

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

**September 3, 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 Jordan Hanson

AGENDA:

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

- a. City Council Minutes
 - 1. City Council August 19, 2024
- b. Committee Reports
 - 1. Planning Commission August 12, 2024
 - 2. Planning Commission August 26, 2024 (unsigned)
- c. Automatic Supplements
 - 1. Airport Fund in the amount of \$4,280.00 from grant funds
 - 2. General Fund-Police in the amount of \$7,669.84 from an insurance claim
 - 3. EMS Fund in the amount of \$3,942.02 from an insurance claim
 - 4. General Fund-Human Resources in the amount of \$1,000.00 from an insurance claim
- d. Acknowledge acceptance of audit report for 2023
- e. Special Event Permit application for Palace City Kiwanis Half Marathon, 10K, and 5K on Sunday, October 6, 2024
- f. Purchase of rear load garbage truck off Sourcewell Contract Project #2024-27
- g. Change Order #3 for Pump Station and Ground Storage Reservoir Project #2020-20 increasing the contract amount by \$31,285.00 to Rice Lake West, adjust contract amount to \$11,679,195.02
- h. Set date for hearing on September 16, 2024 for tax levies to be certified to the county auditor
- i. Set date 1:30 pm, September 18, 2024 for bid opening rebid of Airport Snow Removal Project #2024-22R
- j. Set date of September 16, 2024 for Hearing and Action
 - 1. On the application to transfer RB-3124 Retail (on-off sale) Malt Beverage & SD Farm Wine License from Austen LLC dba Rowdy Ram, 1001 South Burr Street, Suite A to MG Oil Company LLC dba 777 Mitchell-A, 1001 South Burr Street, Suite A (Video lottery is included.)

2. On the application to transfer RW-7501 Retail (on-off sale) Wine and Cider License from Austen LLC dba Rowdy Ram, 1001 South Burr Street, Suite B to MG Oil Company LLC dba 777 Mitchell-B, 1001 South Burr Street, Suite B (Video lottery is included.)

k. Approval of Gas and Fuel Quotations

<u>Vollan Oil</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	\$2.5235	\$18,926.25
Total Bid:				\$18,926.25

l. Pay Estimates September 3, 2024

Pay Estimate #23 in the amount of \$388.57 for West Side Water Tower #2021-03 contracted to SPN & Associates

Pay Estimate #21 in the amount of \$15,918.10 for Recycling Building #2021-30 contracted to Helms & Associates

Pay Estimate #12 in the amount of \$61,015.00 for Spruce Street Railroad Crossing #2021-39 contracted to Brosz Engineering

Pay Estimate #3 in the amount of \$131,291.93 for Spruce Street Construction #2021-39 contracted to Rexwinkel Concrete

Pay Estimate #36 in the amount of \$4,603.56 for Highway 37 Utilities #2021-45 contracted to SPN & Associates

Pay Estimate #37 in the amount of \$10,205.37 for Highway 37 Utilities #2021-45 contracted to SPN & Associates

Pay Estimate #2 in the amount of \$314,401.88 for Highway 37 Utilities #2021-45 contracted to Michels Road & Stone

Pay Estimate #18 in the amount of \$2,596.25 for South Lake Estates Development #2022-23 contracted to SPN & Associates

Pay Estimate #10 in the amount of \$52,413.16 for Cadwell Park Press Box #2022-34 contracted to Rexwinkel Concrete

Pay Estimate #11 in the amount of \$1,453.31 for Canal Bridge #2022-36 contracted to SD Department of Transportation

Pay Estimate #8 in the amount of \$12,292.00 for Concrete Bid #2023-04 contracted to Top Grade Concrete

Pay Estimate #14 in the amount of \$933.29 for West Harmon Watermain Loop #2023-07 contracted to SPN & Associates

Pay Estimate #3 in the amount of \$18,985.45 for West Harmon Watermain Loop #2023-07 contracted to Halme Inc

Pay Estimate #14 in the amount of \$1,046.47 for 12th/13th Avenue Watermain Loop #2023-08 contracted to SPN & Associates

Pay Estimate #3 in the amount of \$36,277.21 for 12th/13th Avenue Watermain Loop #2023-08 contracted to Halme Inc

Pay Estimate #2 in the amount of \$2,195.00 for Hitchcock Pickleball Courts #2023-14 contracted to SPN & Associates

Pay Estimate #1 in the amount of \$252,131.00 for Garbage Truck #2024-27 contracted to Sanitation Products

Pay Estimate #4 in the amount of \$741.00 for Water Distribution Model #2024-37 contracted to AE2S

m. Approve Bills, Payroll, Salary Adjustments and New Employee Hires and Authorize Payment of Recurring and other expenses in advance as approved by the Finance Officer

PAYROLL AUGUST 4, 2024 – AUGUST 17, 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 \$14,552.94, Human Resources \$4,379.83, Municipal Building \$1,964.65, Information Technology \$3,286.77, Police \$74,765.51, Traffic \$4,084.84, Fire \$42,786.08, Street \$38,905.03, Public Works \$25,399.98, Cemetery \$8,271.85, Library \$18,169.11, Recreation & Aquatics \$22,641.36, Recreation Center \$16,484.86, Sports Complexes \$26,279.32, Ballpark Concessions \$249.20, Parks \$23,828.78, Supervision \$6,441.15, Corn Palace \$33,596.05, E911 \$26,197.39, Palace Transit \$30,897.36, JVCC \$2,299.83, Nutrition \$4,230.73, Water Distribution \$15,651.78, Sewer \$15,107.73, Recycling Program \$7,733.74, Waste Collection \$8,643.75, Landfill \$8,631.27, Golf Course \$5,704.94, Campground \$2,811.20, Emergency Medical Services \$37,788.94

NEW HIRES:

CORN PALACE: Michaela Christopher-\$15.00, Melissa Hobough-\$18.817

GOLF COURSE: Craig Bennett-\$12.70, Bryce Geraets-\$14.70

RECREATION CENTER: Chapin Cooper-\$13.20

SALARY ADJUSTMENTS:

EMS: Tristian Johnson-\$23.736

LANDFILL: Clayton Moore-\$31.783

LIBRARY: Megan Davids-\$25.825

PARKS: Brady Andera-\$24.330

STREET: Randall Hanten-\$32.419

POLICE: Niko Arnold-\$30.534, Peter Arnold-\$36.127, John Badker-\$36.491, Andrew Becker-\$34.043, Daniel Fechner-\$36.850, Bryce Fuchs-\$29.935, Wyatt Hunt-\$29.350, Daniel Kopfmann-\$37.221, William Lutjen-\$31.145, Patrick Marler-\$37.221, Austin Resick-\$29.935, Justin Stoltenburg-\$30.534, Casey Tegethoff-\$36.127, Tyler Urban-\$31.145, Austin Van Horn-\$29.348, Seth Vanden Hoek-\$29.348, Paul Wilson-\$37.221

WARRANTS: AAA Collections, Collections-\$361.33; ABC Harris Publishing, Advertising-\$648.00; Advance Auto Parts, Supplies-\$6.97; Advanced Engineering and Environmental Services, 2024-37 P.E. #4-\$741.00; AFLAC, Withholding-\$11,078.10; AFSCME Council 65, Union Dues-\$508.25; Amazon Capital Services, Supplies-\$1,134.68; American Engineering Testing, Testing-\$156.50; ASCAP, Licensing Fee-\$443.33; AT&T Mobility, Utilities-\$1,107.80; Avera Occupational Medicine, Screenings-\$1,146.00; Bailey Metal Fabricators, Supplies-\$46.82; Baker & Taylor, Books-\$53.21; Big Daddy D's, Contract Services-\$2,194.20; Blackburn Manufacturing, Supplies-\$119.07; Blackstrap, Supplies-\$17,601.42; Brian Muntefering, Street Expense-\$500.00; Broad Reach, Books-\$428.89; Brosz Engineering, 2021-39 P.E. #12-\$61,015.00; Butler Machinery, Supplies-\$56.91; C&B Operations, Supplies-\$279.24; Carquest Auto Parts, Supplies-\$116.72; Casey Tegethoff, Reimbursement-\$138.73; CDW Government, Supplies-\$356.29; Central Electric, Utilities-\$1,275.12; Century Link, Utilities-\$13.67; Chesterman Company, Supplies-\$1,124.05; CHR Solutions, Billing Service-\$3,837.19; CHS Farmers Alliance, Supplies-\$5,474.73; City of Mitchell, Change-\$5,000.00; City of Mitchell, Golf Course Deductions-\$1,291.28; City of Mitchell, Recreation Deductions-\$2,407.96; City of Mitchell, Open Skate-\$300.00 Column Software, Publication-\$2,473.35; Commercial Asphalt, Supplies-\$1,232.70; Core & Main, Supplies-\$50,214.94; Core-Mark Midcontinent, Supplies-\$4,808.83; Dakota Counseling, 2024 3rd Quarter Allocation-\$3,250.00; Dakota Fluid Power, Supplies-\$433.98; Dakota Pump, Repair-\$1,357.38; Dakota Supply Group, Supplies-\$551.92; Dakota Wesleyan University, Labor-\$500.00; Dan Pollreis, Battle of the Bands Winner-\$3,000.00; Davison County Register of Deeds, Plat Recording-\$180.00; Davison County Treasurer, Titles and Registrations-\$53.40; Delta Dental Plan of South Dakota, Dental Insurance-\$16,325.46; Demco, Supplies-\$119.09; Department of Social Services, Child Support-\$633.69; Dick's Body Shop, Repair-\$95.00; Dimock Dairy, Supplies-\$436.50; Dogpoopbags, Supplies-\$547.01; Dakota Wesleyan University Women's Basketball, 2024 Garbage Clean-\$1,500.00; Elfstrand's Ace Hardware, Supplies-\$137.81; Emergency Education, Training-\$595.00; Eric Hieb, Contract Services-\$8,501.16; Estherville News & Spirit, Supplies-\$75.00; Etix, Ticketing Fees-\$608.30; Extractor, Supplies-\$1,515.00; First National Bank Omaha, Redemption-\$6,405.08; Fisher Scientific, Supplies-\$211.51; Fleetpride, Supplies-\$189.25; Grainger, Supplies-\$155.86; Halme, Supplies-\$62,277.66; Hawkins, Supplies-\$9,942.98; Helms and Associates, 2021-30 P.E. #21-\$15,918.10; Henry Schein, Supplies-\$621.41; Industrial Chem Labs & Service, Supplies-\$303.46; Ingram Library Services, Books-\$1,749.81; Innovative Office Solution, Supplies-\$226.62; Interstate Office Products, Supplies-\$743.92; James Valley Landscape Solutions, Capital Improvements-\$21,713.60; JD Concrete Products, Supplies-\$2,258.00; Jebro, Supplies-\$185,739.70; Johnson Bros of South Dakota, Supplies-\$446.70; Jones Supplies, Supplies-\$1,888.42; Joseph King, Reimbursed-\$33.00; Krohmer Plumbing, Supplies-\$136.82; Lawson Products, Supplies-\$143.43; Leighton Family Farms, Supplies-\$911.00; Lookout Books, Books-\$266.44; Make it Mine Designs, Supplies-\$194.00; Maximum Promotions, Supplies-\$890.00; McLeod's Printing, Supplies-\$4,875.00; Menard's, Supplies-\$1,863.94; Mettler Implement, Maintenance-\$302.74; Michels Road & Stone, 2021-45 P.E. #2-\$314,401.88; Microsoft Corporation, Online Services-\$910.00; Midcontinent Communication, Utilities-\$109.89; Midway Service dba Vollan Oil, Supplies-\$18,946.44; Midwest Oil, Supplies-\$2,880.30; Midwest Petroleum Equipment, Finance Charge-\$804.21; Millennium Recycling, Single Stream Fee-\$1,109.20; Mitchell Concrete Product, Supplies-\$159.00; Mitchell Iron & Supply, Supplies-\$8.60; Mitchell Park & Recreation, Supplies-\$306.00; Mitchell Plumbing &

Heating, Repair-\$171.01; Mitchell Quarry, Supplies-\$102.61; Mitchell School District, Utilities-\$1,599.84; Mitchell Soccer, Sports Authority Promotion-\$5,000.00; Mitchell United Way, United Way Deductions-\$173.00; Mueller Lumber, Supplies-\$170.06; N-Able Technologies, Software-\$9,899.94; Napa Central, Supplies-\$478.34; Northwest Pipe Fittings, Supplies-\$891.00; Northwestern Energy, Utilities-\$22,014.85; Outsound Productions, Rental-\$34,213.50; Overdrive, Supplies-\$1,480.14; Palace City Pedalers, Sports Authority Promotion-\$2,000.00; Pepper Entertainment, Advertising-\$7,504.40; Pepsi Cola, Supplies-\$355.49; Pfeifer Implement, Supplies-\$164.22; Pioneer Designs, Maintenance-\$1,650.00; Porter Distributing, Supplies-\$1,199.05; Powerplan-OIB, Supplies-\$1,514.70; Premier Pest Control, Pest Control-\$250.00; Pro Contracting, Training-\$150.00; Public Health Laboratory, Lab Testing-\$195.00; Qualified Presort, Postage-\$456.64; Rexwinkel Concrete, 2021-39 P.E. #3-\$183,705.09; Runnings Supply, Supplies-\$930.88; Sanitation Products, 2024-27 P.E. #1-\$252,425.86; Schoenfelder Construction, Supplies-\$1,667.68; South Dakota Department of Transportation, 2022-36 P.E. #11-\$1,453.31; South Dakota Municipal League, Travel-\$280.00; South Dakota Public Assurance Alliance, Liability-\$960.75; South Dakota Retirement System, Retirement Contributions-\$120,167.64; South Dakota-Supplemental Retirement, Supplemental Retirement-\$3,012.50; South Dakota-Supplemental Roth 457, Roth 457 Contributions-\$1,792.50; South Dakota Waste Water, Registration-\$600.00; Shellback Tactical, Supplies-\$7,829.90; Sign Solutions USA, Supplies-\$731.38; Southern Glazer's of South Dakota, Supplies-\$305.80; SPN and Associates, 2021-3 P.E. #23-\$21,968.51; Stan Houston Equipment, Supplies-\$131.85; Standard Insurance, Life Insurance-\$2,742.10; Staples, Supplies-\$50.34; Sturdevants Auto Value, Supplies-\$2,001.41; Subway, Meals-\$39.95; Sun Gold Sports, Supplies-\$376.00; Tessiers Mechanical, Repair-\$108.30; Thune True Value & Appliance, Supplies-\$564.64; TMA Stores, Repair-\$196.36; Top Grade Concrete, 2023-4 P.E. #8-\$12,292.00; Trittech Software Systems, Supplies-\$360.00; UPS Store #4227, Postage-\$163.14; USA Bluebook, Supplies-\$2,085.95; Verizon Wireless, Utilities-\$240.09; Vern Eide Chevrolet GMC, Towing-\$100.00; Vern Eide Ford, Maintenance-\$2,980.62; Vestis, Supplies-\$249.86; Walmart/Capital One, Supplies-\$287.26; William Parks, Entertainment-\$500.00; Wisconsin Child Support, Garnishment-\$395.58; Ellwein Brothers, Supplies-\$132.50; Wage Works-\$7,249.59; Wellmark, Administration, Prescription, Medical-\$223,554.38

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

CITIZENS INPUT:

Mitchell resident, Bruce Trebil, has concerns with the flooding of Dry Run Creek and was informed Dry Run Creek may be cleaned out. Trebil would like to see the cleaning done in the fall.

CITY COUNCIL/MAYOR COMMENTS:

Mayor Hanson stated the City of Mitchell has been recognized as a Cardiac Ready Community. Brandon Manchester and United Way Director Ashley Hobbs explained the importance of the designation and what criteria had to be met.

Council Member Tjarks reminded the public that this Friday, September 6th is the last First Fridays on Main for the summer.

Council Member Goldammer stated the bull riding event will be held the 1st weekend in October in the Corn Palace.

BOARD OF ADJUSTMENT:

Moved by Goldammer, seconded by Tjarks, 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 Dennis Kaus for a front yard variance of 20' vs 25' to build a 12' x 14' covered patio located at 408 West 12th Avenue, legally described as Lot 10, Block 26, Capital Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R4 High Density Residential District. The Planning Commission recommended approval of said application. Moved by Goldammer, 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 Josh Frost for a conditional use permit for outside storage and to operate Mitchell Towing and Recovery business which falls under the category of automotive sales, repair, parts, detailing located at 24994 406th Avenue, legally described as Lot 3D-1 and Lot 3D-2 of D.R. Kiner's First Addition in the SW ¼ of Section 31, T 104 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 the outside storage conditional use permit with the condition that there is a review at the first meeting in October 2024 and there is a plan written on paper for the materials on site, the location of where the materials will be placed, fence location and type and also a schedule for when all of it will be cleaned up or organized. Moved by Goldammer, seconded by McCardle, to approve said application for outside storage with Planning Commission recommendations and application to be reviewed at the second meeting in October 2024. Motion carried. The Planning Commission recommended approval of the automotive sales, repair, parts and detailing conditional use permit with the condition that there is a review at the first meeting in October 2024 and there is a written plan on paper for location of vehicle placement, fencing type and location, business hours and also a schedule for when all the work will be completed. Moved by Goldammer, seconded by Barington, to approve said application for automotive sales, repair, parts and detailing with Planning Commission recommendations and application to be reviewed at the second meeting in October 2024. Motion carried.

It was advised that this is the date and time set for hearing on the application of Central Plains Automation Inc. for a front yard variance of 1' 6" vs 35' to build a 16' x 40' office addition located at 1501 West 4th Avenue, legally described as Lots 1-6 except H-1 of Lot 6, Block 29, Home Park Addition, City of Mitchell, Davison County, South Dakota. The property is zoned TWC Transportation Warehousing & Commercial District. The Planning Commission recommended approval of said application. Moved by Smith, seconded by Barington, to approve said application. Motion carried.

Moved by Tjarks, seconded by Barington, to set date for September 16, 2024 on the application of Alexis Kress for a conditional use permit to operate a family residential daycare located at 423 West 11th Avenue, legally described as Lot 6, Block 40, Capital Addition, City of Mitchell, Davison County, South Dakota. Motion carried.

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

DISCUSSION:

Public Works Director Joe Schroeder and Parks and Recreation Director Kevin Nelson explained the cemetery bike path relocation and the need for the future cemetery expansion. Neighbors in the area along Thunderbird Drive and Kippes Cove voiced their concerns in regards to the bike path relocation. City staff will explore alternative options and bring back to a future meeting.

PRESENTATION:

Ryan Murtha of McLaury Engineering presented the Northwest Drainage study. A storm water model was built of the entire system and scenarios were developed of the 3 study areas to analyze the proposed conditions.

HEARING:

It was advised that this is the date and time set for hearing on the application of Odyssey Entertainment Inc. dba Odyssey Luxury 209 North Lawler for a new Retail (on-off sale) Malt Beverage & SD Farm Wine License. (Video lottery is not 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.

It was advised that this is the date and time set for hearing on the application to transfer RL-5771 Retail (on-sale) Liquor License from Bradley Theme LLC dba Scoreboard Pub & Grill, 522 North Main Street to Bradley Theme LLC dba Bradley's Pub & Grille, 514 North Main Street. Notice of hearing has been given and affidavit of publication is on file. Moved by Sabers, seconded by McCardle, to approve said application. Motion carried.

It was advised that this is the date and time set for hearing on the application to transfer RB-2846 Retail (on-off sale) Malt Beverage & SD Farm Wine License from Bradley Theme LLC dba Scoreboard Pub & Grill, 522 North Main Street to Bradley Theme LLC dba Bradley's Pub & Grille, 514 North Main Street. (Video lottery is included.) Notice of hearing has been given and affidavit of publication is on file. Moved by Smith, seconded by Barington, to approve said application. Motion carried.

It was advised that this is the date and time set for hearing on the application to transfer RW-6509 Retail (on-off sale) Wine and Cider License from Bradley Theme LLC dba Scoreboard Pub & Grill, 522 North Main Street to Bradley Theme LLC dba Bradley's Pub & Grille, 514 North

Main Street. (Video lottery is included.) Notice of hearing has been given and affidavit of publication is on file. Moved by Tjarks, seconded by McCardle, to approve said application. Motion carried.

It was advised that this is the date and time set for hearing on the application of the Corn Palace Shrine Club for a Special Event Liquor License located at The Masonic Hall on September 14, 2024. Notice of hearing has been given and affidavit of publication is on file. Moved by Goldammer, seconded by Tjarks, to approve said application. Motion carried.

CONSIDER APPROVAL:

Moved by Tjarks, seconded by Sabers, to approve the Special Event Application for Tiger Trail Trek 5K run on Saturday, October 12, 2024. Motion carried.

Moved by McCardle, seconded by Goldammer, to approve Agreement #A2024-37, North Mattie Utility Extension with Doug and Heidi Gehrke. Gehrke's share is expected to be \$24,169.96. Motion carried.

AWARD BID:

Bids were opened and read on North Mattie Utility Extension Project #2024-24 on the 14th day of August, 2024. Moved by Goldammer, seconded by Tjarks, to award, as follows:

**NORTH MATTIE UTILITY EXTENSION
PROJECT #2024-24**

Siteworks Inc., 4825 N Wilcox Dr, Sioux Falls, SD 57104

Total Bid	\$144,730.32
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Motion carried.

CONSIDER APPROVAL:

Moved by Goldammer, seconded by Smith, to approve Agreement #A2024-59, Civil Engineering Service for CJM Consulting for Sam Street Extension with SPN & Associates at an estimated cost of \$5,000.00. Motion carried.

RESOLUTIONS:

Moved by Smith, seconded by Goldammer, to approve Resolution #R2024-49, Levying Business Improvement District #3 Special Assessments for 2024-2025, as follows:

RESOLUTION NO. R2024-49

A RESOLUTION IMPLEMENTING AN OCCUPATIONAL TAX FOR BUSINESS IMPROVEMENT DISTRICT #3

WHEREAS a public hearing was held on September 3, 2024 by the City Council for the City of Mitchell, South Dakota regarding levying of special assessment for properties included in Business Improvement District #3 (BID #3); and

WHEREAS the City Council following said hearing has determined that the special assessments are proper and reflect the special benefit to each property proposed to be assessed; and

WHEREAS the assessment roll has been reviewed and found to be acceptable;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Mitchell, SD that:

1. That as required by Ordinance #O2018-05, a BID #3 assessment “year” is hereby established to begin on July 1st and continue until June 30th of the following year.
2. The special assessments for BID #3 as outlined in the attached assessment roll are hereby levied against the properties listed in the assessment roll.
3. These assessments shall be due and payable in two installments, the first half due on or before December 31, 2024 and the remainder due on or before June 30, 2025. The assessments shall be collected under Ordinance #O2018-05 and Plan Two as provided by SDCL 9-43-102.
4. Such assessments shall be subject to the provisions of Ordinance #O2018-05.

Motion carried and resolution declared duly adopted. The assessment roll shall be open for public inspection at the Finance Office in City Hall.

HEARING:

It was advised that this is the date and time set for hearing to undertake actions designed to improve the water quality in Lake Mitchell. Public Works Director Joe Schroeder reviewed the details of the project. The funds could be either a grant from the state Consolidated Water Facilities Construction Program or a loan from the Clean Water State Revolving Fund Program. The City is seeking up to \$16,815,900.00 from the program, the expected loan term is 30 years at 3.75%.

RESOLUTIONS:

Moved by Tjarks, seconded by Barington, to approve Resolution #R2024-57, Application for Assistance for the Lake Mitchell Project with SDDANR, as follows:

RESOLUTION NO. R2024-57

RESOLUTION AUTHORIZING AN APPLICATION FOR FINANCIAL ASSISTANCE, AUTHORIZING THE EXECUTION AND SUBMITTAL OF THE APPLICATION, AND DESIGNATING AN AUTHORIZED REPRESENTATIVE TO CERTIFY AND SIGN PAYMENT REQUESTS.

WHEREAS the City of Mitchell (the “City”) has determined it is necessary to proceed with the Lake Mitchell Project (the “Project”); and

WHEREAS the City has determined that financial assistance will be necessary to undertake the Project and an application for the additional financial assistance to the South Dakota Board of Water and Natural Resources is being prepared; and

WHEREAS it is necessary to designate an authorized representative to execute and submit the Application on behalf of the City and to certify and sign payment requests in the event financial assistance is awarded for the Project,

NOW THEREFORE BE IT RESOLVED by the City as follows:

1. The City hereby approves the submission of an Application for financial assistance in an amount not to exceed **\$16,815,900** to the South Dakota Board of Water and Natural Resources for the Project.
2. The Mayor is hereby authorized to execute the Application and submit it to the South Dakota Board of Water and Natural Resources, and to execute and deliver such other documents and perform all acts necessary to effectuate the Application for financial assistance.
3. The Mayor is hereby designated as the authorized representative of the City to do all things on its behalf to certify and sign payment requests in the event financial assistance is awarded for the Project.

Motion carried and resolution declared duly adopted.

ORDINANCE:

Moved by Sabers, seconded by Goldammer, to place Ordinance #O2024-07, Rezoning of Lot 1 Ex Lot H6 in the SE ¼ of Section 27, Township 103 N, Range 60 W of the 5th P.M., Davison County, South Dakota be changed from HB Highway Oriented Business District to TWC

Transportation, Warehousing and Commercial District (1600 to 1900 block of S Foster Street on the West side) on first reading. Motion carried.

DISCUSSION:

City Attorney Justin Johnson reviewed a potential ordinance to stagger election cycles for City Council and Mayor positions. Three alternatives were reviewed. This will be brought back at a future meeting.

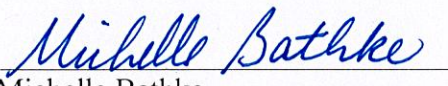
EXECUTIVE SESSION:

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

Mayor Hanson declared the board out of executive session at 9:17 p.m. and the City Council to reconvene in regular session at 9:18 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 _____.