

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

**August 18, 2025
6:00 P.M.**

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

ABSENT: John Doescher, Susan Tjarks

PRESIDING: Mayor Jordan Hanson

Council Member Barington is present by phone.

CONSIDER APPROVAL:

Moved by Goldammer, seconded by McCardle, to approve Mayor Hanson's appointment of Shannon Sandoval to the position of Chief of Fire & EMS. Motion carried.

OATH OF OFFICE:

Mayor Hanson issued the Oath of Office to Chief of Fire & EMS Shannon Sandoval.

AGENDA:

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

- a. City Council Minutes
 - 1. City Council August 4, 2025
- b. Committee Reports
 - 1. Planning Commission July 28, 2025
 - 2. Planning Commission August 11, 2025 (unsigned)
- c. Department Reports
 - 1. Sales Tax Collections (July)
 - 2. Finance (July)
 - 3. Building Permits (July)
 - 4. Water (July)
- d. MADC/CVB Quarterly Update
- e. Raffle Permits
 - 1. Rooted 23 with the drawing to be held on November 1, 2025
- f. Special Event Permit Application for Corn Palace Festival on August 19-25, 2025

- g Special Event Permit Application for RiverTree Block Party on September 7, 2025
- h. Declare Surplus Property-1st Avenue (Lot 2 and Lot 15)
- i. Amend SD DOT Grant Agreement #A2023-42
- j. Change Order #1-Final for Livesay Lane Project #2021-25 decreasing the contract amount by \$2,160.80 to H&W Contracting LLC adjust contract amount to \$1,121,659.40
- k. Set date 1:30 P.M., August 27, 2025 for bid opening for Lakeshore Development Sanitary Sewer Project #2025-42
- l. Approval of Gas and Fuel Quotations

<u>Howes Oil Company</u>	<u>Requested Gallons</u>	<u>Bid Gallons</u>	<u>Price per Product</u>	<u>Total Bid</u>
Unleaded Gas-10% Ethanol	7,500	7,500	\$2.2765	\$17,073.75
Total Bid:				\$17,073.75

- m. Pay Estimates August 18, 2025
 - Pay Estimate #7-Final in the amount of \$115,278.14 for Livesay Lane Utilities #2021-25 contracted to H&W Contracting
 - Pay Estimate #12 in the amount of \$660,677.15 for Wastewater Treatment Plant-Phase II #2022-01 contracted to John T Jones Construction
 - Pay Estimate #11A in the amount of \$8,385.00 for Wastewater Treatment Plant-Phase II #2022-01 contracted to GeoTek Engineering
 - Pay Estimate #31 in the amount of \$107,173.65 for Wastewater Treatment-Phase II #2022-01 contracted to HDR Engineering
 - Pay Estimate #19 in the amount of \$2,427.50 for 3rd & Main Streetscape #2022-26 contracted to McLaury Engineering
 - Pay Estimate #10 in the amount of \$290,911.05 for Jetty & Marina Improvements #2023-03 contracted to Soukup Construction
 - Pay Estimate #18 in the amount of \$5,383.75 for 2nd & 4th Construction #2023-21 contracted to McLaury Engineering
 - Pay Estimate #5 in the amount of \$1,092.00 for Lake Mitchell Tornado Shelter #2023-33 contracted to LL Jirsa Architect
 - Pay Estimate #1 in the amount of \$1,890.00 for FEMA Risk Management Plan #2025-03 contracted to HDR Engineering
 - Pay Estimate #4 in the amount of \$10,103.55 for 13th & Wisconsin Drainage Study #2025-08 contracted to McLaury Engineering
 - Pay Estimate #3 in the amount of \$37,500.00 for Corn Palace Expansion #2025-19 contracted to Schemmer
- n. Approve Bills, Payroll, Salary Adjustments and New Employee Hires and Authorize Payment of Recurring and other expenses in advance as approved by the Finance Officer

PAYROLL JULY 20, 2025 – AUGUST 2, 2025: City Council \$3,735.28, Mayor \$1,614.57, City Administrator \$6,691.52, Administrative Boards \$2,442.65, Attorney \$5,601.88, Finance \$16,996.38, Human Resources \$4,601.44, Municipal Building \$5,657.19, Information Technology

\$3,453.08, Police \$91,321.38, Traffic \$6,200.10, Fire \$42,570.76, Street \$38,299.24 Public Works \$26,601.85, Cemetery \$8,384.61, Library \$17,079.45, Recreation & Aquatics \$30,310.76, Recreation Center \$15,174.68 Sports Complexes \$20,151.98, Ballpark Concessions-\$1,962.64, Parks \$28,572.45, Supervision \$4,418.10, E911 \$22,639.83, Palace Transit \$29,550.27, JVCC \$1,987.96, Nutrition \$4,821.28, Airport \$2,669.37, Water Distribution \$15,896.05, Sewer \$15,032.60, Recycling Program \$8,996.05, Waste Collection \$8,824.25, Landfill \$11,649.83, Corn Palace \$31,883.85, Golf Course \$12,533.12 Campground \$2,553.60, Emergency Medical Services \$41,504.18

NEW HIRES:

CORN PALACE: Breanna Adams-\$11.50, Khloe Mackey-\$11.50, Alexander Ness-\$11.50

PALACE TRANSIT: Tyson Sprinkel-\$22.036

RECREATION CENTER: Halle Mickelson-\$12.20

SPORTS COMPLEXES: Douglas Stewart-\$23.152

SALARY ADJUSTMENTS:

CEMETERY: Aaron Willis-\$35.073

CORN PALACE: Kathy Hanks-\$24.581

E-911: Emma Farley-\$23.615

LIBRARY: Jean Patrick-\$33.711

PALACE TRANSIT: Jonathan Gamber-\$23.853, Wanda Graves-\$31.159

POLICE: Cierra Dailey-\$30.229

RECREATION CENTER: Myles Brewster-\$23.615

SPORTS COMPLEXES: Nolan Tegels-\$25.060

STREET: Pamela Punt-\$28.786

TERMINATION:

RECREATION CENTER: Ray VanOvershelde

WARRANTS: A-Ox Welding, Supplies-\$543.21; AAA Lawn Care and Maintenance, Maintenance-\$780.00; Accounts Management, Garnishment-\$561.52; Advanced Entertainment, Equipment-

\$707.00; AFSCME Council 65, Union Dues-\$546.63; Agronomy Plus, Supplies-\$110.00; Amazon Capital Services, Supplies-\$2,174.92; American Engineering Testing, Water Analysis-\$32.00; American Garage Door, Repair-\$182.14; AMG-Avera Occupational Medicine, Labs-\$75.40; AT&T Mobility - Palace Transit, Utilities-\$557.01; AT&T Mobility - Police Department, Utilities-\$1,108.40; ATR Lighting Enterprises, Supplies-\$228.40; Avera Medical Group - Mitchell, Testing-\$120.00; Avera Occupational Medicine, Physicals-\$1,046.00; Axon Enterprise, Supplies-\$14,368.80; B-Y Water District, Water Usage-\$162,023.62; Baker & Taylor, Books-\$132.76; Becker Arena Products, Supplies-\$3,137.12; Best Western Ramkota Hotel, Travel-\$722.00; Big Daddy D's, Contract Services-\$3,995.10; Blackstone Publishing, Audiobooks-\$145.51; Break Time Portables, Rental-\$320.00; Building Sprinkler, Maintenance-\$445.00; C&B Operations, Supplies-\$149.51; Century Link, Utilities-\$71.97; Chesterman, Supplies-\$1,449.80; Chris Foster, Entertainment-\$350.00; CHS Farmers Alliance, Repair-\$3,535.35; City of Mitchell, Permit-\$50.00; City of Mitchell, Corn Palace Festival-\$5,000.00; City of Mitchell, Hotel Tax-\$854.00; CK Bicycles & Locks, Service Call-\$130.00; Coborns, Contract Services-\$1,327.20; Cole Palmer, Reimbursement-\$66.94; Column Software, Advertising-\$431.47; Core & Main, Supplies-\$15,347.90; Core-Mark, Supplies-\$8,253.93; Corn Palace, Pre-Sturgis Party-\$362.00; County Fair, Supplies-\$1,438.30; Creekside Veterinary Clinic, Service-\$341.80; Dakota Fluid Power, Repair-\$248.06; Dakota Supply Group, Supplies-\$772.69; Dale Star, Reimbursed-\$80.05; Darrington Water Conditioning, Rental-\$135.00; Davison Rural Water Systems, Water Usage-\$112.45; Department of Agriculture, State Garbage Fees-\$4,851.23; Department of Social Services, Child Support-\$359.54; Dicks Towing, Towing-\$480.00; Dimock Dairy, Supplies-\$790.95; Doug's Custom Paint & Body, Parts-\$37.60; Elfstrand's Ace Hardware, Supplies-\$20.57; Fastenal, Supplies-\$489.36; Fedex, Mailing-\$19.52; Ferguson Waterworks #2516, Supplies-\$639.24; Fisher Scientific, Supplies-\$271.68; Fleetpride, Supplies-\$163.53; Galls, Supplies-\$76.67; Gaylen's Gourmet Popcorn, Supplies-\$2,106.00; Geotek Engineering & Testing, 2022-1 P.E. #11A-\$8,385.00; Grainger, Supplies-\$72.84; Gravel Road Touring, Entertainment-\$3,000.00; Guardian Alliance Technology, Background-\$50.00; H&W Contracting, 2021-25 P.E. #7-Final-\$115,278.14; Hampton Inn, Travel-\$572.00; Hawkins, Chemicals-\$7,381.03; HDR Engineering, 2022-1 P.E. #31-\$109,063.65; Henry Schein, Supplies-\$1,154.64; Holiday Inn City Centre Sioux Falls, Travel-\$110.00; Independent Viking Glass, Repair-\$1,501.63; Industrial Chem Labs & Service, Supplies-\$528.78; Ingram Library Services, Books-\$1,211.06; Interstate Glass & Door, Maintenance-\$601.75; Interstate Office Products, Supplies-\$218.10; Interstate Tire & Auto Center, Repair-\$30.00; Iverson, Maintenance-\$560.06; Jacquelyn High, CDL Renewal-\$45.00; JCL Solutions, Supplies-\$62.70; Jebro, Supplies-\$53,576.51; Jessica Callies, Entertainment-\$300.00; John Badker, Travel-\$14.00; John T Jones Construction, 2022-1 P.E. #12-\$660,677.15; Johnson Controls, Repair-\$7,869.30; Jones Supplies, Supplies-\$2,198.90; Judd Hoos, Entertainment-\$3,000.00; Kogel Archaeological Consulting Service, Lake Improvements-\$7,469.00; Kone, Maintenance-\$999.57; Korrie Wenzel, Entertainment-\$1,200.00; Kristopher Morris, Maintenance-\$1,135.00; L.L. Jirsa Architect, 2023-33 P.E. #5-\$1,092.00; Lakeview Veterinary Clinic, Management-\$1,013.56; Larry's I-90 Service, Maintenance-\$55.00; Last Child Productions, Entertainment-\$126,000.00; Lawson Products, Supplies-\$418.81; Layton Eide, Entertainment-\$1,600.00; Leighton Family Farms, Supplies-\$961.00; Life 96.5 KNWC, Advertising-\$360.00; Light & Siren, Equipment-\$11,098.15; Lighthouse Uniform, Uniforms-\$1,387.80; M&T Fire and Safety, Supplies-\$3,123.56; Mason Bruns, Reimbursement-\$56.22; McLaury Engineering, 2022-26 P.E. #19-\$17,914.80; McLeod's Printing, Supplies-\$604.90; Mebius Nursery & Landscaping, Maintenance-\$300.00; Meierhenry Sargent,

Bond Fees-\$36,750.00; Menard's, Supplies-\$1,546.35; Messerli & Kramer, Garnishment-\$327.35; Micah Tyler Music, Entertainment-\$25,000.00; Michaels Fence & Supply, Supplies-\$435.68; Michelle Bathke, Supplies-\$156.84; Mid States Audio, Sound System-\$66,942.17; Midcontinent Communication, Advertising-\$150.00; Midway Service dba Vollar Oil, Supplies-\$617.61; Midwest Fire & Safety, Maintenance-\$395.00; Midwest Laboratories, Testing's-\$1,406.04; Midwest Oil, Supplies-\$89.29; Midwest Turf & Irrigation, Supplies-\$75,443.51; Mike & Jen Lauritsen, Improvements-\$3,488.00; Mitchell Animal Rescue, Management Fee-\$350.00; Mitchell Concrete Product, Supplies-\$338.50; Mitchell Convention & Visitors Bureau, Entertainment Tax-\$21,875.00; Mitchell Iron & Supply, Supplies-\$212.94; Mitchell Lion's Club, Service-\$1,500.00; Mitchell Plumbing & Heating, Maintenance-\$12,068.78; Mitchell School District, Utilities-\$1,735.40; Mitchell Telecom, Utilities-\$3,242.88; Mitchell United Way, Deductions-\$141.00; Mueller Lumber, Repairs-\$10,137.88; Muth Electric, Repair-\$5,730.13; Napa Central, Supplies-\$385.86; Newman Signs, Supplies-\$10,793.01; Northridge Baptist Church, Entertainment-\$1,200.00; Northwest Pipe Fittings, Supplies-\$7,715.61; Northwestern Energy, Utilities-\$86,174.01; Office of Weights & Measurers, Inspection Fee-\$103.00; One Source The Background, Background Checks-\$295.00; Overdrive, Ebooks-\$1,607.06; Palace Transit, Advertising-\$360.00; Pepsi Cola, Supplies-\$778.34; Pioneer Manufacturing, Supplies-\$1,216.90; Porter Distributing, Supplies-\$225.60; Premier Pest Control, Maintenance-\$275.00; Public Health Laboratory, Lab Fees-\$2,277.00; Qualified Presort Service, Postage-\$396.25; Quality Wood Designs, Board Planning-\$50.00; Quick Med Claims, Monthly Contract-\$3,608.43; Rebel Rooster, Entertainment-\$101,000.00; Rehrig Pacific, Supplies-\$35,335.00; Runnings Supply, Supplies-\$1,771.05; Ryland Devries, Reimbursement-\$45.00; Saga Communications of South Dakota-Advertising-\$1,191.00; Sanitation Products, Supplies-\$501.21; Savvik Buying Group, Supplies-\$82.00; Schemmer, 2025-19 P.E. #3-\$37,500.00; Schoenfelder Portables, Rental-\$1,795.00; Schwartzle Construction, Maintenance-\$44,387.84; South Dakota Association of Rural Water, Annual Dues-\$1,265.00; South Dakota Police Chiefs', Supplies-\$562.50; South Dakota-Supplemental, Supplemental Retirement-\$3,455.00; South Dakota-Supplemental Roth 457, Roth 457 Contributions-\$2,122.50; Shannon Sandoval, Reimbursement-\$45.00; Sherwin-Williams, Supplies-\$195.18; Sirchie Acquisition, Supplies-\$756.15; Siteone Landscape, Supplies-\$3,139.69; Soukup Construction, 2023-3 P.E. #10-\$290,911.05; South Dakota 811, Message Fees-\$373.80; Standard Insurance, Life Insurance-\$438.66; Streicher's, Supplies-\$1,253.68; Sturdevants Auto Value, Supplies-\$3,787.12; Subway, Planning Comm Meals-\$53.94; Sun Gold Sports, Supplies-\$1,206.57; TNT Inflatables, Pre Sturgis Party-\$1,050.00; Teamsters Local No. 120, Union Dues-\$1,427.00; Tessiers Mechanical Contract, Repair-\$1,672.71; The Dugout, Contract Services-\$3,975.00; Thomson Reuters-West, Subscription-\$1,314.00; Thune True Value & Appliance, Supplies-\$231.55; TMA Stores, Repair-\$79.77; Transource, Supplies-\$148.97; Two Way Solutions, Maintenance-\$1,339.79; Tylor Cassingham, Reimbursed-\$197.94; Tyson Patton, Reimbursement CDL-\$63.00; Upper Midwest Garage Door, Maintenance-\$510.21; UPS Store #4227, Shipping-\$408.11; USA Bluebook, Supplies-\$905.94; Van Diest Supply, Program-\$5,434.00; Van Wall Equipment, Supplies-\$422.17; Verizon Wireless, Utilities-\$787.59; Vestis, Supplies-\$509.65; Walmart/Capital One, Supplies-\$209.40; Williams Drones, Supplies-\$2,000.00; Authorize Net-Vias-\$206.44; CSG Forte Payment-\$524.10; Money Movers, NIHCA-\$14.25; Clover, Credit Card-\$4222.08; Ellwein Brothers-Supplies-\$615.50; US Bank, Landfill, Water Tower, Lift Station, Gabions-\$76,416.85; South Dakota Department of Revenue, Sales Tax Payment-\$31636.93; Wellmark, Administration, Prescription, Medical-\$241,070.48; US Bank, Loan

Payment-\$43,548.66; US Bank, Loan Payment-\$409,147.76; Billy McDonald, Security Deposit Refund-\$625.00; Staples, Supplies-\$23.04

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

CITIZENS INPUT:

Mitchell resident, Stewart Hanson, wanted to set the record straight on a couple of items, such as, both Council Member Bathke and Council Member Goldammer attended Arts in the Park and would also like clarification on if the Mayor is the CEO of the city.

Council Member Tim Goldammer stated the promotions and advertising for the Corn Palace were fantastic, such as the hiding of the golden Corn Cobs. Goldammer reminded everyone to purchase tickets for the Corn Palace Festival concerts.

Public Works Director Joe Schroeder stated the 1st & Sanborn traffic signals were struck by lightning. The Traffic Department is doing their best to keep them operating.

Joe Krall representing Tour de Corn thanked the City employees for doing a little extra to have everything ready for the 320 participants from 13 states.

Mike Vehle and Joe Kippes of Friends of Firesteel stated they have raised \$1.733 million in funds and have sent letters out to residents living on the lake, across from the lake, and in the canal area.

Mayor Hanson stated the United Way Day of Caring was great and is looking forward to the community art project featuring the faces of local South Dakota farmers and ranchers.

BOARD OF ADJUSTMENT:

Moved by Goldammer, seconded by Bathke, 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 Amanda Nava for a conditional use permit for a family residential daycare located at 516 West 10th Avenue, legally described as Lot 8, Block 39, Capital Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential District. The Planning Commission recommended approval of said application with the following conditions, the permit is non-transferable, a new application would be required if the business ceases operation for six months, and passes a fire inspection. Moved by Sabers, seconded by Goldammer, to approve said application. Motion carried.

Moved by Goldammer, seconded by McCardle, to set date for September 2, 2025 on the application of Marci Stults for a conditional use permit for a family residential daycare located at 308 South

Mentzer Street, legally described as Lots 7 and 8, Block 9, Applegate Addition, City of Mitchell, Davison County, South Dakota. Motion carried.

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

Council Member Barington has left the meeting.

HEARING:

It was advised that this is the date and time set for hearing on the application of Jeff and Denise Del Favero dba Bread and Vine Bistro LLC, 312 North Main Street for a new Retail (on-off sale) Wine and Cider License (Video lottery is not included). Notice of hearing has been given and affidavit of publication is on file. Moved by McCardle, seconded by Sabers, to approve said application. Motion carried.

It was advised that this is the date and time set for hearing on the application of Jeff and Denise Del Favero dba Bread and Vine Bistro LLC, 312 North Main Street 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 Goldammer, seconded by Bathke, to approve said application. Motion carried.

RESOLUTION:

It was advised that this is the date and time set for hearing on the proposed assessment roll for Fiala Road Street Improvements. Public Works Director Joe Schroeder reviewed the assessment roll. Residents of the area had concerns with the sidewalk portion of the assessment at this time. The residents were not opposed to sidewalk in the future when the area to the north is developed. Moved by Bathke, seconded by Smith, to approve Resolution #R2025-57, Assessment Roll for Fiala Road Improvements, as amended, removing the sidewalk line item, as follows:

RESOLUTION NO. R2025-57

PROPOSED RESOLUTION DECLARING THE NECESSITY FOR THE CONSTRUCTION OF CURB & GUTTER, ASPHALT SURFACING, CONCRETE APPROACHES, ENGINEERING FEES & MISCELLANEOUS EXPENSES ON CERTAIN STREETS IN THE CITY OF MITCHELL, SOUTH DAKOTA

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MITCHELL, SOUTH DAKOTA

SECTION 1. That it is deemed necessary to improve certain streets in the City of Mitchell, South Dakota as follows:

THE PROPERTY OWNER WILL HAVE 30 DAYS AFTER THE COLLECTION HEARING TO PAY FOR THEIR ASSESMENT WITHOUT INTEREST. AFTER 30 DAYS, INTEREST WILL BE ADDED AT A RATE OF 8% OR AS DETERMINED BY THE CITY COUNCIL. IN NOVEMBER FOLLOWING THE COLLECTION HEARING, THE BALANCE DUE ON THE ASSESMENT GETS SENT TO THE COUNTY AUDITOR AND SPLIT INTO 10 ANNUAL EQUAL PAYMENTS THAT WILL BE TAKEN OUT OF FIRST HALF OF THE TAX PAYMENT FOR THAT PROPERTY.

Segment 2025-01:

Fiala Rd from end of pavement to continue 334' north:

Construction of Curb & Gutter, 3" thick Asphalt Surfacing with 8" Base, Concrete Approaches, Engineering Fees and Miscellaneous Expenses and Accessories.

	LOT	BLK.	ADDITION	ESTIMATED ASSESMENT
1*	4		FIALAS ADDN-NW	\$ 40,472.18
2*	14		FIALAS ADDN-NW	\$ 38,280.32
TOTAL ASSESMENT AMOUNT				\$ 78,752.50

* Lots assessed for **FRONT YARD** according to Section 2a and 2d.

Lots assessed for **INTERSECTION** according to Section 2b and 2c.

^ Lots assessed for **BENEFIT** according to Section 2e.

SECTION 2. That it is deemed necessary to levy a special assessment to defray the expense thereof, and that the cost thereof shall be proportioned as follows:

That the method of apportioning or assessing the cost of the said improvements or payment against all assessable lots, tracts and parcels of land shall be according to the following schedules:

- The total Cost of the street, alley, or utility improvements shall be assessed according to the front footage of the property fronting on the improvements.
- The Total Cost of the street or alley improvements shall be divided equally between all lots benefiting from the improvements.
- Shall be to all lots, tracts, or parcels of land according to the area of each to include 1/2 of the property between the street improvement and the next street, whether or not such property abuts such street or not, but in no case shall any property situated more than 300' from such intersection be assessed.
- Footage of the property fronting or abutting on the improvements. The estimated cost for the street portion is estimated at \$100.00 a lineal foot, this does not include intersection, benefit or corner lot costs. Per side.

BE IT FURTHER RESOLVED that the Engineering Department prepare and file in the office of the Finance Officer for the examination of all interested parties, plans, and specifications to be used in the construction thereof; and

BE IT FURTHER RESOLVED that a hearing will be held upon such construction of proposed street and alley improvements, as provided by statute and notice thereof be given as provided by law.

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

Smith then recommended that sidewalk be required when the area is developed to the north of the proposed project or when the area is scheduled as part of the sidewalk plan.

AWARD BID:

Bids were opened and read on Cadwell Park Infield Improvements Project #2025-23 on the 12th day of August, 2025. Moved by McCardle, seconded by Smith, to award, as follows:

**CADWELL PARK INFIELD IMPROVEMENTS
PROJECT #2025-23**

LT Companies, 27070 Duke Avenue, Tea, SD 57064

Total Bid \$323,699.00

Motion carried.

CONSIDER APPROVAL:

Moved by Bathke, seconded by Goldammer, to approve setting the date for Initiated Measure-Establishing Term Limits for Mayor and City Council Positions for the Annual Municipal Election to be held on June 2, 2026. Motion carried.

Moved by Goldammer, seconded by McCardle, to approve the request for restricted parking on Capital Street adjacent to Mitchell High School. Motion carried.

Moved by McCardle, seconded by Bathke, to approve participation in the Purdue Settlement (Opioid Litigation). Motion carried.

Moved by McCardle, seconded by Goldammer, to approve Agreement #A2025-49, Dispatch Communications Equipment and Maintenance with Two-Way Solutions and enter into a five-year service contract. Motion carried.

Moved by Goldammer, seconded by McCardle, to approve Agreement #A2025-50, Contribution in Aid & Service Line Agreement for new KVA Service to blower building at Wastewater Treatment Plant with Central Electric. Motion carried.

RESOLUTIONS:

Moved by Goldammer, seconded by Bathke, to approve Resolution #R2025-60, Surplus and Auction of Trailer and Shed in the 1100 and 1200 Block of East 1st Avenue, as follows:

RESOLUTION #R2025-60

A RESOLUTION PROVIDING FOR THE SURPLUS AND AUCTION OF ONE TRAILER AND ONE SHED LOCATED IN THE 1100 AND 1200 BLOCK OF EAST 1ST AVENUE

WHEREAS the City of Mitchell is the owner of real property in the 1100 and 1200 Block of East 1st Avenue in Mitchell, and there are currently trailer units and other buildings located on the property; and

WHEREAS the City previously approved the surplus of the trailer unit located on Lot 11 which did not sell at auction. There is also a shed marked as Shed 111 which has not been previously surplus, that the City desires to auction; and

WHEREAS, the City desires to remove the trailer unit and shed as they are no longer necessary, useful, or suitable for the purpose for which they were acquired; and

WHEREAS the City intends to auction the trailer unit and shed themselves, not including any interest in the land itself, upon the conditions further provided in this resolution, and if no buyer is found, then such trailer unit and/or shed shall be demolished and removed.

THEREFORE, BE IT RESOLVED by the City Council of the City of Mitchell, SD that the City hereby determines that the trailer unit located on Lot 11 of the Parkview Homes complex in the 1100 and 1200 Block of East 1st Avenue, as well as the shed marked as Shed 111, are no longer necessary, useful, or suitable for the purpose for which they were acquired; and

IT IS FURTHER RESOLVED that such trailer unit and shed shall be sold at auction upon such terms as the Public Works department may provide in advance of the auction. Notice of the auction shall be published twice with the first occurring at least 10 days prior to the sale. However, the auction shall be for the trailer unit and shed themselves, sold individually, in as is condition, and no interest in the real property itself shall accrue, transfer, or otherwise vest to any successful buyer. Upon completion of the auction, the mayor and finance officer are authorized to award the trailer unit and/or shed to the successful bidder by signing the terms and conditions sheet of the successful bidder or bidders; and

IT IS FURTHER RESOLVED that if at auction no buyer is found, such trailer unit and/or shed shall be demolished and removed from the property.

Motion carried and resolution declared duly adopted.

Moved by Sabers, seconded by McCardle, to approve Resolution #R2025-61, Authorizing Legal Action in Relation to Parkview Leases, as follows:

RESOLUTION NO. R2025-61

A RESOLUTION AUTHORIZING LEGAL ACTION IN RELATION TO LEASES
AT THE PARVIEW HOMES COMPLEX

WHEREAS, the City of Mitchell purchased real property in the 1100 and 1200 Blocks of East 1st Avenue in Mitchell (the "Parkview Homes Property") on May 8th, 2025; and

WHEREAS, the Parkview Homes Property was the location of a number of mobile home and rental units which the City was assigned the leases relating to the Parkview Homes Property at the time of closing the purchase; and

WHEREAS, several of these leases were month to month and the City notified those lessees that their leases would not be extended beyond August 31, 2025; and

WHEREAS, one of these leases was for a set period of time expiring on August 24, 2025 and the City notified that lessee that their lease would not be extended beyond August 24, 2025; and

WHEREAS, in the event that the lessees do not vacate their units by the termination date, the City must take legal action to remove the holdover tenants and such legal action must be authorized by the City Council; and

WHEREAS, the City Council believes it is in the best interests of the City to authorize such auction immediately so that such auctions can be initiated without delay if any tenants remain beyond their termination date.

BE IT RESOLVED by the City of Mitchell, South Dakota:

1. That the above recitals are hereby incorporated.
2. That actions for Forcible Entry and Detainer are authorized under SDCL Chapter 21-16 in cases where a lessee holds over after the termination of their lease or expiration of their term.
3. That there are currently several tenants currently residing at the Parkview Homes Property who have leases expiring on or before August 31, 2025.
4. That in the event that one or more of said tenants with leases expiring on or before August 31, 2025 fail to vacate their unit by the date the lease terminates, the City Attorney is hereby authorized to take any and all actions required by law to remove

the tenant(s) from their corresponding unit(s) and for the city to reclaim possession of the unit(s). Requests for unpaid rent, damages for waste committed by the tenant, or any other cause of action arising out of the lease of the unit(s) that the City Attorney determines to be appropriate is also hereby authorized.

Motion carried and resolution declared duly adopted.

Moved by Smith, seconded by McCardle, to approve Resolution #R2025-62, Plat of Lot 1, Block 10, a subdivision of Block 4 of Westwood First Addition, as follows:

RESOLUTION #R2025-62

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 11th day of August, 2025; and

WHEREAS, it appears from an examination of the PLAT OF LOT 1, BLOCK 10, A SUBDIVISION OF BLOCK 4 OF WESTWOOD FIRST ADDITION IN THE NW 1/4 OF SECTION 16, 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 1, BLOCK 10, A SUBDIVISION OF BLOCK 4 OF WESTWOOD FIRST ADDITION IN THE NW 1/4 OF SECTION 16, 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.

Motion carried and resolution declared duly adopted.

ORDINANCE:

Moved by Sabers, seconded by Bathke, to place Ordinance #O2025-10, Amending Title 10 Zoning Regulations: 10-6A-3-Neighborhood Shopping Conditional Use Permit-Alcohol Sales (on-sale) on second reading. Motion carried. Moved by Smith, seconded by McCardle, to adopt Ordinance #O2025-10, Amending Title 10 Zoning Regulations: 10-6A-3-Neighborhood Shopping Conditional Use Permit-Alcohol Sales (on-sale), as follows:

ORDINANCE #O2025-10

An Ordinance amending 10-6A-3: Conditional Uses in Neighborhood Shopping District, Title 10 Zoning Regulations, City of Mitchell Municipal Code

**NOW BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MITCHELL,
DAVISON COUNTY, SOUTH DAKOTA:**

Section 1.

That 10-6A-3: Conditional Uses in Neighborhood Shopping District, be amended by adding
“ALCOHOL SALES (ON-SALE).”

Section 2.

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

EXECUTIVE SESSION:

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

Mayor Hanson declared the board out of executive session at 9:29 p.m. and the City Council to
reconvene in regular session at 9:30 p.m.

ADJOURN:

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



Michelle Bathke
Finance Officer

Published once at the approximate cost of _____.