

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

**April 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 Tjarks, seconded by Goldammer, to approve the following items on the consent agenda:

- a. City Council Minutes
 - 1. City Council April 7, 2025
- b. Committee Reports
 - 1. Planning Commission March 24, 2025
 - 2. Planning Commission April 14, 2025 (unsigned)
- c. Department Reports
 - 1. Sales Tax Collections (March)
 - 2. Finance (March)
 - 3. Building Permits (March)
 - 4. Police (March)
 - 5. Fire (March)
 - 6. Code Enforcement (March)
- d. MADC Quarterly Report
- e. Purchase of Bobcat Toolcat and Angle Broom Attachment from Pfeifer Implement via Sourcewell contract
- f. Purchase of Indoor Playground for the Recreation Center via Sourcewell contract
- g. Authorization to apply for the 2026 SD Office of Highway Safety Grant for Speed and Seat Belt Enforcement
- h. Authorization to apply for the 2026 SD Office of Highway Safety Grant for Alcohol Task Force
- i. Change Order #2 for Marina & Jetty Improvements Project #2023-03 increasing the contract amount by \$8,607.17 to Soukup Construction Inc adjust contract amount to \$2,694,040.58
- j. Change Order #3 for Recycling Building Project #2021-30 increasing the contract amount by \$5,518.97 to WS Construction Management LLC adjust contract amount to \$2,262,029.20
- k. Pay Estimates April 21, 2025
Pay Estimate #55 in the amount of \$10,311.69 for Above Ground Storage Tank #2020-20 contracted to Infrastructure Design Group

Pay Estimate #56 in the amount of \$1,007.00 for Above Ground Storage Tank #2020-20 contracted to Infrastructure Design Group

Pay Estimate #13 in the amount of \$750.00 for Above Ground Storage Tank #2020-20 contracted to GeoTek Engineering

Pay Estimate #9 in the amount of \$180,161.10 for Recycling Building #2021-30 contracted to WS Construction Management

Pay Estimate #42 in the amount of \$3,060.00 for North Wastewater Improvements #2021-31 contracted to HDR Engineering

Pay Estimate #5 in the amount of \$47,118.24 for East Spruce Street Construction #2021-39 contracted to Rexwinkel Concrete

Pay Estimate #7 in the amount of \$2,838.75 for Wastewater Treatment Plant-Phase II #2022-01 contracted to GeoTek Engineering

Pay Estimate #27 in the amount of \$127,224.50 for Wastewater Treatment Plant-Phase II #2022-01 contracted to HDR Engineering

Pay Estimate #18 in the amount of \$9,673.75 for Water & Wastewater Fee Analysis #2022-22 contracted to HDR Engineering

Pay Estimate #12 in the amount of \$399.05 for Canal Bridge #2022-36 contracted to SD Department of Transportation

Pay Estimate #9 in the amount of \$1,503.50 for Jetty & Marina Improvements #2023-03 contracted to Shive Hattery

Pay Estimate #14 in the amount of \$10,478.75 for 2nd & 4th Construction #2023-21 contracted to McLaury Engineering

Pay Estimate #3 in the amount of \$12,247.00 for Lake Mitchell Tornado Shelter #2023-33 contracted to LL Jirsa, Architect

Pay Estimate #14 in the amount of \$2,437.50 for East 5th-Burr to Foster #2024-02 contracted to Brosz Engineering

Pay Estimate #7 in the amount of \$10,000.00 for Airport Snow Removal #2024-22 contracted to Quality Cut Lawn

Pay Estimate #7 in the amount of \$1,057.00 for Water Distribution System Model #2024-37 contracted to AE2S

Pay Estimate #1-Final in the amount of \$1,207,730.00 for Landfill Tractor Scraper #2025-02 contracted to Butler Machinery

Pay Estimate #2 in the amount of \$668.75 for Old Landfill Leachate Monitoring #2025-28 contracted to GeoTek Engineering

Pay Estimate #2 in the amount of \$958.75 for New Landfill Monitoring #2025-29 contracted to GeoTek Engineering

Pay Estimate #8 in the amount of \$3,913.96 for Municipal Hangar Construction AIP '33 contracted to Helms & Associates

Pay Estimate #4 in the amount of \$12,301.70 for Airport Runway 18/36 Reconstruction contracted to Helms & Associates

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

PAYROLL MARCH 30, 2025 – APRIL 12, 2025: City Council \$3,735.28, Mayor \$1,614.57, City Administrator \$6,841.52, Administrative Boards \$2,442.65, Attorney \$5,601.88, Finance \$15,196.90, Human Resources \$4,601.44, Municipal Building \$5,484.67, Information Technology \$3,453.08, Police \$91,903.97, Traffic \$4,992.62, Fire \$40,833.39, Street \$33,079.68, Public Works \$26,505.05, Cemetery \$5,880.74, Library \$17,217.73, Recreation & Aquatics \$6,805.95, Recreation Center \$18,720.78 Sports Complexes \$11,316.84, Parks \$13,961.23, Supervision \$4,418.10, E911 \$21,318.53, Palace Transit \$32,669.27, JVCC \$2,134.07, Nutrition \$4,762.30, Airport \$2,669.37, Water Distribution \$16,601.72, Sewer \$15,673.79, Recycling Program \$7,632.17, Waste Collection \$6,864.87, Landfill \$10,410.45, Corn Palace \$18,115.16, Golf Course \$4,830.32, Emergency Medical Services \$39,103.98

NEW HIRES:

PARKS: William Bartscher-\$12.70, Arnold Eldeen-\$14.70, Ronald Jirsa-\$15.70, Steven Linke-\$15.70

RECREATION CENTER: Aaron Black-\$12.20

SALARY ADJUSTMENTS:

LANDFILL: Jaylon Tollefson-\$39.095, James Zard-\$28.499

PALACE TRANSIT: Kevin Kline-\$22.477

PUBLIC WORKS: Joseph Galpin-\$33.711

RECREATION CENTER: Adam Fosness-\$28.208

STREET: Mark Zard-\$27.119

TERMINATIONS:

E911: Kathy Brink

WARRANTS: 15th Round Boxing, Sports Authority Promo-\$1,500.00; 301 Rodz, Sports Authority Promo-\$1,000.00; A&B Business Solutions, Service-\$4,251.20; A-Ox Welding Supply, Supplies-\$230.33; Adam Schulz, Supplies-\$3,000.00; Advanced Engineering and Environmental Services, 2024-37 P.E. #7-\$1,057.00; AFLAC, Aflac Withholding-\$9,731.14; AFSCME Council 65, Union Dues-\$520.60; AJY LLC dba Centennial Carpet, Supplies-\$282.97; Alex Air Apparatus 2, Repair-\$4,148.29; Amazon Capital Services, Supplies-\$1,320.32; American Garage Door, Supplies-\$450.00; American Public Works, Membership Renewal-\$819.00; Aqua-Pure, Supplies-\$12,630.00; Associated Supply, Supplies-\$174.00; Avera Health Plans, Ambulance Refund-\$982.50; Avera Occupational Medicine, Screenings-\$1,025.00; Avera Occupational Medicine, Labs-\$219.60; Avera Queen of Peace, Supplies-\$237.70; B-Y Water District, Water Usage-\$55,297.41; Baker & Taylor, Book-\$11.39; Bender Sewer & Drain, Maintenance-\$1,185.00; Bierschbach Equipment & Supply,

Supplies-\$7,476.00; Big Daddy D's, Contract Services-\$4,471.20; Blackstone Publishing, Audiobooks-\$370.20; Brandon Manchester, Travel-\$150.00; Brosz Engineering , 2024-2 P.E. #14-\$2,437.50; Bryce Fuchs. Training-\$320.00; Buhl's Drycleaners & Linen, Services-\$50.00; Butler Machinery, Supplies-\$1,208,415.16; C&B Operations, John Deere Mower-\$68,259.85; Carolina Software, Repairs-\$500.00; Carquest Auto Parts. Supplies-\$119.99; Center Point Large Print, Books-\$97.08; Central Electric. Utilities-\$17,988.63; Century Link, Utilities-\$73.12; CHS Farmers Alliance, Supplies-\$318.00; Cindy Gerlach, Supplies-\$450.00; City of Mitchell, Golf Course Deductions-\$1,370.60; City of Mitchell, Recreation Deductions-\$2,469.62; City of Mitchell, Hotel Tax-\$6.00; Coborns, Contract Services-\$1,120.00; Column Software, Advertising-\$169.76; Connections, Employee Assistance-\$2,487.84; Core & Main, Supplies-\$23,883.89; Core-Mark, Supplies-\$1,620.41; Corn Palace, Supplies-\$224.00; Corporate Translation Service, Translation Services-\$97.47; County Fair, Supplies-\$1,176.90; Cuka Fencing, Supplies-\$2,919.61; Dakota Counseling, 2025 2nd Quarter Allocation-\$3,250.00; Dakota Fluid Power, Supplies-\$174.39; Dakota Heartland Development, 2025 2nd Quarter Allocation-\$6,250.00; Dakota Supply Group, Supplies-\$562.00; Dale's A-1 Transmission, Repair-\$125.00; Darrington Water Conditioning, Rental-\$54.00; Davison County Treasurer. Title Registration-\$53.40; Davison Rural Water Systems, Water Usage-\$183.85; Delta Dental Plan of South Dakota, Dental Insurance-\$17,315.10; Demco, Supplies-\$252.83; Department of Social Services, Child Support-\$359.54; Elfstrand's Ace Hardware, Supplies-\$2.48; Environmental Equipment & Services, Supplies-\$75.20; Etix, Ticking Fees-\$103.80; Fisher Scientific, Supplies-\$79.00; Fleetpride. Supplies-\$878.54; Flowbird America, Alarm Monitoring-\$69.00; Galls, Supplies-\$935.94; Gempler's, Supplies-\$168.14; Geotek Engineering & Testing, 2020-20 P.E. #13-\$5,216.25; Grainger, Supplies-\$502.15; Guardian Alliance Technology, Supplies-\$150.00; HDR Engineering, 2021-31 P.E. #42-\$139,958.25; Helms and Associates, AIP '33 Airport P.E. #8-\$16,215.66; Henry Schein, Supplies-\$5.30; Howes Oil, Supplies-\$18,045.00; I-State Truck Center, Supplies-\$139.66; Ican, Advertising-\$750.00; Identisys, Supplies-\$766.08; Infrastructure Design Group, 2020-20 P.E. #55-\$11,318.69; Ingram Library Services, Books-\$1,687.22; Interstate Office Products, Supplies-\$411.06; Interstate Tire & Auto Center, Supplies-\$1,020.00; Iverson, Supplies-\$88,246.21; John Hegg, Travel-\$59.30; Johnson Bros of South Dakota, Supplies-\$1,258.34; Jones Supplies, Supplies-\$1,140.13; Kathy Raymond, Services-\$583.00; Krohmer Plumbing, Supplies-\$1,177.80; Kromer, Supplies-\$304.52; L.L. Jirsa Architect, 2023-33 P.E. #3-\$12,247.00; Larry's I-90 Service, Supplies-\$1,805.05; Lawson Products, Supplies-\$371.38; Lookout Books, Books-\$262.65; M&T Fire and Safety, Supplies-\$3,660.00; MC&R Pools, Supplies-\$30.15; McLaury Engineering, 2023-21 P.E. #14-\$10,478.75; McLeod's Printing, Supplies-\$2,762.66; Menard's, Supplies-\$11,497.99; Midcontinent Communication, Utilities-\$106.01; Midcontinent Communication, Advertising-\$3,457.00; Midway Service dba Vollan Oil, Supplies-\$552.09; Midwest Fire & Safety, Service-\$1,301.00; Midwest Oil, Supplies-\$793.71; Midwest Turf & Irrigation, Equipment-\$273,655.00; Millborn Seeds, Improvements-\$11,693.16; Mitchell Area Community Triathlon, Sports Authority Promo-\$1,500.00; Mitchell Area Development, 2025 2nd Quarter Allocation-\$45,500.00; Mitchell Concrete Product, Supplies-\$656.00; Mitchell Convention & Visitors Bureau, Entertainment Tax Distributions-\$21,875.00; Mitchell Iron & Supply, Supplies-\$161.10; Mitchell Main Street and Beyond, 2nd Quarter Allocation/Sports Authority Promo-\$12,750.00; Mitchell Telecom, Utilities-\$3,013.52; Mitchell United Way, United Way Deductions-\$171.00; Mount Vernon School District, Contract Services-\$154.00; Mueller Lumber, Supplies-\$12.22; Muth Electric, Repair-\$4,804.96; Napa Central, Supplies-\$272.83; Niko Arnold, Reimbursement-\$320.00; Northwest Pipe Fittings, Repair-\$618.02; Northwestern Energy, Utilities-

\$61,360.70; One Source The Background, Background Check-\$308.00; Optilegra, Vision Plan-\$259.84; Overdrive, Ebooks-\$1,574.51; Porter Distributing, Supplies-\$223.20; Public Health Laboratory, Labs-\$102.00; Qualified Presort Service, Postage-\$370.80; Quality Cut Lawn & Tree Service, 2024-22R P.E. #7-2024-\$10,000.00; Quick Med Claims, Monthly Contract-\$5,337.31; Range Systems, Supplies-\$5,979.18; Rexwinkel Concrete, 2021-39 P.E. #5-\$47,118.24; Runnings Supply, Supplies-\$1,333.40; S&M Printing, Supplies-\$89.50; Saga Communications of South Dakota, Advertising-\$720.00; Sanford Health Mitchell, Supplies-\$80.00; Sanitation Products, Supplies-\$134.43; Santel Communications, Utilities-\$30.00; Schoenfelder Construction, Utilities-\$43,288.82; Schoenfelder Portables, Rentals-\$590.00; Scholastic Library Publishing, Books-\$24.58; Schumacher Elevator, Maintenance-\$382.50; South Dakota Department of Public Safety, Month Service-\$2,108.00; South Dakota Department of Transportation, 2022-36 P.E. #12-\$399.05; South Dakota Retirement System, Retirement Contributions-\$126,923.60; South Dakota State Historical Society, Book-\$35.59; South Dakota-Supplemental Retirement, Supplemental Retirement-\$3,350.00; South Dakota-Supplemental Roth 457, Roth 457 Contributions-\$2,097.50; South Dakota Municipal League, Work Comp Audit Billing-\$30,700.00; Sherwin-Williams, Supplies-\$654.85; Shive-Hattery, 2023-3 P.E. #9-\$1,503.50; Siteone Landscape Supply, Supplies-\$15,154.46; South Dakota Seamless, Supplies-\$3,387.21; South Dakota 811, Message Fees-\$263.55; Stalker Radar Applied Concepts, Equipment-\$9,579.00; Standard Insurance, Life Insurance-\$2,800.60; Staples, Supplies-\$1,038.50; Streicher's Minneapolis, Supplies-\$23.98; Sturdevants Auto Value, Supplies-\$2,255.08; Subway, Planning Commission Meals-\$62.93; Sun Gold Sports, Supplies-\$345.00; The Dugout, Contract Services-\$3,162.00; The Lodge at Deadwood, Travel-\$452.00; Thomas L Price, Screenings-\$350.00; Thomson Reuters West, Subscription-\$824.82; Thune True Value & Appliance, Supplies-\$861.64; TMA Stores, Maintenance-\$263.64; Toyne, Equipment-\$350,000.00; Upper Midwest Garage Door, Repair-\$330.10; Verizon Wireless, Utilities-\$1,103.26; Vestis, Supplies-\$174.56; Village Bowl, City Banquet-\$2,733.45; Walmart/Capital One, Supplies-\$227.14; WS Construction Management, 2021-30 P.E. #9-\$180,161.10; Xtreme Fire Protection, Inspection-\$350.00; Zimco Supply, Supplies-\$875.00; Ellwein Brothers, Supplies-\$2,668.70; Ellwein Brothers, Supplies-\$487.50; South Dakota Department of Revenue, Sales Tax Payment-\$24,198.85

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 the City should be fiscally responsible and if subsidies are receiving funding, goals should be stated.

Jay Wempe of Michelle's Mad Batter stated vendor spots should be created equally and fairly at Mitchell events. If they cannot be, Mitchell vendors should be put first.

Corn Palace Director Dave Sietsema thanked the Corn Palace Board for the choice of entertainment for the 2025 Corn Palace Festival.

Elizabeth Luczak of Mitchell Main Street & Beyond stated First Fridays begin on May 2nd and the Dessert Rumble begins May 1st.

MAYOR & CITY COUNCIL DISCUSSION ITEMS:

Council Member Bathke thanked Mayor Hanson for helping to bring the boxing event to the Corn Palace, Bathke stated it was very organized and well attended.

Council Member Goldammer asked when the park bathrooms would be turned on. Mayor Hanson said they would be ready next week.

Council Member Tjarks asked about the change in the baseball program. Park and Rec Director Kevin Nelson stated the recreation center would offer instructional and in-town play, more competitive programs would belong to other leagues.

Mayor Hanson stated the new audio/visual equipment in Council Chambers should be installed in June.

Mayor Hanson stated the lake permitting process is on track.

Mayor Hanson updated Council on the rental inspection meetings and the committee may ask for some direction from Council on how to proceed.

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 Jensen Capital & Development LLC for a conditional use permit for multi-family dwellings located at the SE corner of East Spruce Street and Urbana Drive, legally described as Lot 23 of Starlite Estates in the NW ¼ of Section 34, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota. The property is zoned HB Highway Oriented Business District. The Planning Commission recommended approval of said application. Moved by Sabers, 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 of Doug and Heidi Gehrke for a variance for an attached accessory building of 4,600 square feet vs 2,000 square feet located at 304 North Mattie Street, legally described as Lot 4 of D. and D. Long's First Addition, a subdivision of Irregular Tract No. 3 in the NE ¼ of Section 23, 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 McCardle, seconded by Smith, to approve said application. Motion carried.

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

AWARD BID:

Bids were opened and read on Rock Chips Project #2025-10 on the 15th day of April, 2025. Moved by Smith, seconded by Sabers, to award, as follows:

**ROCK CHIPS
PROJECT #2025-10**

Spencer Quarries Inc, 25341 430th Avenue, Spencer, SD 57374

Item 1 \$19.60/ton

Motion carried.

Bids were opened and read on Petroleum Products Project #2025-13 on the 15th day of April, 2025. Moved by McCardle, seconded by Sabers, to award, as follows:

**PETROLEUM PRODUCTS
PROJECT #2025-13**

Jebro Inc, 2303 Bridgeport Drive, Sioux City, IA 51111

Item 1 \$697.52/ton

Motion carried.

CONSIDER APPROVAL:

Moved by Tjarks, seconded by Bathke, to approve Agreement #A2025-30, Corn Palace Service Agreement with Mitchell Area Chamber of Commerce in the amount of \$180,000.00 for the 2026 summer season. Motion carried.

Moved by Goldammer, seconded by McCardle, to approve Agreement #A2025-31, Solid Waste Management Program Grant for Purchase of Tractor-Scraper at Landfill with the South Dakota Department of Agriculture and Natural Resources up to 20% not to exceed \$241,500.00. Motion carried.

Moved by Tjarks, seconded by Barington, to approve Agreement #A2025-32, Real Estate Purchase West of Landfill with Jim River Ridge Farms in the amount of \$3,480,000.00. Motion carried.

RESOLUTION:

Moved by Tjarks, seconded by McCardle, to approve Resolution #R2025-28, Plat of Lot 7, Block 6 of Woodland Heights First Addition, as follows:

RESOLUTION #R2025-28

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 14th day of April, 2025; and

WHEREAS, it appears from an examination of the PLAT OF LOT 7, BLOCK 6 OF WOODLAND HEIGHTS FIRST ADDITION, A SUBDIVISION OF LOT 3, CRANE'S ADDITION IN THE SE 1/4 OF SECTION 34, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, 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 7, BLOCK 6 OF WOODLAND HEIGHTS FIRST ADDITION, A SUBDIVISION OF LOT 3, CRANE'S ADDITION IN THE SE 1/4 OF SECTION 34, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, 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.

Bathke abstained. Motion carried and resolution declared duly adopted.

Moved by Goldammer, seconded by Sabers, to approve Resolution #R2025-29, Plat of Lot 10, Block 5 of Woodland Heights First Addition, as follows:

RESOLUTION #R2025-29

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 14th day of April, 2025; and

WHEREAS, it appears from an examination of the PLAT OF LOT 10, BLOCK 5, OF WOODLAND HEIGHTS FIRST ADDITION, A SUBDIVISION OF LOT 2 AND 3, CRANE'S ADDITION IN THE SE 1/4 OF SECTION 34, T 103 N, RO 60 W OF THE 5TH P.M., CITY OF MITCHELL, 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 10, BLOCK 5, OF WOODLAND HEIGHTS FIRST ADDITION, A SUBDIVISION OF LOT 2 AND 3, CRANE'S ADDITION IN THE SE 1/4 OF SECTION 34, T 103 N, RO 60 W OF THE 5TH P.M., CITY OF MITCHELL, 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.

Bathke abstained. Motion carried and resolution declared duly adopted.

Moved by McCardle, seconded by Barington, to approve Resolution #R2025-30, Plat of Lot 1 of Olinger Addition in the Southwest ¼ of Section 33, Township 103 North, Range 60 West of the 5th P.M., Davison County, South Dakota, as follows:

RESOLUTION #R2025-30

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 14th day of April, 2025; and

WHEREAS, it appears from an examination of the PLAT OF LOT 1 OF OLINGER ADDITION IN THE SW 1/4 OF SECTION 33, 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 1 OF OLINGER ADDITION IN THE SW 1/4 OF SECTION 33, 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 McCardle, to approve Resolution #R2025-27, Vacation of Public Rights-of-Way, a Portion of Winsor Street, as follows:

RESOLUTION #R2025-27

WHEREAS, The petitions and consent in writing of Mitchell School District No. 17-2, owner of Lots B and C, a Subdivision of Lot 1, the remainder of Lot 1, Lots 2, 3 and 4, Block 3; and Lots 1, 2, 3 and 4, Block 4; all in Hammer's Addition to the City of Mitchell, Davison County, South Dakota, as depicted on the plats recorded with the Davison County Register of Deeds in Book 1 of Miscellaneous Records on Page 164 and in Book 2 of Plats on Page 123 respectfully in due and proper for, are requesting the Governing Body of the City of Mitchell to vacate right-of way described as set forth below pursuant to the statutes in such cases made, and provided, particularly SDCL 9-45-7, et. Seq:

The portion of North Winsor Street which is adjacent to and abutting said Lots B and C, a Subdivision of Lot 1, the remainder of Lot 1, Lots 2, 3 and 4, Block 3; and Lots 1, 2, 3 and 4, Block 4; all in Hammer's Addition to the City of Mitchell, Davison County, South Dakota.

WHEREAS, true copies of which are attached to the Petition on file with the City Finance Officer.

WHEREAS, the petition was presented to the City Council of Mitchell, South Dakota, in a regular meeting assembled on the 21st day of April, 2025.

WHEREAS, this council did thereupon consider said petition and did find that said Petition and Consent in writing requesting and consenting to the vacation of said alley was signed by all the owners of property abutting the alley sought to be vacated; and,

WHEREAS, this Council did, by proper motion, made, seconded and carried in regular meeting assembled on the 21st day of April, 2025 deem it proper that the matter be proceeded with and did order that the said Petition be filed with the City Finance Officer and did order said Finance Officer to give notice of a hearing thereon, by publication, as required by law, that said Petition had been filed and that the same would be heard and considered by the Governing Body of the City on the 21st day of April, 2025 at 6:00 PM. In the Chambers of the City Council of the City of Mitchell Davison County South Dakota;

WHEREAS, said Council did meet to consider and hear said Petition on the 21st day of April, 2025 at the time and place specified in said Notice, and that the said Petition was duly heard and considered by this Council, the Petitioners and consideration of those objecting were heard by Council were presented in regards to said Petition, writing or otherwise; and,

WHEREAS, this Council having duly heard and considered said Petition finds:

1. That due notice of the hearing of said Petition was given by the City Finance Officer by publication of a Notice thereof in the form prescribed by law in the *Mitchell Republic*, a newspaper, printed and published in the City of Mitchell, South Dakota, for two (2) successive weeks, to-wit: April 2 and 9, 2025.
2. That the Petitioners are the sole owners of all of the property abutting the street right-of-way requested to be vacated and have requested that the said street right-of-way be vacated. Said owners having consented in writing to the vacation of the said street and which consent is made part of the said Petition.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Mitchell, South Dakota, in a regular meeting, on the 21st day of April, 2025 that street identified as the portion of North Winsor Street which is adjacent to and abutting said Lots B and C, a Subdivision of Lot 1, the remainder of Lot 1, Lots 2, 3 and 4, Block 3; and Lots 1, 2, 3 and 4, Block 4; all in Hammer's Addition to the City of Mitchell, Davison County, South Dakota is hereby vacated.

Motion carried and resolution declared duly adopted.

ORDINANCE:

Moved by Smith, seconded by McCardle, to place Ordinance #O2025-04, Providing for Staggering of Mayoral and City Council Elections, as amended, on first reading. Motion carried

EXECUTIVE SESSION:

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

Mayor Hanson declared the board out of executive session at 7:59 p.m. and the City Council to reconvene in regular session at 8:00 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 _____.