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

January 21, 2025
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 Goldammer, seconded by Smith, to approve the following items on the consent agenda:

a. City Council Minutes
   1. City Council January 6, 2025
b. Committee Reports
   1. Planning Commission December 9, 2024
   2. Planning Commission January 13, 2025 (unsigned)
   3. Community Services January 9, 2025
c. Department Reports
   1. Sales Tax Collections (December)
   2. Finance (December)
   3. Building Permits (December)
   4. Police (December)
   5. Fire (December)
   6. Code Enforcement (December)
   7. Palace Transit (November)
   8. Water (December)
   9. Tax Increment Financing (December)
d. MADC Quarterly Report
e. Raffle Permits
   1. Mitchell Technical College Foundation with the drawing to be held on April 4, 2025
   2. Whitetails Unlimited, Inc with the drawing to be held on April 5, 2025
   3. Mitchell Lions Club with the drawing to be held on April 1, 2025
f. Surplus items to be sold on Purple Wave-Police Department
g. Surplus items to be sold on Purple Wave-Golf & Cemetery
h. Property tax abatement for 2024 taxes payable in 2025 for Mitchell Area Safehouse Inc
i. Change Order #2-Final for East Spruce Construction Project #2021-39 decreasing the contract amount by $3,090.00 to Rexwinkel Concrete Inc adjust contract amount to $900,564.78

j. Change Order #1-Final for Railroad & Main Street Sewer Improvements Project #2024-21 decreasing the contract amount by $99,309.00 to Schoenfelder Construction adjust contract amount to $185,216.50

k. Change Order #1 for Water Distribution System Improvements Project #2020-20 increasing the contract amount by $43,770.00 to H&W Contracting adjust contract amount to $2,306,441.30

l. Set date of February 3, 2025 for hearing and action on the application to transfer RL-5353 Retail (on-sale) Liquor License from The Back 40 LLC dba The Back 40, 511 North Main Street to LAB, LLC dba LAB, LLC, 501 South Sanborn Boulevard (This license will be inactive.)

m. Approval of Gas and Fuel Quotations

Midway Service/Vollan Oil	**Requested Gallons**	**Bid Gallons**	**Price per Product**	**Total Bid**
On Road Diesel-#2	1,800	1,800	$2.57	$4,626.00
On Road Diesel-#1	1,800	1,800	$2.79	$5,022.00
Off Road Diesel-#2	1,950	1,950	$2.30	$4,485.00
Off Road Diesel-#1	1,950	1,950	$2.52	$4,914.00
	Total Bid:			$19,047.00

n. Pay Estimates January 21, 2025

Pay Estimate #20 in the amount of $29,650.00 for Above Ground Storage Tank #2020-20 contracted to Rice Lake West

Pay Estimate #5 in the amount of $80,585.61 for Above Ground Storage Tank #2020-20 contracted to H&W Contracting

Pay Estimate #1 in the amount of $998.00 for Above Ground Storage Tank #2020-20 contracted to Krohmer Plumbing

Pay Estimate #12 in the amount of $733.00 for Above Ground Storage Tank #2020-20 contracted to GeoTek Engineering

Pay Estimate #52 in the amount of $11,406.32 for Above Ground Storage Tank #2020-20 contracted to Infrastructure Design Group

Pay Estimate #12 in the amount of $1,687.30 for Firesteel Creek NAWCA #2021-14 contracted to Steve Donovan

Pay Estimate #39 in the amount of $40,365.76 for North Wastewater Treatment Plant Improvements #2021-31 contracted to HDR Engineering

Pay Estimate #24 in the amount of $101,243.89 for North Wastewater Treatment Plant Improvements #2021-31 contracted to PKG Contracting

Pay Estimate #24 in the amount of $35,008.32 for Waste Water Treatment Plant-Phase II #2022-01 contracted to HDR Engineering

Pay Estimate #2 in the amount of $362,359.26 for Waste Water Treatment Plant-Phase II #2022-01 contracted to First Rate Excavate

Pay Estimate #2 in the amount of $66,244.93 for 23rd & Ohlman Lift Station #2022-03 contracted to Halme Inc

Pay Estimate #14 in the amount of $8,840.00 for 3rd & Main Streetscape #2022-26 contracted to McLaury Engineering
Pay Estimate #19 in the amount of $420.00 for Lake Mitchell Jetty & Marina #2023-03 contracted to Brosz Engineering
Pay Estimate #2 in the amount of $62,987.35 for Ohlman & South Harmon Lift Station #2023-16 contracted to Halme Inc.
Pay Estimate #12 in the amount of $12,738.35 for 2nd/4th & Main Street #2023-21 contracted to McLaury Engineering
Pay Estimate #1 in the amount of $9,798.00 for Lake Mitchell Tornado Shelter #2023-33 contracted to LL Jirsa, Architect
Pay Estimate #12 in the amount of $42,970.00 for East 5th-Burr to Foster #2024-02 contracted to Brosz Engineering
Pay Estimate #4 in the amount of $10,000.00 for Airport Snow Removal #2024-22 contracted to Quality Cut Lawn

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 DECEMBER 22, 2024 – JANUARY 4, 2025: City Council $3,735.28, Mayor $1,614.58, City Administrator $6,691.52, Administrative Boards $2,442.65, Attorney $5,601.88, Finance $14,960.92, Human Resources $4,601.44, Municipal Building $3,874.88, Information Technology $3,453.08, Police $84,290.46, Traffic $4,662.08, Fire $43,174.39, Street $34,536.62, Public Works $26,452.16, Cemetery $5,742.21, Animal Control $2,622.79, Library $16,736.78, Recreation & Aquatics $6,751.15, Recreation Center $18,782.54, Sports Complexes $11,956.82, Parks $13,921.92, Supervision $4,418.10, E911 $32,541.92, Palace Transit $31,066.52, JVCC $2,044.05, Nutrition $4,697.48, Airport $2,669.37, Water Distribution $15,572.84, Sewer $15,105.02, Recycling Program $7,992.23, Waste Collection $7,503.24, Landfill $10,250.42, Corn Palace $28,209.66, Golf Course $4,304.38, Emergency Medical Services $37,904.47

NEW HIRES:

CORN PALACE: Herverto Gilbert Infante-$12.20

PALACE TRANSIT: Marc Whipkey-$12.70

RECREATION CENTER: Kori Harshman-$11.50, Gavin Haselhorst-$11.50, Ethan McCune-$13.20

SALARY ADJUSTMENTS:

CEMETERY: Andrew Gunnare-$14.20, David Thuringer-$15.70

CORN PALACE: Charles McCardle-$14.70, Peightyn Sullivan-$12.70, Kennedy Eldeen-$12.70, Tayla Liedtke-$12.20, Jaylyn Sheesley-$12.70, Kadyn Turner-$12.70, Jayda Horton-$12.20, Kinsley Hergest-$11.50, Jalen Thomas-$11.50, Clark Mickelson-$13.70, Owen Kopfman-$12.20, Henry

Beckstrom-$11.50, Kendall Herr-$11.50, Dalton Schleuning-$11.50, Steven Schoepf-$13.70, Aspen Opperman-$11.50, Joshua Kurtenbach-$14.20, Austin Vobr-$12.20, Amy Gebhard-$15.20, Addison Sprinkel-$12.70, Kassedy Knippling-$12.70, Rubiany Ferreira-Escalera-$12.70, Madisyn Sheesley-$13.20, Reese Sievert-$15.70, Drew Bollinger-$14.70, Reed Renken-$14.20, Thelma Larson-$14.20, Parker Bollinger-$14.20, Parker Nath-$12.20, Katie Stahl-$12.20, Emilie Ellis-$12.20

EMS: Joshua Harvey-$26.066, Amy Storm-$25.555, Douglas Glover-$26.066, Mark White-$25.555

FINANCE: Kristi Schneider-$20.974

FIRE: Thomas Schaffner-$27.540, Paul Bernard-$22.149, Samantha Pulse-$25.951, Scott Tschetter-$21.289, Daniel Esh-$23.044

GOLF: Alex Dagen-$25.060, Kenneth Skinner-$15.70

ICE ARENA: Esten Schlimgen-$13.70, Tyler Sanderson-$12.70, Sydney Love-$11.50

LIBRARY: Margo Taylor-$12.70, Stacie Rothlisberger-$12.20, Michelle Swanstrom-$12.20, Ella Pospisil-$12.20, Amber Harris-$12.20, Angela Putnam-$12.20

MVP: Pamela Van Overscheldk-$12.70

NUTRITION: Diane Schultz-$13.70, James Higgs-$14.20, Alfred Jacklin-$12.70, Diann Rittenhouse-$11.50, Elaine Schaefers-$13.70, Darlys Kruse-$13.70, Marjorie Novak-$13.70

PALACE TRANSIT: Brodie Long-$12.70, Donald Everson-$22.036, Paul Morris-$22.036, Rex Crockett-$22.036, Earl Lehrman-$22.036, Jeff Gustafson-$22.036, Jordon Sehnert-$22.036, Mark Gran-$22.036, Arthur Degelder-$22.036, John Bumgardner-$22.036, Patrick Leach-$22.036, Robert Kroger-$22.036, Larry Kunkel-$22.036

POLICE: Patrick Oleson-$20.974

RECREATION & AQUATICS: Delana Henkel-$16.20, Mackenzie Stange-$15.70, Hannah Hetland-$14.70, Treyson Schulz-$16.20, Avery London-$14.70, Ella Ziegeldorf-$14.70, Raeana Eggert-$14.70, Thomas Berg-$13.70, Maxwell Hart-$13.70, Baylor Dykstra-$13.70, Kathleen Morgan-$11.50, Christina Rystrom-$12.70, Jewel McGeogh-$13.70, Addison Duchereaux-$14.20, Erin DeWald-$13.70, Reegan Nydam-$16.20, Allison Gukeisen-$15.70, Bruce Mastel-$15.70, Lauren Anderson-$16.20

RECREATION CENTER: Bailey Henkel-$15.20, Patrick Dockendorf-$13.70, Christopher Woodruff-$13.70, Jaylie Zoss-$13.70, Joseph Tegethoff-$15.20, Macey Bohl-$13.20, Savannah Schmidt-$13.20, Ethan McCune-$20.00 (per game), Kane Grajkowske-$14.20, Hallie Carlson-$15.20, Tristen Zimmer-$14.20, Macey Linke-$14.70, Broden Schulz-$15.20, Kelsey Van Loh-$12.70, Kimberly Gamber-$12.20, Grace Baysinger-$14.20, Morgan Hoffman-$15.20, Keean Mimmick-$14.70, Mikayla Ratigan-$14.20, Macy Allhiser-$11.50, Emma Plamp-$14.70, Emma

Hegg-$13.70, Cynthia Gerlach-$14.20, Carlie Bell-$12.70, Isabella Eldeen-$12.70, Katie Hohn-$12.70, Lydia Schaefer-$12.70, Ayda Gulledge-$12.70, Bailey Hanson-$15.70, Addyson Moody-$13.70, Camdyn Beatch-$20.00 (per game), Aaron Black-$11.50, Alexandra Stange-$13.70, Hailey Gregory-$13.70, Andrew Kampman-$13.70, Ethan Plamp-$13.70, Carver Denning-$13.70, Bella Russell-$13.70, Ethan Lofgren-$13.70, Colin Pickett-$13.70, Jack Lentz-$13.70, Chapin Cooper-$13.70, Hope Baysinger-$12.20, Kori Harshman-$20.00 (per game), Jennifer Krause-$16.70, Camden Groepper-$14.20, Ray Van Overschelde-$13.70, Jill Miles-$13.70, Brian Daughters-$15.70, Brenna Beckman-$14.70

SPORTS COMPLEXES: Andrew Gunnare-$13.70, Greyce Northrup-$12.20, Jordyn Wilson-$12.20, Megyn Estrada-$12.20, Hunter Hufstutler-$14.20, Taryn Bultje-$12.20, Abbi Schnabel-$12.20, Barrett Nielsen-$14.20, Teresa Schroeder-$12.20, Noah Schnee-$13.70, Clara Schroeder-$11.50, Matthew Johnson-$14.20, Daniel Dobesh-$14.70

WATER DISTRIBUTION: Dawn Morgan-$16.20

TERMINATIONS:

E911: Heather Merry

PALACE TRANSIT: Andrea Hamilton

RECREATION CENTER: Todd Cavanaugh

WARRANTS: A-Ox Welding Supply, Supplies-$622.32; AAA Collections, Collections Fees-$80.23; AFSCME Council 65, Union Dues-$504.00; Al's Engraving, Supplies-$8.95; Amazon Capital Services, Book-$2,039.76; American Garage Door, Supplies-$285.00; Aqua-Pure, Supplies-$1,000.00; Arctic Refrigeration, Repairs-$355.40; AT&T Mobility, Utilities-$612.76; AT&T Mobility, Utilities-$1,081.12; Avera Occupational Medicine, Physicals-$1,416.00; Avera Queen of Peace Nutrition, Assessments-$117.00; B&L Communications, Equipment Removal-$10,343.34; B-Y Water District, Water Usage-$58,420.25; Bailey Metal Fabricators, Repairs-$301.58; Baker & Taylor, Books-$383.56; Big Daddy D's, Contract Services-$4,954.20; Brosz Engineering, 2023-3 P.E. #19-$43,390.00; Buhl's Drycleaners & Linen, Laundry Service-$180.00; Butler Machinery, Supplies-$6,566.50; Carolina Software, Supplies-$500.00; Carquest Auto Parts, Supplies-$453.40; CDW Government, Supplies-$59.90; Center Point Large Print, Books-$97.08; Central Electric, Utilities-$638.00; Century Link, Utilities-$67.84; Chesterman, Supplies-$3,779.25; CHS Farmers Alliance, Supplies-$980.84; Civicplus Annual Fee-$11,884.56; Claims Associates, Liability-$5,000.00; Clean Sweep, Supplies-$600.76; Climate Systems, Repair-$160.00; CNA Surety Direct Bill, Notary Bond-$50.00; Coborns, Contract Services-$694.40; Colliers Securities, Professional Service-$500.00; Column Software, Advertising-$2,089.37; Confluence, Projects-$3,300.26; Connections, 2025 1st Quarter Payment-$2,300.40; Continental Research, Supplies-$1,141.96; Convergeone, Supplies-$2,568.46; Core & Main, Repair-$3,359.13; Core-Mark, Supplies-$13,464.46; Corn Palace, Rental-$7,621.36; Corporate Translation Service, Translation Services-$214.56; County Fair, Contract Services-$1,304.92; CTM Services, Maintenance-$443.19; Dakota Counseling, 2025 1st Quarter Allocation-$3,250.00; Dakota Fluid Power, Supplies-$2,528.41;

Dakota Heartland Development, 2025 1st Quarter Allocation-$6,250.00; Dakota Pro Air, Deposit-$10,000.00; Dakota Pump, Supplies-$71.80; Dakota Riggers & Tool Supplies, Supplies-$1,267.89; Dakota Supply Group, Supplies-$454.41; Darrington Water Conditioning, Rental-$62.00; Davison County Register of Deeds, Easement-$12.00; Davison County Treasurer, Supplies-$10,232.24; Davison Rural Water Systems, Water Usage-$145.05; Department of Agriculture, Solid Waste-$17,865.43; Department of Social Services, Child Support-$633.69; Dick's Body Shop, Repair-$95.00; Dixie Veurink Trucking, Supplies-$3,401.72; Dr. Matthew Schafer, Professional Service-$1,500.00; Elfstrand's Ace Hardware, Supplies-$722.50; ETix, Ticketing Fee-$197.50; Ferguson Waterworks #2516, Parts-$239.08; First Rate Excavate, 2022-1 P.E. #2-$362,359.26; Fisher Scientifi, Supplies-$29.12; Fleetpride, Service Charge-$502.45; Flowbird America, Monitoring-$69.00; Frontier Precision, Training-$150.00; Galls. Supplies-$279.54; Geotek Engineering & Testing, 2020-20 P.E. #12-$733.00; GF Advertising Services, Supplies-$720.82; Grainger, Supplies-$123.32; Great Western Tire, Supplies-$967.46; Guardian Alliance Technology, Background Checks-$200.00; H&W Contracting, 2020-20 P.E. #5-$80,585.61; Halme, 2022-3 P.E. #2-$129,232.28; Hawkins, Supplies-$417.00; HDR Engineering. Improvements-$80,574.08; Heiman, Supplies-$149.82; Henry Schein, Supplies-$355.60; Henry Schein, Supplies-$597.10; Hunter Heating & Cooling, Maintenance-$862.50; ICAN, Advertising-$750.00; Infrastructure Design Group, 2020-20 P.E. #52-$11,406.32; Ingram Library Services, Books-$1,216.48; Intellipro Security, Supplies-$9,494.00; International Municipal, Renewal-$669.00; Interstate Office Products, Supplies-$244.01; Jacki Larson, Reimbursement-$24.47; JCL Solutions, Supplies-$752.87; Johnson Controls, Repair-$999.80; Jones, Supplies-$2,508.23; Junior Library Guild, Book Subscription-$2,972.64; Kari Veldheer, Refund-$127.79; Kathy Raymond, Supplies-$2,001.00; Kim Burg, Reimbursed-$15.70; Krohmer Plumbing, 2020-20 P.E. #1-$1,089.84; Kromer, Supplies-$1,098.00; L.L. Jirsa, Architect, 2023-33 P.E. #1-$9,798.00; Lakeview Veterinary Clinic, Management-$900.00; Larry's I-90 Service, Maintenance-$2,550.77; Leighton Family Farms, Supplies-$700.00; Leo Roy Paul, Reimbursed-$35.00; Lewis Bruske, Reimbursement-$50.00; Lewis Family Drug, Supplies-$8.99; Lexisnexis Matthew Bender, Books-$205.10; M&T Fire and Safety, Supplies-$1,441.00; Make it Mine Designs, Supplies-$559.05; McLaury Engineering, 2022-26 P.E. #14-$21,578.35; McLeod's Printing, Supplies-$425.27; Menard's, Supplies-$742.30; Mettler Implement, Maintenance-$259.79; Midcontinent Communication, Advertising-$1,695.00; Midway Service Dba Vollan Oil, Supplies-$19,100.09; Midwest Oil, Supplies-$439.35; Midwest Turf & Irrigation, Supplies-$6,768.43; Mike Carpentier, Training-$650.00; Minnesota Valley Testing Laboratories, Lab and Service-$3,749.00; Miscellaneous Vendor, Robbins, Hailey-Refund-$1,493.36; Mitchell Animal Rescue, Management Fee-$350.00; Mitchell Area Development, 2025 1st Quarter Allocation-$45,500.00; Mitchell Convention & Visitors Bureau, Jan 2025 Funding-$21,875.00; Mitchell Iron & Supply, Supplies-$325.90; Mitchell Main Street and Beyond, 2025 1st Quarter Allocation-$11,250.00; Mitchell Plumbing & Heating, Repairs-$1,350.10; Mitchell Rotary Club, Dues-$92.00; Mitchell School District, Utilities-$2,041.70; Mitchell Telecom, Utilities-$2,975.40; Mitchell United Way, United Way-$291.00; Mount Vernon School District, Contract Services-$165.00; Mueller Lumber, Supplies-$88.05; Muth Electric, Maintenance-$499.69; Napa Central, Supplies-$650.60; Nate Hegg, Reimbursed-$100.00; Natural Formulations, Supplies-$293.03; ND Country Fest, Neal Mccoy Ticket Sales-$8,570.00; Nedved Media, Advertising-$5,000.00; Newvision Security, Alarm Monitoring-$227.00; Northwestern Energy, Utilities-$93,851.17; One Source The Background, Background Checks-$444.00; Overdrive, Audiobooks-$3,196.28; Penguin Management, Supplies-$1,646.00; Pepsi Cola, Supplies-$1,373.89; Peterbilt of Sioux Falls,

Supplies-$638.36; Pkg Contracting, 2021-31 P.E. #24-$101,243.89; Planning & Development District, Membership Dues-$14,446.00; Power DMS, Supplies-$14,614.00; Premier Pest Control, Supplies-$75.00; Pro Contracting, Testing-$150.00; Public Health Laboratory, Testing-$707.00; Qualified Presort Service, Postage-$482.31; Quality Cut Lawn & Tree Service, 2024-22R P.E. #4-2024-$10,000.00; Quick Med Claims, Monthly Charges-$6,357.75; Rice Lake West, 2020-20 P.E. #20-$29,650.00; RMB Environmental Laboratories, Testing-$495.00; Runnings, Supplies-$462.02; S&M Printing, Supplies-$124.00; Saga Communications of South Dakota, Advertising-$559.00; Santel Communications, Utilities-$30.00; Schoenfelder Portables, Rental-$170.00; South Dakota Airports Conference, Registration-$100.00; South Dakota Municipal League, Memberships-$385.00; South Dakota Police Chiefs, Testing-$352.50; South Dakota-Supplemental Retirement, Supplemental Retirement-$16,413.71; South Dakota-Supplemental Roth 457, Roth 457 Contributions-$2,117.50; South Dakota Waste Water/South Dakota Water Act-Renewal-$40.00; Standard & Associates, Shipping-$25.00; Standard Insurance, Life Insurance-$429.97; Staples, Supplies-$167.85; Steve Donovan, 2021-14 P.E. #12-$1,687.30; Studio Aria, Streetscape-$1,391.22; Sturdevants Auto Value, Supplies-$2,262.81; Subway, Planning Comm Meals-$53.94; Sun Gold Sports, Supplies-$40.00; Teamsters Local No. 120, Union Dues-$1,316.00; Terry Cunningham, Santa-$300.00; Tessiers Mechanical Contract, Maintenance-$1,358.51; The Dugout, Contract Services-$2,742.00; The Safe Place of Eastern South Dakota, Grant-$400,945.19; Thomson Reuters – West, Subscription-$824.82; Thune True Value & Appliance, Supplies-$70.53; Titan Machinery-Mitchell, Supplies-$4.60; TK Electric, Maintenance-$357.14; TMA Stores, Maintenance-$1,409.79; Total Response, 2025 Annual Renewal-$10,017.55; Tri M Tunes, Maintenance-$860.00; Two Way Solutions, Supplies-$728.33; UPS Store #4227, Shipping-$1,299.87; USA Bluebook, Supplies-$141.35; Verizon Wireless, Utilities-$762.91; Vestis, Maintenance-$262.96; Walmart/Capital One, Supplies-$148.00; Waterous, Maintenance-$18,638.00; Watertown Wholesale, Supplies-$80.43; WS Construction Management, Deposit Refund-$2,000.00; Youth Athletic Foundation, Corn Palace Games-$29,841.95; Wageworks, $3,832.01; Wellmark, Administration, Prescription, Medical-$214,340.30; Ellwein Brothers, Supplies-$234.00; Ellwein Brothers, Supplies-$1,599.00; SD Department of Revenue, Sales Tax Payment-$23,341.61

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

CITIZENS INPUT:

Mitchell resident, Stewart Hanson, stated he disagreed with comments made by Council Member McCardle regarding the 'Good Old Boys' at the last City Council meeting.

MAYOR & CITY COUNCIL DISCUSSION ITEMS:

Mayor Jordan Hanson stated that he has been in contact with Barr Engineering and a meeting would be scheduled with lake residents to answer questions that they have and how to proceed.

Council Member Jeff Smith would like to have the young lady back that helped raise money for the fire department and see pictures of what she did. Fire Chief Dan Pollreisz stated he would contact her.

Council Member Mike Bathke reminded the public to stay off of the lake, there is a lot of open water, it is not all frozen.

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 Ashbrook Trail Apartment Limited Partnership for a conditional use permit for multi-family dwellings of more than 24 units located in the 2100 block of North Minnesota Street, legally described as Block 1 except North 345' and except Lot 1, Block 1 of Fullerton Properties First 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 with the condition there is no vehicular access to Wisconsin Street. Moved by Goldammer, seconded by McCardle, to approve application with full access. Motion carried.

It was advised that this is the date and time set for hearing on the application of Bob Jackson for a variance for combination of attached and detached accessory buildings of 3,247 square feet vs 2,000 square feet to build a new attached accessory building of 3,047 square feet and detached accessory building of 200 square feet located in the 1800 block of Charles Avenue, legally described as the East 50' of Lot 4 and all of Lot 3, Block 6 of the Woods First Addition, a subdivision of the E ½ of the SW ¼ of Section 23, T 103 N, R 60 W of the 5th P.M., 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 Sabers, seconded by Tjarks, to approve said application. Motion carried.

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

PRESENTATION:

Lyle Pudwill of Confluence Architects presented the Corn Palace Plaza Expansion schematic design. A committee worked with Confluence Architects to develop a conceptual plan and identify priorities. Pudwill reviewed the results of this process and the final concept. A design contract will be brought back to the next meeting on February 3rd.

DISCUSSION:

Mayor Hanson stated the Corn Palace seat replacement discussion will be brought back to the next meeting with samples from two different manufacturers.

CONSIDER APPROVAL:

Moved by Barington, seconded by Tjarks, to approve Agreement #A2025-13, Corn Palace Railings and ADA Seating Architectural Services with Ciavarella Design in an amount of $9,700.00. Motion carried.

DISCUSSION:

Robin Miller of Schemmer presented a preliminary design for a Corn Palace remodeling project with an estimated budget of $12,000,000.00. This project would update mechanical systems, locker rooms, increase seating capacity, and add an additional court. A contract for design services will be brought back to the February 3rd meeting.

HEARING:

It was advised that this is the date and time set for hearing on the application to transfer RB-2841 Retail (on-off sale) Malt Beverage & SD Farm Wine License from Eight West LLC dba Super 8 Mitchell, 1700 South Burr Street to TBM LLC dba Mitchell Liquor and Wine, 1620 South Burr Street, Suite 4 (Video lottery is included). Notice of hearing has been given and affidavit of publication is on file. Moved by Barington, seconded by Goldammer, to approve said application. Motion carried.

CONSIDER APPROVAL:

Moved by Tjarks, seconded by Goldammer, to approve a street light at the street shop compost/recycling area. Motion carried.

Moved by Goldammer, seconded by Tjarks, to approve Amendment #1 to Agreement #A2023-18, Construction Services for North Harmon over Firesteel Creek BIG Grant SN-18-129-061 PCN 09GJ with Brosz Engineering in an amount not to exceed $57,000.00. Motion carried.

Moved by Sabers, seconded by McCardle, to approve Agreement #A2025-03, Lease/Purchase of Golf Course Grounds and Turf Maintenance Equipment with Midwest Turf and Irrigation off of the Omnia Contract with a cost of $64,342/year for 5 years and the Ventrac Machine for an additional $10,000.00/year. Motion carried.

Moved by McCardle, seconded by Barington, to approve Agreement #A2025-04, Equitable Sharing Agreement and Certification. Motion carried.

Moved by McCardle, seconded by Barington, to approve Agreement #A2025-05, James Valley Drug Task Force Joint Powers Agreement. Motion carried.

Moved by Goldammer, seconded by McCardle, to approve Agreement #A2025-06, Design Engineering for North Ohlman Street-23rd to Kemper with SPN & Associates in an amount not to exceed $245,000.00. Motion carried.

Moved by Goldammer, seconded by Sabers, to approve Agreement #A2025-07, Design Engineering for East 1st Avenue-Burr to Foster with SPN & Associates in an amount not to exceed $265,000.00. Motion carried.

Moved by Smith, seconded by Tjarks, to approve Agreement #A2025-08, Watershed and Flood Prevention Operations with James River Water Development. Motion carried.

Moved by McCardle, seconded by Tjarks, to postpone Agreement #A2025-09, 13th & Wisconsin Storm Drainage with McLaury Engineering in an amount not to exceed $79,000.00 until a March meeting. Motion carried.

Moved by Barington, seconded by Goldammer, to approve Agreement #A2025-10, AIP Design of Runway 18/38 Reconstruction and Lighting Improvements AIP '34 and Authorize Mayor to Sign. Motion carried.

Moved by Goldammer, seconded by Smith, to approve Agreement #A2025-11, New Landfill Monitoring Project #2025-29 with GeoTek Engineering in an estimated amount of $23,635.00. Motion carried.

Moved by Goldammer, seconded by McCardle, to approve Agreement #A2025-12, Old Landfill Monitoring Project #2025-28 with GeoTek Engineering in an estimated amount of $11,475.00. Motion carried.

RESOLUTIONS:

Moved by Goldammer, seconded by Barington, to approve Resolution #R2025-07, A Resolution Establishing Water and Sewer Rate Increases for 2025, as follows:

Resolution #R2025-07

A RESOLUTION APPROVING CITY OF MITCHELL WATER & SEWER RATES FOR 2025

WHEREAS, the City of Mitchell has been involved in a comprehensive infrastructure planning process,

WHEREAS, many of these projects will include state revolving loan financing that the city will be obligated to repay through rates,

WHEREAS, these improvements are necessary to meet expected demands of current customers in the next 5-10 years, as well as any future demands from growth and development within the City of Mitchell;

WHEREAS, the Mitchell City Council asked that rates be set with quarterly increases until they reach the necessary level in 2027 to fund the projected increases required for planned improvements in order to make the increases more gradual for residents;

THEREFORE, BE IT RESOLVED, by the City Council of the City of Mitchell, SD that effective April 1, 2025 rates be approved as shown below:

Water Rates

		4/1/2025	10/1/2025
Base Rate	1" and less	$ 18.62	$ 20.50
	1 1/2"	$ 37.24	$ 41.00
	2"	$ 59.60	$ 65.60
	3"	$ 111.74	$ 123.00
	4"	$ 186.24	$ 205.00
	6"	$ 372.50	$ 410.00
Water Usage		$ 7.32	$ 8.16

Water rates include the following surcharges that are segregated from the total fees collected:

$1.78/month/user	DW- 02	Water Storage Tank
$.85/month/user	DW-05	West Water Tower Repairs
$10.30/month/user	DW-06	Ground Storage Tank Project
$1.94/month/user	DW-07	Water System Improvements

Sewer Rates

		4/1/2025	10/1/2025
Residential	Base	$ 31.33	$ 32.03
	Volume	$ 4.31	$ 4.41
Non Residential	Base	$ 31.33	$ 32.03
	Volume	$ 5.39	$ 5.51
Industrial	Base	$ 31.33	$ 32.03
	Volume	$ 4.29	$

			4.39
	BOD	$ 0.94	$ 0.96
	TSS	$ 1.38	$ 1.42
	TKN	$ 5.17	$ 5.29

Sewer rates include the following surcharges that are segregated from the total fees collected:

$8.05/month/user	CW-05	Sanborn Phase II
$3.70/month/user	CW-06	East Central Drainage Phase I
$.99/month/user	CW-07	East Central Drainage Phase II
$1.11/month/user	CW-08	Daily Drive Lift Station
$11.60/month/user	CW-09	Waste Water Treatment Plant Improvements Phase I
$.77/month/user	CW-12	Livesay Improvements
$3.47/month/user	CW-11	Waste Water System Improvements
$9.36/month/user	CW-10	Waste Water Treatment Plant Improve Phase II

Motion carried and resolution declared duly adopted.

Moved by McCardle, seconded by Bathke, to approve Resolution #R2025-04, Plat of Lot 3 of Haley Addition in Government Lot 4 of the NW ¼ of Section 3, T 103 N, R 60 W of the 5th P.M., Davison County South Dakota, as follows:

RESOLUTION #R2025-04

WHEREAS, it appears that the City Planning Commission of the City of Mitchell, South Dakota, did duly consider and did recommend the approval and adoption of the hereinafter described plat, at its meeting held on the 13th day of January, 2025; and

WHEREAS, it appears from an examination of the PLAT OF LOT 3 OF HALEY ADDITION IN GOVERNMENT LOT 4 OF THE NW 1/4 OF SECTION 3, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, as prepared by Jeremy A. Wolbrink, a duly licensed Land Surveyor in and for the State of South Dakota, that said is in accordance with the system of streets and alleys set forth in the master plan adopted by the City Planning Commission of the City of Mitchell, South Dakota, and that such plat has been prepared according to law;

THEREFORE, be it resolved by the City Council of Mitchell, South Dakota that the PLAT OF LOT 3 OF HALEY ADDITION IN GOVERNMENT LOT 4 OF THE NW 1/4 OF SECTION 3, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, as prepared by Jeremy A. Wolbrink, be and the same is approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

Motion carried and resolution declared duly adopted.

Moved by Goldammer, seconded by Sabers, to approve Resolution #R2025-06, Plat of Lots A, B, C of Depot Second Addition, as follows:

RESOLUTION #R2025-06

WHEREAS, it appears that the City Planning Commission of the City of Mitchell, South Dakota, did duly consider and did recommend the approval and adoption of the hereinafter described plat, at its meeting held on the 13th day of January, 2025; and

WHEREAS, it appears from an examination of the PLAT OF LOTS A, B, AND C OF DEPOT SECOND ADDITION TO THE CITY OF MITCHELL, LYING IN THE NE 1/4 OF THE SE 1/4 OF SECTION 21, AND IN THE NW 1/4 OF THE SW 1/4 OF SECTION 22, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, as prepared by Jeremy A. Wolbrink, a duly licensed Land Surveyor in and for the State of South Dakota, that said is in accordance with the system of streets and alleys set forth in the master plan adopted by the City Planning Commission of the City of Mitchell, South Dakota, and that such plat has been prepared according to law;

THEREFORE, be it resolved by the City Council of Mitchell, South Dakota that the PLAT OF LOTS A, B, AND C OF DEPOT SECOND ADDITION TO THE CITY OF MITCHELL, LYING IN THE NE 1/4 OF THE SE 1/4 OF SECTION 21, AND IN THE NW 1/4 OF THE SW 1/4 OF SECTION 22, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, as prepared by Jeremy A. Wolbrink, be and the same is approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

Motion carried and resolution declared duly adopted.

Moved by Goldammer, seconded by Tjarks, to approve Resolution #R2025-05, Bridge Inspections for 2025 with Brosz Engineering, as follows:

RESOLUTION #R2025-05
BRIDGE REINSPECTION
PROGRAM RESOLUTION
FOR USE WITH SDDOT RETAINER CONTRACTS

WHEREAS, 23 CFR 650, Subpart C, requires initial inspection of all bridges and reinspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are reinspected at intervals not to exceed four years.

THEREFORE, the City of Mitchell is desirous of participating in the Bridge Inspection Program using Bridge Replacement funds.

The City requests SDDOT to hire Brosz Engineering Inc. (Consulting Engineers) for the inspection work. SDDOT will secure Federal approvals, make payments to the Consulting Engineer for inspection

services rendered, and bill the City for 20% of the cost. The City will be responsible for the required 20% matching funds.

Motion carried and resolution declared duly adopted.

ORDINANCE:

Moved by Smith, seconded by Barington, to place Ordinance #O2025-01, Updating Provisions of the Mitchell City Code in Relation to the Use of the Term Fire Marshal on second reading. Motion carried. Moved by Goldammer, seconded by McCardle, to adopt Ordinance #O2025-01, Updating Provisions of the Mitchell City Code in Relation to the Use of the Term Fire Marshal, as follows:

ORDINANCE #O2025-01

AN ORDINANCE UPDATING PROVISIONS OF THE MITCHELL CITY CODE IN RELATION TO THE USE OF THE TERM FIRE MARSHAL

BE IT ORDAINED BY THE CITY OF MITCHELL, SOUTH DAKOTA AS FOLLOWS:

Section 1.

That Mitchell City Code Section 1-7-1(B)(3) be AMENDED to remove reference to the fire marshal so as to read as follows:

> A department head may delegate to subordinate personnel within the department or its divisions duties and responsibilities of the department or division(s) and the corresponding authority to perform such duties and responsibilities. The term "department" shall be deemed to include all of the divisions within the department. The department head shall be responsible for the official actions of any subordinate within his department, decision of a subordinate of any department head shall be deemed the action of the department head, notwithstanding that subordinate employees may be assigned specific duties and responsibilities within this code (i.e., such as zoning official, building official and/or planning official as a subordinate employee to the public works director). Likewise, each manager or superintendent within any division of a department (i.e., as the sanitary sewer pretreatment coordinator as a subordinate employee to the superintendent of the sanitary sewer division of the department of public works) shall be responsible for the official actions of his subordinates and the official actions of the subordinate shall be deemed the actions of the superior authority.

Section 2.

That Mitchell City Code Section 9-1-1 be AMENDED to change "fire marshal" to "chief of fire and EMS" so as to read as follows:

The entire city is declared to be a fire district, including fire zones one, two and three, and the boundaries shall be illustrated on an official map to be maintained by the city building official and on file with the chief of fire and EMS. The boundaries of the fire districts shall be continued as previously established and depicted upon the official maps of the city maintained for such purpose. Whenever in any code or ordinance adopted by and in effect in the city the term "jurisdiction" shall be used, said term shall mean the jurisdictional limits of the city of Mitchell, South Dakota.

Section 3.

That Mitchell City Code Section 9-1-2: FIRE MARSHAL be REPEALED AND REPLACED so as to read as follows:

9-1-2: FIRE CODE OFFICIAL

The chief of fire and EMS, or their designee, shall perform the duties of the fire code official. The duties of the fire code official are as provided by the adopted fire code, the city's ordinances, or as further provided by the chief of fire and EMS.

Section 4.

That Mitchell City Code Section 9-1-7(B) be AMENDED to change "fire marshal" to "chief of fire and EMS, or their designee" so as to read as follows:

All rental structures used for human habitation consisting of two (2) or more separate living units (commonly called apartments) which include living units other than those entirely at ground level, which do not have firewall separation between individual units of fire rating of at least one hour, and including all multi-unit dwelling structures which were not originally constructed as multi-unit dwellings and later converted to multi-unit dwellings (i.e., apartments) shall provide at least two (2) separate egress pathways for escape from fire from each bedroom or other area within the unit regularly used for overnight sleeping, regardless of whether the structure was constructed before the effective date of the fire code. Each such separate egress pathway for escape from fire as required by this subsection shall be wholly independent of the other escape pathway; and each such escape pathway must be qualified as an accepted means of egress under the fire code or otherwise acceptable to the chief of fire and EMS or their designee. Every bedroom or area regularly used for sleeping shall have a window opening to the exterior which qualifies as an egress window according to the fire code or alternatively is deemed adequate by the chief of fire and EMS, or their designee, for escape in the event other route(s) of escape would be blocked by fire, excepting that a bedroom or other room or area regularly used for overnight sleeping which does not have a window to the exterior as above specified shall have an exit door direct to the exterior of the structure which can be opened at any time from the inside without the requirement of a key; and if such an exit door is not at ground level it shall exit onto a stairway suitable for fire escape.

Section 5.

That Mitchell City Code Section 9-1-9 be AMENDED to read as follows:

The chief of fire and EMS, or their designee, shall be responsible for enforcement of the applicable provisions of the adopted fire code as the same shall be in effect at any time in the city. The chief of fire and EMS, or their designee, shall exercise all authorities and duties of inspection as may otherwise be provided by ordinance or fire code. Notice of action by the issuing employee which is adverse to the application for a permit by any person, or will adversely affect the interest of a person, shall be made in writing and shall be delivered to the person either by deposit of such notice in the U.S. mail, first class with postage prepaid and addressed to the last known address of such person, or alternatively delivered personally to such person.

Section 6.

That Mitchell City Code Section 9-1-10 be AMENDED to read as follows:

Any person who believes he or she has been aggrieved by an action of an employee taken pursuant to this chapter which is adverse to the interests of such person, such person may appeal the decision to the Mitchell city council by filing a statement written in plain language with the city finance officer, stating the action from which the appeal is taken within ten (10) days of receiving written notification of adverse action taken under the preceding section of this chapter. The appeal shall be heard by the Mitchell city council in regular or special session within forty-five (45) days of the receipt of such appeal by the city finance officer. Notice of hearing on such appeal shall be given to the person making the appeal in the manner as notice of adverse action as provided in section 9-1-9 of this chapter at least ten (10) days prior to the date set for such appeal hearing.

Section 7.

That Mitchell City Code Section 9-1-11 be AMENDED to change

Any person who shall violate the provisions of the fire code, including standards relating thereto, whether adopted by specific action of the Mitchell city council or incorporated by reference into a nationally published code adopted by the Mitchell city council, or fail to comply therewith, or who shall fail to comply with any order issued under the authority thereof, or who shall build any structure not in conformance with the fire code standards, including the standards of the life safety code, or shall build a structure not in conformance with standards and specifications approved by the fire code official, and who shall have taken no appeal or whose appeal shall not be upheld, or shall fail to comply with such an order as affirmed or modified by the city council or by a court of competent jurisdiction within the time so fixed, shall be subject to prosecution for violation of city ordinance, and shall be subject to penalty as provided in section 1-4-1 of the city code. The application of the above penalty shall not be held

to prevent the enforcement, including, but not limited to, removal of the noncompliant conditions.

Section 8.

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 9.

The City Finance Officer shall cause notice of adoption of this ordinance to be published in the official newspaper and twenty (20) days after the completed publication, unless the referendum is invoked, this ordinance shall become effective.

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

RESOLUTIONS:

Moved by Tjarks, seconded by Goldammer, to approve Resolution #R2025-03, A Resolution Amending the 2025 Compensation Plan for the City of Mitchell, as follows:

RESOLUTION #R2025-03
A RESOLUTION AMENDING THE 2025 COMPENSATION PLAN FOR THE CITY OF MITCHELL

BE IT RESOLVED, THAT THE FOLLOWING COMPENSATION PLAN FOR THE CITY OF MITCHELL BE AMENDED FOR FY2025 as follows:

Dept	Job Title	Wage Grade	FLSA Status
FD	Assistant Chief of Fire/EMS	22	E
~~FD~~	~~Fire Marshal~~	~~21~~	~~E*~~
PR	Parks Specialist (~~6~~ 7 FTE)	12	N
~~PR~~	~~Administrative Assistant~~	~~12~~	~~N~~

Motion carried and resolution declared duly adopted.

UPDATE:

Parks & Recreation Director Kevin Nelson updated City Council on the modified plans to present to the State Historical Preservation Office for approval of the future golf course improvements project due to the proximity and existence of historical artifacts.

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 _____.