497.90 from a donation of funds
- d. Raffle Permits
 - 1. Local 4166 Mitchell Fire with the drawing to be held every Thursday beginning June 20, 2024
 - 2. Abbott House with the drawing to be held weekly
 - 3. Moose Lodge 875 with the drawing to be held July 20, 2024
 - 4. Longfellow PTO with the drawing to be held September 27, 2024
- e. Authorization to award quote for Transit Dispatch software to Spare Labs Inc. in the amount of \$45,000.00
- f. Authorization and approval for use of contingency funds for Public Safety elevator repair in the approximate amount of \$7,161.00
- g. Authorization and approval for use of contingency funds for Public Safety compressor repair in the amount of \$3,386.93
- h. Surplus firearms from the police department to licensed dealer
- i. Authorization to apply for a Bipartisan Infrastructure Law Grant for the airport
- j. Authorization to apply for the 2024 Diabetes Self-Management Education Pilot Project Funding Opportunity

k. Volunteer Board Appointments

1. Appoint Penny Virchow to the Community Services Board (JVCC) for a term of July 2024-June 2027
2. Reappoint Cole Morgan to the Community Services Board (MVP) for a term of July 2024-June 2027
3. Reappoint Sarah Beckstrom to the Community Services Board (Transit) for a term of July 2024-June 2027
4. Reappoint Jan Quenzer to the Community Services Board (Nutrition) for a term of July 2024-June 2027
5. Reappoint Terry Rietveld to the Golf & Cemetery Board for a term of July 2024-June 2027
6. Reappoint Joel Reinesch to the Golf & Cemetery Board for a term of July 2024-June 2027
7. Reappoint Mel Pooley to the Historic Preservation Commission for a term of July 2024-June 2027
8. Reappoint Jeff Logan to the Historic Preservation Commission for a term of July 2024-June 2027
9. Reappoint Patrick Clark to the Historic Preservation Commission for a term of July 2024-June 2027
10. Reappoint Larry Jirsa to the Historic Preservation Commission for a term of July 2024-June 2027
11. Appoint Kleve Klingaman to the Historic Preservation Commission for a term of July 2024-June 2027
12. Reappoint Ashley Endres to the Historic Preservation Commission for a term of July 2024-June 2027
13. Reappoint Deb Everson to the Library Board for a term of July 2024-June 2027
14. Reappoint Dennis Nath to the Library Board for a term of July 2024-June 2027
15. Reappoint Ann Temple to the Library Board for a term of July 2024-June 2027
16. Appoint Rachel Wrought to the Park & Recreation Board for a term of July 2024-June 2027
17. Reappoint Dennis Thompson to the Park & Recreation Board for a term of July 2024-June 2027
18. Reappoint Adam Schultz to the Park & Recreation Board for a term of July 2024-June 2027
- l. Change Order #1 for 12th & 13th Water Main Loop Project #2023-07 increasing the contract amount by \$116,458.00 to Halme, Inc, adjust contract amount to \$679,199.50
- m. Set date of June 17, 2024 for hearing and action on the following alcohol license applications:
 1. Corn Palace Shrine Club for a Special Event Liquor License located at the Masonic Hall for July 6, 2024 for a wedding
 2. Corn Palace Shrine Club for a Special Event Liquor License located at the Masonic Hall for July 27, 2024 for a fundraiser
 3. Corn Palace Stampede Inc for a Special Event Liquor License located at 6320 North Ohlman for July 18-21, 2024 for the Corn Palace Stampeded Rodeo
- n. Pay Estimates June 3, 2024
Pay Estimate #37 in the amount of \$1,588.20 for Above Ground Storage Tank #2020-20 contracted to Infrastructure Design Group
Pay Estimate #38 in the amount of \$21,568.52 for Above Ground Storage Tank #2020-20

contracted to Infrastructure Design Group

Pay Estimate #1 in the amount of \$105,975.00 for Firesteel Creek NAWCA Grant #2021-14 contracted to Millborn Seeds

Pay Estimate #38 in the amount of \$8,640.89 for North Wastewater Improvements #2021-31 contracted to HDR Engineering

Pay Estimate #16 in the amount of \$348,436.44 for WWTP Improvements #2022-01 contracted to HDR Engineering

Pay Estimate #22 in the amount of \$450.00 for West Side Water Tower #2021-03 contracted to SPN & Associates

Pay Estimate #15 in the amount of \$7,914.30 for Recycling Building #2021-30 contracted to Helms & Associates

Pay Estimate #16 in the amount of \$7,856.08 for Recycling Building #2021-30 contracted to Helms & Associates

Pay Estimate #1 in the amount of \$20,196.00 for 23rd & Ohlman Lift Station #2022-03 contracted to Halme Inc

Pay Estimate #14 in the amount of \$550.00 for 23rd & Ohlman Lift Station #2022-03 contracted to SPN & Associates

Pay Estimate #15 in the amount of \$728.75 for Water & Wastewater Fee Analysis #2022-22 contracted to HDR Engineering

Pay Estimate #16 in the amount of \$4,463.75 for South Lake Estates Development #2022-23 contracted to SPN & Associates

Pay Estimate #10 in the amount of \$1,973.75 for North Harmon Sanitary Sewer Outfall #2023-06 contracted to SPN & Associates

Pay Estimate #11 in the amount of \$965.00 for North Harmon Sanitary Sewer Outfall #2023-06 contracted to SPN & Associates

Pay Estimate #11 in the amount of \$2,730.77 for West Harmon Watermain Loop #2023-07 contracted to SPN & Associates

Pay Estimate #2 in the amount of \$345,313.75 for 12th/13th Avenue Watermain Loop #2023-08 contracted to Halme Inc

Pay Estimate #11 in the amount of \$25,490.38 for 12th/13th Avenue Watermain Loop #2023-08 contracted to SPN & Associates

Pay Estimate #13 in the amount of \$300.00 for Ohlman & South Harmon Lift Station #2023-16 contracted to SPN & Associates

Pay Estimate #1 in the amount of \$11,520.00 for Ohlman & South Harmon Lift Station #2023-16 contracted to SPN & Associates

Pay Estimate #1-Final in the amount of \$92,760.06 for Skid Loader with Attachments #2024-14 contracted to Doosan Bobcat North America

Pay Estimate #35 in the amount of \$3,719.63 for AIP `28 Airport ALP/Master Plan contracted to Helms & Associates

Pay Estimate #3 in the amount of \$2,784.22 for Airport Hangar Design 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 MAY 12, 2024 – MAY 25, 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 \$14,522.42, Human Resources \$4,379.83, Municipal Building \$3,602.18, Information Technology \$3,286.77, Police \$74,926.08, Traffic \$6,223.59, Fire \$44,660.39, Street \$33,287.41, Public Works \$25,307.81, Cemetery \$10,826.10, Library \$18,878.30, Recreation & Aquatics \$8,409.08, Recreation Center \$19,414.26, Sports Complexes \$16,870.56, Ballpark Concessions \$313.80, Parks \$20,780.02, Supervision \$6,441.15, Corn Palace \$28,164.31, E911 \$24,965.59, Palace Transit \$31,931.82, JVCC \$2,303.03, Nutrition \$4,610.29, Airport \$3,036.48, Water Distribution \$15,381.85, Sewer \$14,006.65, Recycling Program \$7,238.08, Waste Collection \$6,872.63, Landfill \$11,194.11, Golf Course \$8,071.66, Campground \$2,544.00, Emergency Medical Services \$38,620.19

NEW HIRES:

CEMETERY: Abraham Gunnare-\$13.20

CORN PALACE: Dakota Becker-\$14.20, Landon Bigge-\$12.70, Landon Bollinger-\$12.20, Parker Bollinger-\$13.70, Gavin Hinker-\$12.70, Owen Kopfmann-\$11.70, Kellan Larson-\$12.20, Noah Larson-\$13.70, Charles McCardle-\$14.20, Clark Mickelson-\$13.20, Canon Moller-\$11.70, Brennen Penne-\$12.20, Gavin Soukup-\$13.20, Markus Talley-\$12.20, Brenden Wantoch-\$12.70

GOLF: Bailey Berg-\$12.70

PALACE TRANSIT: John Raschke-\$21.394, Jordon Sehnert-\$21.394,

PARKS: Stephanie Aulner-\$12.70, Lukas Bennett-\$12.70, Jaycee Heezen-\$12.70, Sophia Patton-\$12.70, Gabriel Schneider-\$12.70, Rozelyn Wilson-\$11.20

RECREATION & AQUATICS: Lisa Bruch-\$13.70, Erin DeWald-\$13.20

RECREATION CENTER: Baylor Dykstra-\$13.20, Hailey Gregory-\$12.70

SPORTS COMPLEXES: Camdyn Beatch-\$12.70, Timothy McCain-\$15.20, Tyler Sanderson-\$12.70, Dylan Soulek-\$14.20

SALARY ADJUSTMENTS:

CORN PALACE: Tayla Liedtke-\$12.20, Jaylyn Sheesly-\$12.20

EMS: Kevin Glover-\$21.082

FIRE: Hunter Lehman-\$23.271, Cole Palmer-\$21.504, Benjamin Tegethoff-\$22.815

LIBRARY: Michele DeVries-\$32.095

RECREATION CENTER: Christina Cranny-\$27.406

WASTE COLLECTION: Michael Dufek-\$31.783, Travis Hohrman-\$26.856

WATER: Kevin Sibson-\$30.541

TERMINATIONS:

CORN PALACE: Kaytlin Adams, Ambrus Brakke

FIRE: Daniel Esh

WARRANTS: A-Ox Welding Supply, Supplies-\$115.47; AAA Collections, Collection Fees-\$45.40; AAA Lawn Care and Maintenance, Lawn Service-\$2,470.00; Accounts Management, Garnishment-\$266.95; Airside Solutions, Maintenance-\$3,326.08; Amazon Capital Services, Supplies-\$736.34; Arts in the Park, Sports Authority Promo-\$1,000.00; Avera Occupational Medicine, Physicals-\$1,021.00; Axon Enterprise, Supplies-\$796.27; Bailey Metal Fabricators, Supplies-\$494.60; Baker & Taylor, Books-\$69.04; Baker Bros Electric, Maintenance-\$183.47; Barcon, Refund-\$2,000.00; Bender's Sewer Cleaning, Maintenance-\$4,745.00; Big Daddy D's, Contract Services-\$4,651.20; Black Hill Exteriors, Permits-\$777.00; Blackstone Publishing, Audiobook-\$36.00; Builders First Source, Supplies-\$1,162.40; Butler Machinery, Supplies-\$11,923.36; C&B Operations, Supplies-\$1,635.82; Carquest Auto Parts, Supplies-\$28.35; Central Electric, Utilities-\$93.10; Century Link, Utilities-\$13.64; CHR Solutions, Mailing Service-\$7,300.87; CHS Farmers Alliance, Supplies-\$1,487.37; City of Mitchell, Golf Course Deductions-\$1,936.92; City of Mitchell, Recreation Deductions-\$3,692.37; Civicplus, Software-\$5,047.24; CK Bicycles & Locks, Supplies-\$20.00; Column Software, Advertising-\$602.54; Core & Main, Supplies-\$12,207.96; Core-Mark Midcontinent, Supplies-\$1,096.83; Corn Palace, Supplies-\$29.50; Dakota Pump, Supplies-\$50.00; Dakota Supply Group, Supplies-\$1,417.99; Daktronics, Maintenance-\$495.00; Davison Rural Water Systems, Water Usage-\$56.90; Dell Marketing, Supplies-\$19,095.58; Department of Social Services, Child Support-\$633.69; Dimock Dairy, Supplies-\$184.50; Doosan Bobcat North American, 2024-14 P.E. #1-Final-\$92,760.06; Elfstrand's Ace Hardware, Supplies-\$1,335.96; Elliot Construction, Deposit-\$2,000.00; Elliott Equipment, Supplies-\$4,362.29; Emme Sand & Gravel, Supplies-\$1,668.47; Environmental Resource, Supplies-\$481.04; Eric Hieb, Contract Services-\$9,311.60; Etix, Ticketing Fees-\$3,378.30; Fastenal, Supplies-\$70.68; First National Bank Omaha, Cash back Redemption-HR-\$13,075.64; Fleetpride, Supplies-\$3,704.44; Geocomm, Licensing Fee-\$6,063.75; Great Western Tire, Supplies-\$2,870.30; Greenwood Cleaning, Maintenance, \$550.00; Halme, 2022-3 P.E. #1-\$377,029.75; Hawkins, Supplies-\$50.00; HDR Engineering, 2021-31 P.E. #38-\$357,806.08; Helms and Associates, 2021-30 P.E. #15-\$22,274.23; Henry Schein, Supplies-\$617.06; Holiday Inn City Centre, Travel-\$118.85; Honda of Mitchell, Supplies-\$31.20; Infrastructure Design Group, 2020-20 P.E. #37-\$23,156.72; Ingram Library Services, Books-\$407.13; Innovative Office Solution, Supplies-\$134.34; Interstate Office Products, Supplies-\$207.43; James Valley Landscape Solutions, Supplies-\$1,188.84; James Zard, Supplies-\$219.60; Jan Quenzer, Retree-\$199.98; Johnson Controls, Maintenance-\$4,673.39; Jones Supplies, Supplies-\$121.32; Joseph King, Reimbursed-\$48.00; Key

Contracting, Supplies-\$94,872.50; Krohmer Plumbing, Repair-\$972.30; Larry's I-90 Service, Supplies-\$587.48; Lawson Products, Supplies-\$504.78; Leighton Family Farms, Supplies-\$957.60; Lewis Family Drug, Supplies-\$4.99; Lowell Rang Memorial Tournament, Sports Authority Promo-\$2,000.00; MAC Area Events, Sports Authority Promo-\$1,500.00; Make it Mine Designs, Supplies-\$83.00; McLeod's Printing, Supplies-\$574.89; Meierhenry Sargent LLP, Water System Improvement-\$76,000.00; Menard's, Supplies-\$1,065.58; Mettler Implement, Supplies-\$1,618.10; Mid States Audio, Maintenance-\$6,030.36; Midcontinent Communication, Supplies-\$16.50; Midway Service dba Vollar Oil, Supplies-\$375.75; Midwest Oil, Supplies-\$460.37; Midwest Petroleum Equipment, Supplies-\$572.50; Midwest Turf & Irrigation, Supplies-\$483.77; Millborn Seeds, 2021-14 P.E. #1-\$105,975.00; Mitchell Animal Rescue, Management-\$350.00; Mitchell Iron & Supply, Maintenance-\$3.20; Mitchell School District, Utilities-\$1,694.40; Mitchell United Way, United Way Deductions-\$173.00; Mount Vernon School District, Contract Services-\$82.50; Mueller Lumber, Supplies-\$1,401.05; Muth Electric, Maintenance-\$2,718.51; Northwest Pipe Fittings, Supplies-\$286.09; Northwestern Energy, Utilities-\$17,508.25; Odeys, Supplies-\$793.00; Overdrive, Supplies-\$160.38; Paulson Sheet Metal, Supplies-\$10,989.00; Pepsi Cola, Supplies-\$822.39; Premier Pest Control, Supplies-\$225.00; Premier Specialty Vehicles, Ambulance-\$146,583.00; Prestige Flag, Supplies-\$632.95; Public Health Laboratory, Testing-\$225.00; Qualified Presort, Postage-\$399.25; Quick Med Claims, Contract-\$2,883.44; Runnings Supply, Supplies-\$2,257.18; Sanitation Products, Supplies-\$552.15; Schmucker, Paul, Nohr, 2021-3 P.E. #22-\$36,923.65; Schoenfelder Portables, Rentals-\$460.00; South Dakota Department of Transportation, Registration-\$450.00; South Dakota Public Assurance Alliance, Insurance 2023 John Deere-\$385.19; South Dakota Retirement System, Retirement Contributions-\$182,208.96; South Dakota-Supplemental Retirement, Supplemental Retirement-\$2,894.50; South Dakota-Supplemental Roth 457, Roth 457 Contributions-\$1,787.50; South Dakota Municipal League Compensation, Work Comp-\$25,800.00; Sherwin-Williams, Supplies-\$3,448.80; South Dakota 811, Professional Service-\$320.25; Sturdevants Auto, Supplies-\$1,753.63; Subway, Planning Commission-\$36.96; Sun Gold Sports, Supplies-\$65.00; Teleflex, Supplies-\$516.19; Texas Refinery, Supplies-\$590.00; Thune True Value & Appliance, Supplies-\$235.45; TMA Stores, Repair-\$261.88; Traditions Prepared Meals, Supplies-\$3,227.97; Transource, Supplies-\$1,952.00 ; Trittech Software Systems, Supplies-\$30,889.28; Van Diest Supply, Supplies-\$5,631.50; Verizon Wireless, Utilities-\$360.09; Vestis, Supplies-\$285.46; Walmart/Capital One, Supplies-\$56.12; Wisconsin Child Support, Garnishment-\$395.58; Yourmembership, Advertising-\$199.00; Zimco, Supplies-\$2,060.00; South Dakota Department of Revenue, Sales Tax-\$35,248.03; US Bank, Bond Payments-\$55,343.75; US Bank, Bond Payments-\$79,178.75; CorTrust Bank, Bond Payment-11,770.34; Department of Agriculture, Loan Payment-\$27,939.28; First Dakota National Bank, Bond Payment-\$393,194.76; Wells Fargo Bank, Bond Payment-\$30,587.62

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

CITIZENS INPUT:

Corn Palace Director Doug Greenway stated that approximately 400 seat covers have been replaced in the Corn Palace so far and this would be an ongoing process.

Council Member Dan Sabers noted the Kernel Girls Golf team had a one stroke lead after the first day of competition in the state golf tournament.

Council Member Dan Sabers stated the Dakota Wesleyan University campus looks excellent and they have done a lot of sprucing up.

Mitchell resident, Stewart Hanson, addressed reasons for not dredging the lake. Hanson also had concerns about the Chamber donating funds and taking sides on the Save the Lake issue and stated the donated funds are taxpayers' dollars.

Mitchell resident, John Clarke, stated that the City should reinvest in Lake Mitchell, take care of our assets, and vote yes to Save Lake Mitchell.

Mitchell resident, Kate Dailey, grew up being on Lake Mitchell and stated what the lake means to her. Dailey encouraged voters to vote Yes to Save Lake Mitchell.

Elizabeth Luczak of Mitchell Main Street & Beyond thanked the attendees of the Memorial Day event and encouraged residents to attend First Fridays on June 7th.

BOARD OF ADJUSTMENT:

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

Moved by McCardle, seconded by Sabers, to set date for June 17, 2024 on the application of Zion Lutheran Church for a signage variance for maximum total square feet of signage of 40 square feet vs 16 square feet located at 601, 605, and 611 East 4th Avenue (620 East 3rd Avenue existing church address), legally described as Lots 5-7, Block 32, Cooley & Guernsey Addition, City of Mitchell, Davison County, South Dakota. Motion carried.

Moved by Sabers, seconded by Smith, to set date for June 17, 2024 on the application of Terry Rietveld for a variance for accessory buildings of 2,640 square feet vs 2,000 square feet to build a new accessory building of 1,440 square feet located on the lot between 84 and 92 South Harmon Drive, legally described as Lot 2, Block 4, Indian Head Second Addition, City of Mitchell, Davison County, South Dakota. Motion carried.

Moved by Barington, seconded by McCardle, to set date for June 17, 2024 on the application of Arlen Schuh for a conditional use permit for self-service storage facility with varying compartment sizes located at 1910 North Foster, legally described as W 425' of N 240.42' of Lot A-2 except S 105' all in Skyline Estates in the NW ¼ of Section 14, T 103 N, R 60 W of the 5th P.M., 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 the Exchange Club of Mitchell for a Special Event Malt Beverage & SD Farm Wine License located at Cadwell Park for August 6-18, 2024 for the State Amateur Baseball Tournament. Notice of hearing has been given and affidavit of publication is on file. Moved by McCardle, seconded by Sabers, to approve said application. Motion carried.

AWARD BID:

Bids were opened and read on North Harmon Sanitary Sewer Outfall Project #2023-06 on the 22nd day of May, 2024. Moved by Smith, seconded by Bathke, to award contingent on DANR approval, as follows:

**NORTH HARMON SEWER OUTFALL
PROJECT #2023-06**

Halme, Inc, 44769 SD Hwy 28, Lake Norden, SD 57248

Total Bid Schedule A	\$3,229,884.25
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Motion carried.

Bids were opened and read on Railroad & Main Sewer Improvements Project #2024-21 on the 28th day of May, 2024. Moved by McCardle, seconded by Goldammer, to award, as follows:

**RAILROAD & MAIN SEWER IMPROVEMENTS
PROJECT #2024-21**

Schoenfelder Construction, 3131 West Havens, Mitchell, SD 57301

Total Bid Schedule A	\$284,525.50
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Motion carried.

CONSIDER APPROVAL:

Moved by Sabers, seconded by Bathke, to approve the amended Special Event Application for Arts in the Park on July 26-28, 2024 to include the snow field located at the intersection of East Havens and South Foster Street. Motion carried.

Moved by Goldammer, seconded by Barington, to approve Agreement #A2024-24, Wastewater Treatment with High Plains Processing, LLC. Motion carried.

Moved by McCardle, seconded by Sabers, to approve Agreement #A2024-26, Tax Increment District 33 Developers' Agreement. Motion carried.

Moved by Smith, seconded by Goldammer, to approve Agreement #A2024-27, Tax Increment District 34 Developers' Agreement. Motion carried.

RESOLUTIONS:

Moved by McCardle, seconded by Sabers, to approve Resolution #R2024-37, Creating Tax Increment District 35 and Approving Project Plan, as follows:

RESOLUTION #R2024-37

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

WHEREAS, the City of Mitchell has the power, pursuant to SDCL 11-9-2, to create Tax Incremental District Number Thirty-Five (TID 35) 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 28, 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-Five 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 June 3, 2024, the City of Mitchell Tax Incremental District Number Thirty-Five (TID 35). TID 35 is legally described as follows:

Lot One A (1A) in Block Three (3) of Stardust Subdivision to the City of Mitchell, Davison County, South Dakota,.

with a map showing said boundaries included in the Project Plan presented to Council on June 3, 2024.

2. A hearing by the City of Mitchell Planning Commission concerning the creation and boundaries of TID 35 was held on May 28, 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 35;
 - c. Pursuant to SDCL 11-9-13, the project plan for TID 35 includes information satisfying each of the 5 requirements contained therein;
 - d. Pursuant to SDCL 11-9-16, the project plan for TID 35 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 35 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-Five Fund (TID 35 Fund).
7. All tax increments collected pursuant to TID 35 shall be deposited into the TID 35 Fund.
8. All funds in the TID 35 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.

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 _____.