

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

**January 20 2026
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 McCardle, to approve the following items on the consent agenda:

- a. City Council Minutes
 1. City Council January 5, 2026
- b. Committee Reports
 1. Planning Commission December 8, 2025 (signed)
 2. Planning Commission January 12, 2026 (unsigned)
- 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. Water (December)
- d. Raffle Permits
 1. South Dakota Shooting Sports Foundation with the drawing to be held on September 12, 2026
 2. Mitchell Lions Club with the drawing to be held on April 7, 2026
- e. Purchase of Volvo Loader for Airport off of Sourcewell Contract-Project #2026-22
- f. Purchase of Skid Loader for Wastewater off of Sourcewell Contract-Project #2026-30
- g. Purchase of Pay Loader for Cemetery and Golf Course off of Sourcewell Contract
- h. Purchase of 3 Patrol vehicles off of state bid
- i. Changes to the 2026 Personnel Policies and Procedures Manual, the 2026 Safety Manual, and the 2026 Drug and Alcohol Policy
- j. Increases to the Unreimbursed Medical and Dependent Care Maximum Deductions to match increases in federal limits
- k. Volunteer Board Appointments

- 1. Pat McGeough to the Park Board to fill an unexpired term to run January 2026-June 2026
- l. Change Order #5 for North Harmon Sanitary Sewer Outfall Project #2023-06 decreasing the contract amount by \$10,933.80 to Halme Inc, adjust contract amount to \$3,341,095.38
- m. Change Order #1 for Island Watermain Bore Project #2025-27 decreasing the contract amount by \$8,719.00 to Halme Inc, adjust contract amount to \$95,501.00
- n. Set date for February 2, 2026 for hearing and action on the application to transfer RB-2169 Retail (on-off sale) Malt Beverage & SD Farm Wine License from LAB LLC, 501 South Sanborn to Blarneys LLC dba Rookies Casino, 2100 Highland Way, Suite Q
- o. Approval of Gas and Fuel Quotations

Howes Oil	<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	\$1.9515	\$14,636.25
	Total Bid:			\$14,636.25

- p. Pay Estimates January 20, 2026
- Pay Estimate #14 in the amount of \$134,182.15 for Highway 37 Utilities #2021-45 contracted to Michels Road & Stone
- Pay Estimate #17 in the amount of \$630,326.28 for Wastewater Treatment Plant Improvements-Phase II #2022-01 contracted to John T. Jones Construction Company
- Pay Estimate #36 in the amount of \$40,261.76 for Wastewater Treatment Plant Improvements-Phase II #2022-01 contracted to HDR Engineering
- Pay Estimate #16 in the amount of \$2,177.50 for Wastewater Treatment Plant Improvements-Phase II #2022-01 contracted to GeoTek Engineering
- Pay Estimate #20 in the amount of \$670.00 for Water & Wastewater Fee Analysis #2022-22 contracted to HDR Engineering
- Pay Estimate #14 in the amount of \$169,707.36 for North Harmon Sanitary Sewer Outfall #2023-06 contracted to Halme Inc.
- Pay Estimate #4 in the amount of \$10,000.00 for Airport Snow Removal #2024-22 contracted to Quality Cut Lawn
- Pay Estimate #5 in the amount of \$2,960.00 for FEMA Risk Management Plan #2025-03 contracted to HDR Engineering
- Pay Estimate #9 in the amount of \$2,390.00 for 13th & Wisconsin Drainage Study #2025-08 contracted to McLaury Engineering
- Pay Estimate #1 in the amount of \$95,501.00 for Canal Watermain Project #2025-27 contracted to Halme Inc.
- Pay Estimate #1 in the amount of \$12,200.00 for Graceland Cemetery-West #2026-23 contracted to Brosz Engineering
- Pay Estimate #1 in the amount of \$7,800.00 for Graceland Cemetery-East #2026-24 contracted to Brosz Engineering
- Pay Estimate #15 in the amount of \$4,005.64 for AIP '33 Municipal Hangar Construction contracted to Helms & Associates
- Pay Estimate #12 in the amount of \$15,377.13 for AIP '34 Airport Runway 18/36 Reconstruction contracted to Helms & Associates

q. 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 21, 2025 – JANUARY 3, 2026: City Council \$3,847.36, Mayor \$1,663.00, City Administrator \$7,030.12, Administrative Boards \$2,566.25, Attorney \$5,885.34, Finance \$15,692.86, Human Resources \$4,834.28, Municipal Building \$5,681.12, Information Technology \$3,627.80, Police \$98,524.57, Traffic \$5,070.52, Fire \$43,443.08, Street \$35,927.31 Public Works \$28,159.79, Cemetery \$6,314.90, Library \$15,459.74, Recreation & Aquatics \$6,685.92, Recreation Center \$17,112.93, Sports Complexes \$13,916.92, Parks \$15,398.11, Supervision \$4,641.65, E911 \$27,710.55, Palace Transit \$30,631.18, JVCC \$1,940.50, Nutrition \$4,402.40, Airport \$2,804.44, Water Distribution \$15,321.81, Sewer \$16,392.50, Recycling Program \$5,985.68, Waste Collection \$7,973.16, Landfill \$11,753.78, Corn Palace \$24,812.71 Golf Course \$4,522.16, Emergency Medical Services \$42,235.21

NEW HIRES:

CEMETERY: Abraham Gunnare-\$14.20

CORN PALACE: Owen Kopfmann-\$12.32

PALACE TRANSIT: Dustin Cole-\$22.697

RECREATION & AQUATICS: Roxanne Brown-\$16.00, Raeana Eggert-\$14.11

RECREATION CENTER: Susan Bennett-\$16.00, Elizabeth Luczak-\$16.00, Doreen Nelson-\$16.00

SALARY ADJUSTMENTS:

EMS: Bryce Fuchs-\$26.322, Joshua Harvey-\$26.848, Mark White-\$26.322

FIRE: Paul Bernard-\$23.270, Joseph Dolezal-\$32.070, Samantha Pulse-\$26.730, Thomas Schaffner-\$28.933, Scott Tschetter-\$21.928

GOLF: Alex Dagen-\$26.328

JVCC: Betty Anderson-\$15.56, Pamella Van Overschelde-\$13.59

NUTRITION: James Higgs-\$14.98, Darlys Kruse-\$13.86, Marjorie Novak-\$13.86, Elaine Schaefer-\$13.86, Diane Schulz-\$13.86, Beverly Thompson-\$12.32

PALACE TRANSIT: Paul Morris-\$26.322, Claire Stan Ruff-\$13.85, Jade Shouldis-\$13.85

POLICE: Andrew Becker-\$38.327

SPORTS COMPLEXES: Ryland DeVries-\$25.812

STREET: Brodie Long-\$13.33

WASTE WATER: Carson Berg-\$25.053

TERMINATION:

PALACE TRANSIT: Michael Boehm

WARRANTS: A&B Business Solutions, Supplies-\$4,694.51; A-Ox Welding Supply, Supplies-\$1,568.32; AAA Collections, Pre Collection Letters-\$85.00; ABC Harris Publishing, Advertising-\$100.00; ACE K9, Subscription, \$168.00; AFSCME Council 65, Union Dues-\$482.04; Amazon Capital Services, Supplies-\$1,499.06; American Legal Publishing, Supplies-\$686.00; AMG-Avera Occupational Medicine, Labs-\$75.40; AT&T Mobility-Palace Transit, Utilities-\$690.41; Automatic Building Control, Monitor-\$756.00; Avera Occupational Medicine, Testing-\$1,028.00; Avera Queen of Peace, Supplies-\$554.74; B-Y Water District, Water Usage-\$65,144.08; Badger Daylighting, Deposit Refund-\$2,000.00; Big Daddy D's, Contract Services-\$4,042.50; Blackstone Publishing, Books-\$63.98; Blackstrap, Supplies-\$9,451.10; BMI, Annual License-\$459.00; Bound Tree Medical, Warranty-\$7,999.98; Brosz Engineering, 2026-23 P.E. #1-\$20,000.00; Buhl's Drycleaners & Linen, Laundry Services-\$99.00; C&D Pedal Pulls, Entertainment-\$4,000.00; Carolina Software, Supplies-\$500.00; Carquest Auto Parts, Supplies-\$7.99; CDW Government, Supplies-\$7,256.55; Cellebrite, Supplies-\$10,740.00; Center Point Large Print, Books-\$99.48; Century Link, Utilities-\$73.43; Chesterman, Supplies-\$2,687.90; CHS, Supplies-\$6,732.32; City of Mitchell, Utilities-\$1.74; City of Mitchell, Hotel Tax-\$42.00; Civicplus, Supplies-\$36,451.22; Cloudcover USA, Firewall Renewal-\$6,100.00; Coborns, Contract Services-\$1,331.94; Colliers Securities, CD Services-\$500.00; Colours 59, Supplies-\$296.62; Column Software, Advertising-\$419.56; Commercial Asphalt, Supplies-\$16,196.54; Connections, Training-\$1,957.50; Core & Main, Supplies-\$4,417.35; Core-Mark US, Supplies-\$11,282.82; Corn Palace, Corn Palace Games-\$8,647.45; Corporate Translation Service, Translation Services-\$175.16; County Fair, Contract Services-\$977.50; Crane Sales & Service, Repairs-\$3,417.85; Creekside Veterinary Clinic, Service-\$50.00; Dakota Counseling, 2026 1st Quarter Allocation-\$3,250.00; Dakota Fluid Power, Repairs-\$1,022.11; Dakota Heartland Development, 2026 1st Quarter Allocation-\$6,250.00; Darrington Water Conditioning, Rental-\$47.00; Davison Rural Water Systems, Water Usage-\$125.20; Department of Agriculture, Solid Waste Surcharge-\$2,823.42; Department of Social Services, Child Support-\$359.54; Dimock Dairy, Supplies-\$58.77; Dog Waste Depot, Supplies-\$977.88; Elfstrand's Ace Hardware, Supplies-\$39.62; Equipment Blades, Supplies-\$4,690.00; Fire Protection Solutions, Extinguisher Fee-\$40.00; Fleetpride, Supplies-\$1,755.98; Flowbird America, Alarm Monitoring-\$71.00; Frontier Precision, Equipment-\$30,241.50; Galls, Supplies-\$493.49; Geotek Engineering & Testing, 2022-1 P.E. #16A-\$2,177.50; Governors Inn Travelodge, Travel-\$107.00; Graham Tire, Supplies-\$51.97; Guardian Alliance Technology, Software-\$50.00; Guardrail Enterprises, Deposit Refund-\$2,000.00; Halme, 2023-6 P.E. #14-\$265,208.36; HDR Engineering, 2022-1 P.E. #36-\$43,891.76; Heiman, Maintenance-\$992.00; Helms and Associates, AIP'33 Airport #15-\$19,382.77; Henry Schein, Supplies-\$486.86; Hoop City Basketball Club, Corn Palace Games-\$28,710.33; Horsemen's Sport, 2026 1st Quarter Allocation-\$9,194.50; Hunter Heating & Cooling, Maintenance-\$2,298.44; I-State Truck Center, Supplies-\$390.24; ICan, Advertising-\$750.00; Ingram Library Services, Books-\$532.68; Innovative Office Solution, Supplies-\$16.10; Intellipro Security, Supplies-

\$4,248.40; Interstate Glass & Door, Supplies-\$63.72; Interstate Office Products, Supplies-\$218.10; Interstate Tire & Auto Center, Repair-\$685.00; Intoximeters, Supplies-\$449.00; Iverson, Repair-\$120.75; Jefferson Lines, Reimbursement Cameron Parker-\$80.65; John T Jones Construction, 2022-1 P.E. #17-\$630,326.28; Johnson Controls. Quarterly Maintenance-\$5,074.50; Jones Supplies, Supplies-\$1,224.51; Lakeview Veterinary Clinic, Impound-\$991.31; Larry's I-90 Service, Supplies-\$590.94; Lawson Products, Supplies-\$415.91; Leighton Family Farms, Supplies-\$720.00; LSC Environmental Products, Supplies-\$22,842.00; M&T Fire and Safety, Supplies-\$175.00; Make It Mine Designs, Supplies-\$41.64; Marco Technologies, Supplies-\$373.00; MC&R Pools, Supplies-\$229.59; McLaury Engineering, 2025-8 P.E. #9-\$2,390.00; McLeod's Printing, Supplies-\$1,176.86; Menard's, Supplies-\$624.29; Messerli & Kramer, Garnishment-\$423.65; Michels Road & Stone, 2021-45 P.E. #14-\$134,182.15; Mid-American Research Chemical, Supplies-\$469.00; Mid-States Organized Crime, Membership-\$200.00; Midcontinent Communication, Advertising-\$2,033.50; Midwest Turf & Irrigation, Supplies-\$3,725.18; Mike Carpentier, Testing-\$150.00; Minnesota Valley Testing, Lab-\$207.00; Nielson, Sally, Water Refund-\$146.47; Mitchell Animal Rescue, Management Fee-\$350.00; Mitchell Area Development, 1st Quarter Allocation-\$45,500.00; Mitchell Convention & Visitors Bureau, Entertainment Tax District-\$21,875.00; Mitchell Main Street and Beyond, 1st Quarter Allocation-\$12,250.00; Mitchell Plumbing & Heating, Maintenance-\$5,860.19; Mitchell Rotary Club, Dues-\$115.50; Mitchell School District, Utilities-\$1,966.73; Mitchell Telecom, Utilities-\$3,083.83; Mitchell United Way, United Way Deductions-\$160.00; Model 1 Commercial Vehicle, New Bus-\$24,280.35; Mueller Lumber, Supplies-\$208.49; Muth Electric, Maintenance-\$2634.12; N-Able Technologies , Backup-\$105.60; Napa Central, Supplies-\$197.95; Newman Signs, Supplies-\$2,089.50; Northwestern Energy, Utilities-\$79,552.81; O'Reilly Automotive, Supplies-\$21.84; One Source The Background, Background Checks-\$220.00; Overdrive, Eaudiobooks-\$3,040.12; PCC Ambulance Billing Service, Ambulance Billing-\$1,773.77; Pepsi Cola, Supplies-\$683.61; Peterbilt of Sioux Falls, Supplies-\$71.80; Pioneer Designs, Equipment-\$550.00; Planning & Development District III, Membership Dues-\$14,887.00; Qualified Presort Service, Postage-\$482.45; Quality Cut Lawn & Tree Service, 2024-22R P.E. #4-2025-\$10,000.00; Ron's Saw Shop, Supplies-\$349.97; Runge Enterprises, Deposit Refund-\$2,000.00; Runnings, Supplies-\$1,277.13; Saga Communications of South Dakota, Advertising-\$585.00; Santel Communications, Utilities-\$30.00; South Dakota Association of Rural Water, Registration-\$350.00; South Dakota Municipal League, Membership-\$10,545.00; South Dakota-Supplemental Retirement, Supplemental Retirement-\$5,400.00; South Dakota-Supplemental Roth 457, Roth 457 Contributions-\$2,247.50; Sherwin-Williams, Supplies-\$468.01; Sign Pro, Supplies-\$42.00; Spectrum Technologies, Subscription-\$224.00; SPN and Associates, 2021-45 P.E. #59-\$43,606.39; Standard Insurance, Life Insurance-\$438.66; Staples, Supplies-\$30.68; Stern, Finance Charge-\$59.32; Sturdevants Auto Value Mitchell, Finance Charge-\$2,593.90; Subway, Planning Commission Meals-\$62.93; Teamsters Local No. 120, Union Dues-\$1,541.00; The Dugout, Contract Services-\$3,432.00; Thomas L Price, Screening-\$1,600.00; Thomson Reuters West, Online Subscription-\$1,314.00; Thune True Value & Appliance, Supplies-\$61.67; Titan Machinery-Mitchell, Skid Loader-\$65,000.00; TMA Stores, Supplies-\$564.28; Traffic Control, Supplies-\$530.00; Transource, Loader-\$249,809.85; UPS Store #4227, Shipping Charges-\$897.45; Verizon Wireless, Utilities-\$695.32; Vestis, Service-\$318.54; Watertown Wholesale, Supplies-\$510.30; Zacharias Construction, Supplies-\$98,900.00; South Dakota Department of Revenue. Sales Tax-\$25,561.86; Clover, Credit Card-\$2,345.29; Global, Credit Card-\$25,603.83; Authorize.net, Fees-

\$129.48; CSG Forte Payment, Credit Card Fees-\$298.76; My Fitness Reward, Expense-\$14.50; Wellmark, Administration, Prescription, Medical-\$250,701.14.

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

PUBLIC COMMENT:

Council Member Bathke stated Horseman's Inc. at the old rodeo grounds wanted to thank the City Council again for the 2026 funding allocation for the bucking shoots. The group was able to bring in another rodeo on June 27-28, 2026.

BOARD OF ADJUSTMENT:

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

It was advised that this is the date and time set for hearing on the application of Bart & Nikki Fredericksen for a front yard (lake side) variance of 8' vs 35' for the existing addition in 2019 and a new addition of 20'-8" vs 35' located at 129 South Harmon Drive, legally described as Lots 65-68 of Indian Head Subdivision, City of Mitchell, Davison County, South Dakota. The property is zoned RL Lake Residential District. The Planning Commission recommended approval of said application. Moved by McCardle, seconded by Barington, to approve said application. Bathke opposed. Motion carried.

Moved by Goldammer, seconded by McCardle, to set date for February 2, 2026 on the application of Kelsey Poppens for a conditional use permit for childcare, family residential located at 501 East 16th Avenue, legally described as Lot 1, Block 7, Green Acres Subdivision, City of Mitchell, Davison County, South Dakota. Motion carried.

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

HEARING:

It was advised that this is the date and time set for hearing on the application to transfer RL-5353 Retail (on-sale) Liquor License from LAB LLC. 501 South Sanborn to FUPA Adventures LLC dba Double D's, 512 South Sanborn. Notice of hearing has been given and affidavit of publication is on file. Moved by Sabers, seconded by McCardle, to approve said application. Motion carried.

CONSIDER APPROVAL:

Moved by Goldammer, seconded by Tjarks, to approve the Special Event Permit Application for WoodieFest on Saturday, June 27, 2026. Motion carried.

Moved by Sabers, seconded by Goldammer, to approve Agreement #A2026-07, 6th Avenue Reconstruction Engineering Services with McLaury Engineering-Project #2024-01 in an amount not to exceed \$248,000.00. Motion carried.

Moved by Goldammer, seconded by Tjarks, to approve Agreement #A2026-08, Water Study Agreement with SPN & Associates-Project #2026-26 in the amount of \$133,000.00. Motion carried.

Moved by Tjarks, seconded by Smith, to approve Agreement #A2026-09, Wastewater Study Agreement with SPN & Associates-Project #2026-27 in the amount of \$192,000.00. Motion carried.

Moved by McCardle, seconded by Goldammer, to approve Agreement #A2026-10, Design and Bidding Services with AE2S for a Meter Vault for Randall Rural Water Project in an amount not to exceed \$40,380.00. Motion carried.

Moved by Goldammer, seconded by McCardle, to approve Agreement #A2026-11, Equitable Sharing Agreement. Motion carried.

Moved by Tjarks, seconded by Smith, to approve Agreement #A2026-12, Par 3 Golf Concept Plan with Norby in the amount of \$9,400.00. Motion carried.

RESOLUTIONS:

Moved by Tjarks, seconded by Goldammer, to amend Resolution #R2026-05 to include requests of up to \$5,000 will be approved administratively; requests over \$5,000 will go to the City Council for final review & approval. Motion carried. Moved by Smith, seconded by Goldammer, to approve Resolution #R2026-05, Property Clean-up Incentive Policy, as amended, as follows:

Resolution #R2026-05

A Resolution Establishing a Property Clean-up Incentive Program in the City of Mitchell.

WHEREAS, landfill fees are a dedicated revenue source for the costs of maintaining the Mitchell Regional Landfill;

WHEREAS, the Mitchell Regional Landfill is a self-supporting enterprise fund that sets fees and charges at a rate that will fully cover the costs of maintaining the landfill;

WHEREAS, the policy of the Mitchell Regional Landfill is that users of the landfill must pay the fees as set by the City Council as part of the fees resolution;

WHEREAS, the City of Mitchell has received requests to waive landfill fees in order to facilitate property clean-up for housing and economic development opportunities in the City of Mitchell;

WHEREAS, there are times that the property clean-up will result in additional tax dollars to the City of Mitchell either through property tax valuation increases or sales tax increases;

WHEREAS, the City of Mitchell would like to provide refunds as an incentive to developers that are looking to improve property conditions within the City of Mitchell;

WHEREAS, the City of Mitchell believes the refund incentive program should be established and available to all who meet the criteria as a method to encourage economic development and growth in the community;

THEREFORE, BE IT RESOLVED that the Landfill Fee Refund Incentive Program be established for new or expanding developments in the City of Mitchell if the following program criteria are met:

- The refund program is available for properties that have existing conditions that require the removal of structures or other items in order to use the property for new development.
- A refund of the landfill costs is available if improvements are made on the property within 24 months of the cleanup. The improvements require an increase in the assessed value for the property.
- The reimbursement program is limited by the amount of budgeted funds available in a fiscal year.
- The reimbursement cannot exceed the landfill costs as documented by the Mitchell Regional Landfill.
- To qualify for the grant incentive program, an application must be made on the approved City form and approved prior to the clean-up of the property.
- Requests of up to \$5,000 will be approved administratively; requests over \$5,000 will go to the City Council for final review & approval.

Motion carried and resolution declared duly adopted.

Moved by McCardle, seconded by Tjarks, to approve Resolution #R2026-06, Vacation of Public Right-of-Way, portion of Bailey Metal Fab Alley which is adjacent to the GHB Property, the Sheesley Property and the Duff Dens Property, as follows:

RESOLUTION #R2026-06

WHEREAS, The petitions and consent in writing of GHB LLC, owner of Lots One (1), Two (2), Three (3), Four (4), and Five (5), Block Fifty-six (56), Capital Addition to the City of Mitchell, Davison County, South Dakota, according to the recorded plat thereof as filed for the record in Book 8 of Miscellaneous Records, Page 198 thereof on June 15, 1903 in the records of the Register of Deeds Davison County, South Dakota; Greg & Cindy Sheesley owner of Lot Six (6), Block Fifty-six (56), Capital Addition to the City of Mitchell, Davison County, South Dakota, according to the recorded plat thereof & the 91.3 x 300 feet South of Lots Five (5) and Six (6), Block Fifty-six (56),

Capital Addition to the City of Mitchell, Davison County, South Dakota, according to the recorded plat thereof; Duff Dens LLC, owner of Lots Seven (7), Eight (8), Nine (9) and Ten (10), Block Fifty-six (56), Capital Addition to the City of Mitchell, Davison County, South Dakota, according to the recorded plat thereof; 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 statues in such cases made, and provided, particularly SDCL 9-45-7, et. Sep and petitioners respectfully show and represent the following:

That portion of Bailey Metal Fab Alley which is adjacent to the GHB Property, the Sheesley Property and the Duff Dens Property.

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 20th day of January, 2026.

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 road sought to be vacated; and,

WHEREAS, this Council did, by proper motion, made, seconded and carried in regular meeting assembled on the 20th day of January, 2026 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 20th day of January, 2026 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 20th day of January, 2026 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: December 31, 2025 and January, 7, 2026.
2. That the Petitioners are the sole owners of all of the property abutting the alley right-of-way requested to be vacated and have requested that the said alley right-of-way be vacated. Said owners having consented in writing to the vacation of the said alley 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 20th day of January, 2026 that alley identified as that portion Bailey Metal Fab Alley which is adjacent to the GHB Property, the Sheesley Property and the Duff Dens Property owned by GHB LLC, Greg & Cindy Sheesley and Duff Dens LLC is hereby vacated.

Motion carried and resolution declared duly adopted.

ORDINANCES:

Moved by Tjarks, seconded by Goldammer, to place Ordinance #O2026-01, Modifying Redevelopment Neighborhood Boundaries for Discretionary Formula Purposes on second reading. Motion carried. Moved by Goldammer, seconded by Sabers, to adopt Ordinance #O2026-01, Modifying Redevelopment Neighborhood Boundaries for Discretionary Formula Purposes, as follows:

ORDINANCE #O2026-01

AN ORDINANCE MODIFYING REDEVELOPMENT NEIGHBORHOOD BOUNDARIES FOR DISCRETIONARY FORMULA PURPOSES

WHEREAS, the City of Mitchell desires to designate new residential redevelopment neighborhoods in order to encourage improvements to deteriorating properties through property tax discretionary formula eligibility.

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

Section 1.

That the Mitchell West Central Residential Redevelopment Neighborhood as defined in Mitchell City Code Section 2-7-3(B) is hereby REPEALED.

Section 2.

That a NEW SUBSECTION be ADDED to the Mitchell City Code as Section 2-7-3(C) to read as follows:

2-7-3(C): Mitchell Core West Residential Redevelopment Neighborhood. The Mitchell Core West Residential Redevelopment Neighborhood is hereby established for discretionary formula purposes. Pursuant to SDCL Section 11-7-3, the Mitchell Core West Residential Redevelopment Neighborhood area is a blighted area due to the predominance of deteriorated site improvements. The Mitchell Core West Residential Redevelopment Neighborhood includes all property within the following boundary:

Beginning at the intersection of Main Street and 12th Avenue, then heading west to the intersection of 12th Avenue and Minnesota Street,

then south on Minnesota Street until the intersection of Minnesota Street and 8th Avenue, then west on 8th Avenue until the intersection of 8th Avenue and Ohlman Street, then South on Ohlman Street until the intersection of Ohlman Street and Hanson Avenue, then east along Hanson Avenue until the intersection of Hanson Avenue and Minnesota Street, then north on Minnesota Street until the intersection of Minnesota Street and Ringneck & Western Railroad right-of-way, then east along Ringneck & Western Railroad right-of-way until the intersection of Ringneck & Western Railroad right-of-way with Sanborn Boulevard, then north along Sanborn Boulevard until the intersection of Sanborn Boulevard and Railroad Avenue, then east on Railroad Avenue until the intersection of Railroad Avenue and Main Street, then north on Main Street to the point of beginning.

Section 3.

That a NEW SUBSECTION be ADDED to the Mitchell City Code as Section 2-7-3(D) to read as follows:

2-7-3(D): Mitchell Core East Residential Redevelopment Neighborhood. The Mitchell Core East Residential Redevelopment Neighborhood is hereby established for discretionary formula purposes. Pursuant to SDCL Section 11-7-3, the Mitchell Core East Residential Redevelopment Neighborhood area is a blighted area due to the predominance of deteriorated site improvements. The Mitchell Core East Residential Redevelopment Neighborhood includes all property within the following boundary:

Beginning at the intersection of Main Street and 12th Avenue, then heading east along 12th Avenue to the intersection of 12th Avenue and Capital Street, then south along Capital Street to the intersection of Capital Street and 11th Avenue, then east along 11th Avenue to the intersection of 11th Avenue and Foster Street, then south along Foster Street to the intersection of Foster Street and Nagle Lane, then east along Nagle Lane to the intersection of Nagle Lane and Calhoun Street, then south along Calhoun Street to the intersection of Calhoun Street and 2nd Avenue, then west along 2nd Avenue to the intersection of 2nd Avenue and Wallace Street, then south along Wallace Street to the intersection of Wallace Street and 1st Avenue, then east along 1st Avenue until the intersection of 1st Avenue and Tiger Street, then south along Tiger Street until the intersection of Tiger Street and Hanson Avenue, then west along Hanson Avenue until the intersection of Hanson Avenue and Charles Street, then south along Charles Street until the intersection of Charles Street and Birch Avenue, then west along Birch Avenue until the intersection of Birch Avenue and Wallace Street, then south along Wallace Street until the intersection of Wallace Street with the corporate limits of the City of Mitchell, then

tracing west and south along the corporate limits of the City of Mitchell until the intersection of the corporate limits of the City of Mitchell and Ringneck & Western Railroad right-of-way, then west along Ringneck & Western Railroad right-of-way until the intersection of Ringneck & Western Railroad right-of-way and Railroad Avenue, then west along Railroad Avenue until the intersection of Railroad Avenue and Main Street, then north on Main Street to the point of beginning.

Section 4.

That a NEW SUBSECTION be ADDED to the Mitchell City Code as Section 2-7-3(E) to read as follows:

2-7-3(E): Mitchell Core South Residential Redevelopment Neighborhood. The Mitchell Core South Residential Redevelopment Neighborhood is hereby established for discretionary formula purposes. Pursuant to SDCL Section 11-7-3, the Mitchell Core South Residential Redevelopment Neighborhood area is a blighted area due to the predominance of deteriorated site improvements. The Mitchell Core South Residential Redevelopment Neighborhood includes all property within the following boundary:

Beginning at the intersection of Havens Avenue and North Ohlman Street, then north on Ohlman Street to the intersection of Ohlman Street and Hanson Avenue, then east along Hanson Avenue until the intersection of Hanson Avenue and Minnesota Street, then north on Minnesota Street until the intersection of Minnesota Street and Ringneck & Western Railroad right-of-way, then east along Ringneck & Western Railroad right-of-way until the intersection of Ringneck & Western Railroad right-of-way and Burr Street, then south on Burr Street until the intersection of Burr Street and Havens Avenue, then west on Havens Avenue to the point of beginning.

Section 5.

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

Section 6.

The City Finance Officer shall cause notice of adoption of this ordinance to be published in the official newspaper and, unless the referendum is invoked within twenty (20) days after the completed publication, this ordinance shall become effective for taxes assessed in calendar year 2023 and payable in calendar year 2024 and each successive taxation year thereafter unless repealed by the City Council of the City of Mitchell, South Dakota.

Pursuant to SDCL Section 10-6-137.1 and Section 10-6-140, any real property receiving benefit from the previously adopted Discretionary Taxation Ordinance, will continue to be assessed and taxed through the course of the said discretionary formula.

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

Moved by Sabers, seconded by Goldammer, to place Ordinance #O2026-02, Rezoning Lot 12, Block 15; Lots 7-9, 11 & 12, Block 10; W 1/2 of vacated alley starting 5' S of Lot 10 and running south to the southerly lot line of Lot 7, Block 10; all in M.H. Rowley's Second Addition to Town (now City) of Mitchell, Davison County, South Dakota; be changed from Single Family Residential District to Neighborhood Shopping District on first reading. Motion carried.


Moved by Tjarks, seconded by Sabers, to place Ordinance #O2026-03, Rezoning Lot A-1 of N. Boyden First Addition Less Lot A-3 of N. Boyden First Addition all in the SE 1/4 of the NE 1/4 of Section 23, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota; be changed from High Density Residential District to Urban Development District on first reading. Motion carried.

DISCUSSION:

Council Member Bathke brought forward the issue of requiring a survey before acquiring a building permit for discussion purposes.

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 _____.