

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

**August 5, 2024
6:00 P.M.**

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

ABSENT: Jeffrey Smith

PRESIDING: Mayor Jordan Hanson

AGENDA:

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

- a. City Council Minutes
 - 1. City Council July 15, 2024
 - 2. Work Session July 29, 2024
- b. Committee Reports
 - 1. Planning Commission July 8, 2024
 - 2. Planning Commission July 22, 2024 (unsigned)
 - 3. Library Board May 21, 2024
 - 4. Community Serves Board July 11, 2024
- c. Automatic Supplements
 - 1. Parks-Recreation Center in the amount of \$3,000 from a donation of funds
 - 2. Parks-Recreation Center in the amount of \$2,978 from a donation of funds
 - 3. Parks-Recreation Center in the amount of \$325 from a donation of funds
- d. Authorization to proceed with remaining design fees for the Lake Mitchell Improvement Project with Barr Engineering (Project #2021-20)
- e. Patton Young Park playground contingency funding request
- f. Acceptance of SD Department of Health Mosquito Control Grant funding
- g. Acceptance of SD Department of Health grant funding for chronic disease program
- h. Acceptance of SD Department of Health grant funding for the Healthy Lifestyles Diabetes Program
- i. Acceptance of SD Department of Health grant funding for Self-Measure Blood Pressure Program
- j. Raffle Permits
 - 1. American Legion Post 18 with the drawing to be held December 1, 2024
 - 2. Mitchell Athletic Booster Club with the drawing to be held at Kernel home football and basketball games
 - 3. Mitchell Area Networking Association with the drawing to be held January 9, 2025

- k. Special Event Permit application for DWU Blue & White Days Parade on Saturday, October 12, 2024
- l. Council Liaisons for 2024
1. Chamber of Commerce-Mike Bathke
 2. Community Services Board-John Doescher
 3. Corn Palace Board-Tim Goldammer
 4. Golf/Cemetery Board Ex Officio-Dan Sabers
 5. Housing & Redevelopment Commission-John Doescher
 6. Library Board-Susan Tjarks
 7. Mitchell Area Development Corporation Board-Jeff Smith
 8. Mitchell Main Street & Beyond Board-Susan Tjarks
 9. Park & Recreation Board-Dan Sabers
 10. Planning Commission Board Ex Officio-John Doescher
 11. Sports & Event Authority Committee-Kevin McCardle
- m. Change Order #4 for Concrete Schedule A Project #2023-04 increasing the contract amount by \$58,350.00 to Top Grade Concrete, adjust contract amount to \$257,689.14
- n. Change Order #1 for 3rd & Main Project #2022-26 increasing the contract amount by \$811,978.50 to Schoenfelder Construction, adjust contract amount to \$1,475,552.40
- o. Set date 1:30 p.m., August 14, 2024 for bid opening for North Mattie Utility Extension Project #2024-24
- p. Set date of August 19, 2024 for Hearing and Action
1. On the application of Palace Brewing, LLC dba Palace City Brewing Co, 227 West Railroad Avenue for a new Retail (on-off sale) Wine and Cider License (Video lottery is not included.)
 2. On the application of Palace Brewing, LLC dba Palace City Brewing Co, 227 West Railroad Avenue for a new Retail (on-off sale) Malt Beverage & SD Farm Wine License (Video lottery is not included.)
- q. Approval of Gas and Fuel Quotations

<u>Howes Oil Company</u>	<u>Requested Gallons</u>	<u>Bid Gallons</u>	<u>Price per Product</u>	<u>Total Bid</u>
Unleaded Gas-10% ethanol	7,500	7,500	\$2.6235	\$19,676.25

Total Bid: \$19,676.25

<u>Vollan Oil</u>	<u>Requested Gallons</u>	<u>Bid Gallons</u>	<u>Price per Product</u>	<u>Total Bid</u>
On Road Diesel #2	3,000	3,000	\$2.762	\$8,286.00
Off Road Diesel #2	4,500	4,500	\$2.497	\$11,236.50

Total Bid: \$19,522.50

- r. Pay Estimates August 5, 2024
- Pay Estimate #40 in the amount of \$6,609.30 for Above Ground Storage Tank #2020-20 contracted to Infrastructure Design Group

Pay Estimate #41 in the amount of \$19,989.74 for Above Ground Storage Tank #2020-20 contracted to Infrastructure Design Group

Pay Estimate #28 in the amount of \$2,630.00 for Lake Mitchell-Phase II #2021-20 contracted to Barr Engineering

Pay Estimate #29 in the amount of \$9,826.90 for Lake Mitchell-Phase II #2021-20 contracted to Barr Engineering

Pay Estimate #13 in the amount of \$4,213.45 for Livesay Lane Improvements #2021-25 contracted to Infrastructure Design Group

Pay Estimate #2 in the amount of \$431,215.22 for Spruce Street RR Crossing #2021-39 contracted to Rexwinkel Concrete

Pay Estimate #1 in the amount of \$84,880.95 for Highway 37 Utility Improvements #2021-45 contracted to Michels Road & Stone

Pay Estimate #34 in the amount of \$3,236.47 for Highway 37 Utility Improvements #2021-45 contracted to SPN & Associates

Pay Estimate #35 in the amount of \$5,426.27 for Highway 37 Utility Improvements #2021-45 contracted to SPN & Associates

Pay Estimate #18 in the amount of \$35,816.78 for Wastewater Treatment Plant Improvements-Phase II #2022-01 contracted to HDR Engineering

Pay Estimate #16 in the amount of \$350.00 for 23rd & Ohlman Lift Station Replacement #2022-03 contracted to SPN & Associates

Pay Estimate #3 in the amount of \$134,298.00 for 3rd & Main Streetscape #2022-26 contracted to Schoenfelder Construction

Pay Estimate #3 in the amount of \$5,089.25 for Cadwell Park Press Box #2022-34 contracted to Ciavarella Design

Pay Estimate #7 in the amount of \$32,421.00 for Concrete #2023-04 contracted to Top Grade Concrete

Pay Estimate #13 in the amount of \$3,365.39 for North Harmon Sanitary Sewer Outfall #2023-06 contracted to SPN & Associates

Pay Estimate #14 in the amount of \$741.25 for North Harmon Sanitary Sewer Outfall #2023-06 contracted to SPN & Associates

Pay Estimate #13 in the amount of \$2,300.35 for West Harmon Watermain Loop #2023-07 contracted to SPN & Associates

Pay Estimate #13 in the amount of \$1,223.75 for 12th/13th Avenue Watermain Loop #2023-08 contracted to SPN & Associates

Pay Estimate #1 in the amount of \$3,166.38 for Hitchcock Pickleball Courts #2023-14 contracted to SPN & Associates

Pay Estimate #9 in the amount of \$759.00 for 2nd/4th & Main Streets #2023-21 contracted to McLaury Engineering

Pay Estimate #1 in the amount of \$995.63 for MLC Addition-Phase IV #2024-26 contracted to SPN & Associates

Pay Estimate #3 in the amount of \$1,167.50 for Water Distribution System Model #2024-37 contracted to AE2S

Pay Estimate #1 in the amount of \$811.63 for 2024 Bridge Inspections contracted to SD Department of Transportation

Pay Estimate #37-Final in the amount of \$11,158.89 for AIP '28 ALP/Master Plan contracted to Helms & Associates

s. 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 JULY 7, 2024 – JULY 20, 2024: City Council \$3,626.48, Mayor \$1,567.54, City Administrator \$6,519.23, Administrative Boards \$2,325.00, Attorney \$5,332.08, Finance \$14,522.41, Human Resources \$4,379.83, Municipal Building \$3,744.56, Information Technology \$3,286.77, Police \$74,417.46, Traffic \$4,305.48, Fire \$43,451.87, Street \$37,653.30, Public Works \$25,399.98, Cemetery \$9,309.27, Library \$16,935.17, Recreation & Aquatics \$34,175.45, Recreation Center \$17,661.23, Sports Complexes \$19,076.05, Ballpark Concessions \$314.23, Parks \$24,808.07, Supervision \$6,441.15, Corn Palace \$31,421.04, E911 \$25,152.08, Palace Transit \$31,580.88, JVCC \$2,235.50, Nutrition \$4,622.00, Water Distribution \$15,622.60, Sewer \$14,734.93, Recycling Program \$7,182.05, Waste Collection \$7,207.48, Landfill \$11,402.81, Golf Course \$8,510.21, Campground \$2,693.60, Emergency Medical Services \$37,922.42

NEW HIRES:

CORN PALACE: Dalton Schleuning-\$11.20

FIRE: Daniel Esh-\$22.373

LIBRARY: Amber Harris-\$11.70, Ella Pospisil-\$11.70, Michelle Swanstrom-\$11.70

PARKS: Bradley Gates-\$29.651

RECREATION CENTER: Chad Cody-\$15.00, Kelsey Van Loh-\$12.20

SALARY ADJUSTMENTS:

E-911: Kalla Sauvage-\$23.386

WATER DISTRIBUTION: Thomas Schuman-\$31.775

WARRANTS: A&B Business Solutions, Supplies-\$4,935.93; AAA Collections Inc. Collections Fees-\$485.76; AAA Lawn Care And Maintenance, Property Mowings-\$3,250.00; Advanced Engineering, 2024-37 P.E. #3-\$1,167.50; Aflac, Aflac Withholding-\$11,198.87; AFSCME Council 65, Union Dues-\$508.25; Amazon Capital Services, Supplies-\$1,298.23; American Garage Door, Landfill Door Repair-\$118.37; Andrew Shank, Reimbursement-\$158.00; AT&T Mobility, Utilities-\$415.45; AT&T Mobility, Utilities-\$1,107.80; ATV Holdings, LLC dba Mitcell Telecom, Utilities-\$82.93; Austen Iverson, Refund-\$50.00; Avera Occupational Medicine, Screenings-\$1,764.00; Avera Queen Of Peace, Ambulance Medications-\$306.21; Bailey Metal Fabricators, Repairs-\$8,744.15; Baker & Taylor, Books-\$71.34; Barr

Engineering Co Inc, 2021-20 P.E. #28-\$12,456.90; Bender's Sewer Cleaning, Floor Drain Cleanout-\$200.00; Big Daddy D's Inc, Sr Meals-\$8,183.40; Blackburn Manufacturing, Supplies-\$718.55; Blackstone Publishing, Audiobooks-\$402.29; Boyce Law Firm, Professional Service-\$110.00; Butler Machinery Inc, Supplies-\$1,102.25; C&B Operations, Supplies-\$66.08; Carquest Auto Parts, Supplies-\$230.96; CDW Government, Supplies-\$234.15; Central Electric, 41151 256th St-\$13,291.57; Century Link, Utilities-\$13.67; Charlie's Shoe Repair, Repairs-\$35.00; Chesterman Company, Supplies-\$1,547.70; CHR Solutions, Mailing Fees-\$6,378.23; CHS Farmers Alliance, Supplies-\$2,388.31; Ciavarella Design, 2022-34 P.E. #3-\$5,089.25; City of Mitchell, Deductions/Change; Column Software, Publications-\$33.38; Commercial Asphalt, Supplies-\$2,526.30; Community Services, Reimbursement-\$92,610.00; Confluence, Community Project-\$2,400.00; Core & Main, Supplies-\$2,568.18; Core-Mark Midcontinent, Supplies-\$6,976.69; Corn Palace, Supplies-\$44.25; Corporate Translation Service, Translation Services-\$97.32; Dakota Fluid Power, Repair-\$2,321.04; Dakota Heartland Development, 3rd Quarter Allocation-\$6,250.00; Dakota Pump, Supplies-\$6,324.48; Dakota Supply Group, Supplies-\$1,394.21; Dan Pollreis, Pickup Topper-\$200.00; Davison County Auditor, 2024 Election-\$21,367.92; Davison County Treasurer, Titles-\$80.10; Delta Dental Plan of South Dakota, Dental Insurance-\$16,258.76; Demco Inc, Supplies-\$203.18; Department Of Agriculture, Solid Waste Surcharge-\$600.00; Dept Of Social Services, Child Support-\$633.69; Dick's Towing, Towing Fee-\$185.00; Echo Group, Maintenance-\$41.09; Elfstrand's Ace Hardware, Supplies-\$288.03; Elliott Equipment, Repair-\$491.66; Eric Hieb, Golf Pro Contract-\$9,689.30; ETix Inc, Ticketing Fees-\$498.55; Fedex, Shipping-\$24.14; First National Bank Omaha, Supplies-\$9,615.24; Fisher Scientific, Supplies-\$294.56; Fleetpride, Supplies-\$6,525.37; Frank Welding, Repairs-\$2,000.00; Gaylen's Gourmet Popcorn, Supplies-\$1,728.00; Graham Tire, Repairs-\$213.90; Grainger, Supplies-\$44.40; Hawkins, Supplies-\$11,575.17; HDR Engineering, 2022-1 P.E. #18-\$35,816.781; Helms and Associates, AIP '28 Airport P.E. #37-Final-\$11,158.89; Henry Schein, Supplies-\$2,130.95; Honda of Mitchell, Supplies-\$85.88; Howes Oil, Supplies-\$19,681.25; Hunter Heating & Cooling, Repair-\$4,676.38; Industrial Chem Labs, Repairs-\$150.88; Infrastructure Design Group, 2020-20 P.E. #40-\$30,812.49; Ingram Library Services, Books-\$2,163.21, Innovative Office Solution, Supplies-\$261.92; Interstate Office Products, Supplies-\$825.99, Iverson, Repair-\$8,983.04; Joel Reiter, Insurance-\$447.63; Jones Supplies, Supplies-\$2,227.34; Kathy Hanks, Reimbursement-\$69.95; Kathy Kaye Foods, Supplies-\$3,916.80; Kelly Inn & Suites, Lodging-\$109.62; Kimball Midwest, Supplies-\$187.60; Krohmer Plumbing, Repairs-\$183.67; Lab, Billboard-\$325.00; Lawson Products, Supplies-\$62.23; Les Schwab Tires, Supplies-\$1,044.71; Lewis Family Drug, Supplies-\$39.88; M&T Fire And Safety, Supplies-\$740.00; Make It Mine Designs, Repairs-\$178.00; Maximum Promotions, Repairs-\$89.00; McLaury Engineering Inc, Project #2023-21 P.E. #9-\$759.00; McLeod's Printing, Supplies-\$260.21; Menard's, Supplies-\$2,601.23; Mettler Implement, Supplies-\$264.99; Michels Road & Stone, #2021-45 P.E. #1-\$84,880.95; Microsoft Corporation, Subscription-\$910.00; Midcontinent Communication, Utilities-\$109.89; Midcontinent Communication, Advertising-\$667.00; Midway Service dba Vollan, Supplies-19,522.50; Midwest Fire & Safety, Professional Services-\$329.00; Midwest Oil Company, Supplies-\$1,386.37; Midwest Turf & Irrigation, Supplies-\$824.81; Millennium Recycling, Single Stream Fee-\$254.15; Minnesota Valley Testing, Supplies-\$1,014.00; Luxury Cinema 5, Refund-\$110.08; Jerry Lenocker, Refund-\$47.08; South Central Child Development, Refund-\$10,842.53; Mitchell Area Development, 3rd Quarter Allocation-\$41,750.00; Mitchell Baseball, Tournament-\$5,000.00; Mitchell Iron &

Supply, Supplies-\$20.23; Mitchell Lion's Club, Firework Cleanup-\$750.00; Mitchell Main Street And Beyond, 3rd Quarter Allocation-\$10,000.00; Mitchell Rotary Club, Meals, Dues-\$52.00; Mitchell United Way, Deductions-\$423.00; Most Dependable Fountains, Supplies-\$372.00; Mueller Lumber, Supplies-\$97.26; Muth Electric, Supplies-\$41,165.91; Napa Central, Supplies-2,364.95; Natural Formulations, Supplies-\$275.28; Northwest Pipe Fittings, Supplies-\$1,015.14; Northwestern Energy, Utilities-\$35,915.14; Odeys, Supplies-\$1,659.00; Overdrive, Ebook-\$134.22; Palace City Recreation, Repairs-\$45,238.50; Paul Berg Construction, Repairs-\$734.40; Paulson Sheet Metal, Repairs-\$383.86; Pepsi Cola Company, Supplies-\$752.76; Peter Arnold, Reimbursement-\$182.94; Premier Pest Control, Professional Services-\$400.00; Public Health Laboratory, Labs-\$945.00; Qualified Presort, Postage-\$487.61; Quick Med Claims, June Monthly Charges-\$2,382.46; Rexwinkel Concrete, 2021-39 P.E. #2-\$433,870.22; Riverside Technologies, Supplies-\$13,399.56; Runnings Supply, Supplies-\$2,015.70; S&M Printing, Supplies-\$58.00; Sanford Health Mitchell, July Community Events-\$125.00; Santel Communications, Utilities-\$30.00; Schoenfelder Construction, 2022-26 P.E. #3-\$134,298.00; Schoenfelder Portables, Rentals-\$360.00; Schumacher Elevator, Quarterly Maintenance-\$234.63; SD Association Of Rural Water, 2024 Annual Dues-\$1265.00; SD Dept Of Transportation, 2024 Bridge P.E. #1-\$1,852.83; SD Federal Property Agency, Vehicles-\$48,100.00; South Dakota Retirement, Retirement Contributions-\$20,537.70; South Dakota Supplemental Retirement, Supplemental Retirement-\$2,882.50; South Dakota Supplemental Roth 457, Roth 457 Contributions-\$1,787.50; South Dakota 811, June 2024 Message Fees-\$268.80; SPN & Associates, 2021-45 P.E. #34-\$21,316.74; Standard Insurance, Life Insurance-\$2,784.10; Staples, Supplies-\$480.84; Stryker Sales, Supplies-\$87.52; Sturdevants, Supplies-\$4,618.55; Subway, Meals-\$47.94; Sun Gold Sports, Supplies-\$140.00; TNT Inflatables, Inflatables-\$1,134.00; Tara Volesky, Repairs-\$500.00; Teleflex, Supplies-\$109.50; Tessiers, Repair-\$205.38; The Lodge at Deadwood, Lodging-\$340.00; The Safe Place Of Eastern South Dakota, CDBG Grant-\$63,288.10; Thune True Value, Appliances-\$273.21; Titan Machinery, Supplies-\$55.89; TK Electric, Repairs-\$902.63; TMA Stores, Repair-\$1,624.29; Top Grade Concrete, Repairs-\$36,196.52; Townsquare Media-Sioux Falls, Advertising-\$1,302.00; Traditions Prepared Meals, Meals-\$3,482.62; Traffic Control Corporation, Supplies-\$120.00; Two Way Solutions, Radio Programming-\$1,350.00; Van Diest Supply, Supplies-\$2,743.50; Verizon Wireless, Utilities-\$360.09; Vern Eide Chevrolet, Supplies-\$59.30; Vern Eide Ford, Repairs-\$93.10; Vestis, Professional Service-\$477.81; Walmart/Capital One, Supplies-\$263.97; Walter Davis, Reimbursement-\$94.99; Watertown Wholesale, Supplies-\$141.50; WEF, Dues-\$155.00; Wisconsin Child Support, Garnishment-\$395.58; Wm Smith & Associates, Supplies-\$222.72; Your Shop Diy, Programs-\$205.00

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

CITIZENS INPUT:

Council Member Dan Sabers representing Mitchell Main Street & Beyond stated the Beverage Bash has begun and Woolworth Caramel Apples will again be for sale during Corn Palace Festival.

Mitchell resident, Tom Fergen, stated many lakes exist with algae and the lake project is a huge

gamble.

Mitchell resident, Julie McManus, is also a concerned citizen of the lake project and the amount of money being spent and unforeseen costs.

Sonya Vanerdewyk, Mitchell Township resident, is hosting a hand counting ballot event at the Davison County Fairgrounds on August 13th.

Luke Hagen of the Mitchell Republic recognized reporter Sam Fosness on his 10 years of service reporting on City of Mitchell news and events. Fosness will be moving on to become a teacher with the Mitchell School District.

Mitchell resident, Neil Reff, is representing a group opposing the Lake Mitchell dredging. The group is concerned about the lake and the habitat.

Mark Puetz of Friends of Firesteel stated the group has raised over \$1.1 million towards the Lake Mitchell project.

Mayor Jordan Hanson spoke regarding the topic of rental inspections and stated the City of Mitchell is also an offender of property which needs to be maintained. The City needs to be an example and set the standard.

BOARD OF ADJUSTMENT:

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

It was advised that this is the date and time set for hearing on the application of Nathan Weber for a rear yard variance of 11' vs 25' and accessory building of 4,224 square feet vs 2,000 square feet located at 25154 407th Avenue, legally described as W 175' of Lot 4, Black Eagle First Addition in the SW ¼ of Section 8, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota. The property is zoned R4 High Density Residential District. The Planning Commission recommended approval of said application. Moved by Tjarks, seconded by Sabers, to approve said application. Motion carried.

Moved by McCardle, seconded by Barington, to set date for August 19, 2024 on the application of Jaun'l Gibson for a conditional use permit to operate a family residential daycare located at 505 South Davison Street, legally described as Lots 43 & 44, Overlook Addition, City of Mitchell, Davison County, South Dakota. Motion carried.

Moved by Goldammer, seconded by Tjarks, to set date for August 19, 2024 on the application of Schmitz Construction for a variance for minimum lot width of 66' vs 100' and minimum lot area of 10,890 square feet vs 14,000 square feet located at 821 North Mentzer, legally described as S 1/2 and E ½ of Lot 6, Block 3, Hammers Addition, City of Mitchell, Davison County, South Dakota. Motion carried.

Moved by McCardle, seconded by Sabers, to set date for August 19, 2024 on the application of Curtis & Sonna Betts for a variance for a combination of attached and detached accessory buildings of 3,076 square feet vs 2,000 square feet to build a new attached accessory building of 1,476 square feet located at 204 North Harmon, legally described as Lots 54, 54A, 55, 55A of Sunset Point 2nd Addition, City of Mitchell, Davison County, South Dakota. Motion carried.

Moved by Tjarks, seconded by Goldammer, to set date for August 19, 2024 on the application of the City of Mitchell for a variance for minimum lot width of 82.89' vs 100' and minimum lot area of 1,139 square feet vs 10,000 square feet located at 115 South Harmon, legally described as Lot 58-B of Indian Head Subdivision, Lake Mitchell Development Plan in the SW ¼ of Section 4, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. Motion carried.

Moved by McCardle, seconded by Barington, to set date for August 19, 2024 on the application of the City of Mitchell for a variance for minimum lot width of 5' vs 100' and minimum lot area of 2,661 square feet vs 10,000 square feet located south of 129 South Harmon, legally described as Lot 68-A of Indian Head Subdivision, Lake Mitchell Development Plan in the SW ¼ of Section 4, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. Motion carried.

Moved by Barington, seconded by Bathke, for the Board of Adjustment to adjourn and the City Council to reconvene in regular session. Motion carried.

PRESENTATION:

Ryan Murtha of McLaury Engineering presented the Sunnyside Drainage Basin study. The purpose of the study was to develop a hydrology model for the existing drainage system and analyze the basin with 5 year and 100 year storm events using the model.

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 Liquor License located at Vern Eide, 219 East 1st Avenue on September 14, 2024 for Open Mic Night. Notice of hearing has been given and affidavit of publication is on file. Moved by McCardle, seconded by Barington, to approve said application. Motion carried.

CONSIDER APPROVAL:

Moved by Goldammer, seconded by Barington, to approve the amended Special Event Application for Corn Palace Festival on August 21-25, 2024 with parking lot space reassignment for additional handicap spaces. Motion carried.

Moved by McCardle, seconded by Goldammer, to approve the Special Event Application for Grace Baptist Church Vacation Bible School Family Night on Friday, August 9, 2024 with street closure fee waived as requested. Motion carried.

Moved by McCardle, seconded by Goldammer, to approve Copper Flats Consent to Assignment on TIF #35. Motion carried.

Moved by Tjarks, seconded by Goldammer, to approve Amendment #1 to Agreement #A2021-10 with Helms & Associates for Recycling Building Project #2021-30 in an amount not to exceed \$79,500.00. Motion carried.

Moved by Barington, seconded by Tjarks, to approve Amendment to Agreement #A2023-06 with McLaury Engineering for 3rd & Railroad/Main Streetscape Construction Services Project #2022-26 in an amount not to exceed \$145,500.00. Motion carried.

Moved by McCardle, seconded by Bathke, to approve Agreement #A2024-34, AIP #3-46-4600-32-2024 for the Design of a Revenue Producing Hangar with SD DOT Aeronautics Division with an estimated cost of \$94,000. The City will be reimbursed for 90% of the project costs in an amount not to exceed \$84,600.00. Motion carried.

Moved by Goldammer, seconded by Barington, to approve Agreement #A2024-35, Notice of Grant Requirements with North American Wetlands Conservation Act (NAWCA). Motion carried.

RESOLUTIONS:

Moved by Sabers, seconded by Tjarks, to approve Resolution #R2024-50, Creating Tax Increment District 37, as follows:

RESOLUTION R2024-50

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

WHEREAS, the City of Mitchell has the power, pursuant to SDCL 11-9-2, to create Tax Incremental District Number Thirty-Seven (TID 37) 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 July 22, 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-Seven 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 August 5, 2024, the City of Mitchell Tax Incremental District Number Thirty-Seven (TID 37). TID 37 is legally described as follows:

Lot 4 of Iverson's Second Addition, a subdivision of Lot 1-C within Lot C, formerly a portion of Irregular Tract No. 4A in the S ½ of Section 22, Township 103 North, Range 60 West 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 August 5, 2024.

2. A hearing by the City of Mitchell Planning Commission concerning the creation and boundaries of TID 37 was held on July 22, 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 37;
 - c. Pursuant to SDCL 11-9-13, the project plan for TID 37 includes information satisfying each of the 5 requirements contained therein;
 - d. Pursuant to SDCL 11-9-16, the project plan for TID 37 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 37 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-Seven Fund (TID 37 Fund).
7. All tax increments collected pursuant to TID 37 shall be deposited into the TID 37 Fund.
8. All funds in the TID 37 Fund shall be used solely for the purposes expressly stated and reasonably inferred in SDCL 11-9.
9. The City finds that the aggregate assessed value of the taxable property in the district plus the tax incremental base of all other existing districts does not exceed ten percent of the total assessed value of taxable property in the municipality.
10. The project plan is on file with the City of Mitchell Finance Officer.
11. A Developer's Agreement consistent with the provisions of this Resolution and the Project Plan shall be approved by separate action of the City Council.

Motion carried and resolution declared duly adopted.

Moved by Goldammer, seconded by Barington, to approve Resolution #R2024-51, Amending the 2024 Compensation Plan for the City of Mitchell, as follows:

RESOLUTION #R2024-51
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:

<u>APPOINTED/ HIRED FULL TIME POSITIONS</u>			
Dept	Job Title	Wage Grade	FLSA
PD	Police Officer (19 FTE)	16	N
PD	Police Officer (19 FTE)	17	N
PD	Detective (4 FTE)	17	N
PD	Detective (3 FTE)	18	N
PD	Detective Sergeant (1 FTE)	20	N

Motion carried and resolution declared duly adopted.

ORDINANCE:

Moved by McCardle, seconded by Barington, to place Ordinance #O2024-06, Method of Electing Officers for City Council on first reading. Motion carried.

EXECUTIVE SESSION:

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

Mayor Hanson declared the board out of executive session at 8:29 p.m. and the City Council to reconvene in regular session at 8:30 p.m.

ADJOURN:

There being no further business to come before the meeting, Mayor Hanson adjourned the meeting.



Michelle Bathke
Finance Officer

Published once at the approximate cost of _____.