

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

January 3, 2022

6:00 P.M.

PRESENT: Dan Allen, John Doescher, Kevin McCardle, Steve Rice, Dan Sabers,
Jeffrey Smith, Susan Tjarks

ABSENT: Marty Barington

PRESIDING: Mayor Bob Everson

AGENDA:

Moved by Allen, seconded by Rice, to approve the following items on the consent agenda:

- a. City Council Minutes
 1. City Council December 20, 2021.
- b. Acceptance of Section 5310 SD DOT Grant Funds.
- c. Acceptance of Section 5311 ARPA Grant Funds.
- d. Change Order #1 for SD DOT Concrete Bid Project #2021-55 increasing the contract amount by \$16,451.60 to Top Grade Concrete, adjust contract amount to \$101,098.00.
- e. City of Mitchell Drug & Alcohol Policy.
- f. Mitchell Republic as the Official Newspaper for the City of Mitchell for 2022.
- g. Pay Estimates January 3, 2022
 - Pay Estimate #63 in the amount of \$612.00 for Crafty Fox Window Repairs #2020-24 contracted to Custom Carpentry/Doug Driggs,
 - Pay Estimate #4 in the amount of \$4,392.00 for Concrete Bid-Schedule A #2021-4 contracted to Top Grade Concrete,
 - Pay Estimate #4 in the amount of \$27,500.00 for Lake Mitchell Dredging #2021-20 contracted to Barr Engineering,
 - Pay Estimate #1 in the amount of \$8,897.40 for North Wastewater Treatment Plant Improvements #2021-31 contracted to GeoTek Engineering, and
 - Pay Estimate #2 in the amount of \$43,608.34 for SD DOT Sidewalk #2021-55 contracted to Top Grade Concrete.
- h. 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 12, 2021 – DECEMBER 25, 2021: City Council \$3,303.68, Mayor \$1,374.69, City Administrator \$5,446.46, Attorney \$4,401.38, Finance \$12,467.36, Human Resources \$3,549.72, Municipal Building \$3,003.28, Information Technology \$2,721.28, Police

\$70,652.36, Traffic \$4,668.27, Fire \$32,370.99, Street \$28,447.65, Public Works \$18,418.31, Cemetery \$4,353.90, Animal Control \$1,564.15, Library \$15,816.37, Recreation & Aquatics \$5,637.80, Recreation Center \$16,910.92, Sports Complexes \$9,482.31, Parks \$10,473.50, Supervision \$1,854.87, E911 \$19,536.33, MVP \$902.78, Palace Transit \$23,013.45, JVCC \$890.03, Nutrition \$3,448.89, Water Distribution \$11,545.65, Sewer \$14,733.87, Airport \$3,106.28, Recycling Program \$6,210.83, Waste Collection \$6,574.09, Landfill \$9,086.36, Corn Palace \$20,983.79, Golf Course \$2,642.00, Emergency Medical Services \$29,188.07.

NEW HIRES:

CORN PALACE: Allison Rasmussen-\$9.45, Ashton Reimnitz-\$9.45, Riley Weisser-\$11.95

RECREATION CENTER: Wyatt Baldauf-\$10.45, Ryland DeVries-\$11.95, Patrick McGeough-\$15.00

SPORTS COMPLEXES: Peyton Nash-\$10.95.

SALARY ADJUSTMENTS:

FIRE: Joseph Dolezal-\$26.631

POLICE: Peter Arnold-\$30.427

RECREATION CENTER: Thomas Gullede-\$28.961

STREET: Jason Dicus-\$22.062, Daniel London-\$21.255

TERMINATIONS:

PARKS: Tyler Wagner

RECREATION & AQUATICS: Brian Daughters

JANUARY 1, 2022 SALARIES:

The following is a listing of the salaries for elected officials and full time employees of the City of Mitchell for the year 2022. Please note that salaries are shown as hourly wages unless the individual fills an exempt position:

COUNCIL: Daniel Allen-\$11,086.00, Marty Barington-\$11,086.00, John Doescher-\$11,086.00, Kevin McCardle-\$11,086.00, Steven Rice-\$11,086.00, Dan Sabers-\$11,086.00 Jeffrey Smith-\$11,086.00, Susan Tjarks-\$11,086.00.

MAYOR: Bob Everson-\$38,333.00.

CITY ADMINISTRATOR: Stephanie Ellwein-\$143,960.00

ATTORNEY: Justin Johnson-\$119,632.00.

FINANCE: Michelle Bathke-\$105,721.00, Michele DeVries-\$24,254, Marilyn Jansen-\$23,644, Paula Morgan-\$21,143, Janice Peterson-\$24,542, Cindy Roth-\$77,710.00.

PUBLIC WORKS: Joseph Galpin-\$27,754, Deb Hanson-Sudbeck-\$23,659, John Hegg-\$33,409, Mark Jenniges-\$66,101.00, Terry Johnson-\$97,153.00, Cathy Krall-\$23,940, Joseph Schroeder-\$108,314.00

HUMAN RESOURCES: Elizabeth Kitchens-\$81,545.00.

INFORMATION TECHNOLOGY: Andrew Schneider-\$35,122.

POLICE DEPARTMENT: Niko Arnold-\$26,083, Peter Arnold-\$31,416, John Badker-\$31,426, Andrew Becker-\$28,800, Bradley Buysse-\$35,100, Dayne Clark-\$25,761, Ryan Erickson-\$37,816, Dan Fechner-\$31,809, Curtis French-\$26,083, Bryce Fuchs-\$25,761, Sawyer Gibson-\$32,177, Mikayla Glowcheski-\$20,124, Dean Knippling-\$80,587.00, Dan Kopfmann-\$31,426, Mike Koster-\$105,721.00, Jaelyn Larson-\$25,761, William Lutjen-\$27,073, Justin Maas-\$26,083, Patrick Marler-\$31,426, Kyle McLaughlin-\$28,453, Crystal Reitzel-\$21,959, Austin Resick-\$26,083, David Sarne-\$31,779, Justin Stoltenburg-\$26,409, Casey Tegethoff-\$30,645, Tyler Urban-\$26,409, Seth Vandenhoeck-\$26,083, Austin VanHorn-\$26,409, Paul Wilson-\$31,426.

TRAFFIC: Joshua Harvey-\$27,073, Jon Horton-\$21,143.

FIRE DEPARTMENT: Justin Adams-\$24,610, Tiffany Boehmer-\$21,467, Mason Bruns-\$20,426, Chad Cody-\$23,710, Dillon Coughlin-\$18,505, Zach Dalrymple-\$24,007, Joseph Dolezal-\$27,496, Daniel Esh-\$19,208, Matt Geidel-\$19,208, Tristian Johnson-\$18,505, Marius Laursen-\$99,354.00, Brandon Manchester-\$21,735, Colt Mayfield-\$20,426, Cole Palmer-\$18,505, Luke Ruml-\$22,296, Shannon Sandoval-\$32,578, Thomas Schaffner-\$22,296, Andrew Shank-\$23,710, Abigail Squier-\$18,737, Ben Vanden Hoek-\$27,496.

EMS: Dakota Gamber-\$20,941, Ashly Perez-Franco-\$20,941, Daniel Pollreisz-\$25,841, McKenzie Young-\$21,202.

STREET: Steve Anderson-\$32,996, Travis Giedd-\$21,946, Randy Hanten-\$27,780, Nathan Hegg-\$30,267, Kevin Hughes-\$25,473, Jeff Hurt-\$24,841, Dan London-\$21,946, Luke Nagel-\$21,946, Pam Punt-\$23,659, Kevin Roth-\$86,770.00, Dale Star-\$23,637, Jason Tuttle-\$27,437.

GOLF COURSE: Alex Dagen-\$21,143, Jason Gunnare-\$64,499.00.

CEMETERY: Jonathon Thurman-\$21,143, Aaron Willis-\$28,453.

LIBRARY: Dennis Geidel-\$23.940, Kevin Kenkel-\$81,545.00, Allerie Loofe-\$23.337, Cynthia Meinen-\$28.808, Ada Morales-\$23.629, Zackery North-\$26.409, Jean Patrick-\$27.412.

RECREATION & AQUATICS: Kevin DeVries-\$81,669.00, Jamie Henkel-\$31.038.

PARKS: Brady Andera-\$21.143, Bradley Gates-\$25.458, Steven Roth-\$74,867.00, Jesse Schlimgen-\$21.143, Shane Taylor-\$21.946, Alexander Young-\$22.220.

RECREATION CENTER: Todd Cavanaugh-\$28.101, Christina Cranny-\$23.367, Adam Fosness-\$18.691, Thomas Gulledge-\$29.902, Joseph Haiar-\$25.473.

SPORTS COMPLEXES: Jeremy Nielsen-\$66,121.00, Roger Prewett II-\$25.144, Tyler Vetch-\$22.779.

PARKS, RECREATION & FORESTRY SUPERVISION: Angel DeWaard-\$23.940.

MITCHELL VOLUNTEER PROGRAM: Amy Hurt-\$25.777, Jessica Pickett-\$96,975.00.

PALACE TRANSIT: Jonathan Gamber-\$19.636, Patti Goudy-\$21.688, Wanda Graves-\$25.473, Andrea Hamilton-\$63,702.00, Jacquelyn High-\$19.394, Karol Iburg-\$21.156, Chad Mowry-\$19.155, Tracy Sprinkel-\$19.155, Art Streetman-\$19.394, Don Trebil-\$19.882.

E-911: Kalla Albertz-\$20.124, Mary Aronson-\$26.780, Kelsey Braun-\$21.150, Kathy Brink-\$27.115, Kyleena Dumas-\$26.449, Heather Merry-\$20.630, Dawn Niehoff-\$66,162.00, Megan White-\$20.376.

UTILITIES: Brian Daughters-\$27.090, Jonathan Rehfeldt-\$23.345, Loren Skinner-\$33.016, Jon Vermeulen-\$90,064.00, Eugene Wagaman-\$33.016.

WATER DISTRIBUTION: Ryland DeVries-\$19.394, Isaiah Glanzer-\$19.394, Tommy Holleman-\$22.491, Tylor Peterson-\$33.016, Darin Richey-\$22.220, Thomas Schuman-\$27.089, Kevin Sibson-\$26.425.

AIRPORT: Michael Scherschlight-\$33.409.

WASTE COLLECTION: Walter Davis-\$20.377, Jason Dicus-\$22.779, Michael Dufek-\$27.437, Travis Hohnman-\$23.057, David Schulte-\$25.482, Troy Sipes-\$24.856.

LANDFILL: Megan Davids-\$22.512, Clayton Moore-\$27.437, Travis Platt-\$23.071, Jaylon Tollefson-\$31.799, James Zard-\$22.213.

CORN PALACE: Kevin Dykes-\$21.408, Doug Greenway-\$91,135.00, Kathy Hanks-\$20.143, Jeff Hanson-\$27.754, Michael Leach-\$17.353, Diane Mutziger-\$21.701, Craig Stucky-\$26.083, Gary Walton-\$23.940.

WARRANTS: A&B Business Solutions, Contract-\$4,299.11; A-Ox Welding Supply, Supplies-\$101.09; AAA Collections, Service-\$60.00; Accounts Management, Garnishment-\$256.77; Amazon Capital Services, Supplies-\$781.17; American Garage Door, Repairs-\$561.23; Aramark Uniform Services, Supplies-\$275.65; AT&T Mobility, Utilities-\$2,150.99; ATR Lighting Enterprises, Maintenance-\$483.53; ATS, Supplies-\$2,983.31; Avera Occupational Medicine, Contract Services-\$1,739.00; Bailey Metal Fabricators, Supplies-\$419.88; Baker & Taylor, Books-\$1,235.44; Barr Engineering, 2021-20 P.E. #4-\$27,500.00; Bender's Sewer Cleaning, Maintenance-\$13,818.00; Big Daddy D's, Contract Services-\$4,180.00; Blackstone Publishing, Audiobooks-\$41.59; Boyer Trucks, Supplies-\$241.06; C&B Operations, Supplies-\$137.69; Casey Tegethoff, Reimbursement-\$76.13; Cengage Learning/Gale, Books-\$469.32; Center Point Large Print, Books-\$91.68; Central Electric, Utilities-\$11,451.72; Century Link, Utilities-\$13.58; CHR Solutions, November Billing-\$3,165.07; City of Mitchell, Utilities-\$702.93; Civicplus, Annual Fees-\$12,142.84; CK Bicycles & Locks, Service Call-\$85.00; Cole Palmer, Supplies-\$79.41; Commercial Asphalt/Spencer Quarries, Supplies-\$2,024.20; Conrad Repair, Supplies-\$146.17; Corn Palace, Supplies-\$14.00; Daily Republic, Subscription-\$236.55; Dakota Pro Striping, Supplies-\$387.00; Dakota Supply Group, Supplies-\$13.08; Dance Expressions, Dance Event-\$2,238.25; Davison County, Return Funds-TID #15-Probuild-\$40,254.51; Dean Knippling, Supplies-\$79.00; Dell Rapids Custom Trailer, Supplies-\$26.72; Demco, Supplies-\$98.92; Department of Agriculture, Permit Fee-Mitchell-\$800.00; Department of Social Services, Child Support-\$658.56; Doug L Driggs, 2020-24 P.E. #63-\$612.00; Doug's Custom Paint & Body, Repairs-\$6,010.15; Eric Hieb, Contract Services-\$4,552.95; Farmers Alliance, Supplies-\$102.00; Fastenal, Supplies-\$165.86; Fedex, Express Services-\$15.60; First Dakota National Bank, Westwood - TID #7-\$151,123.86; First National Bank Omaha, Supplies-\$8,303.02; Forum Communications, Legal Publication-\$885.49; Galls, Supplies-\$39.00; Geotek Engineering, 2021-31 P.E. #1-\$8,897.40; Great Western Tire, Supplies-\$20,941.60; Hanson Boys & Girls Classic, Sports Authority Promotion-\$2,000.00; Hanson School District, Corn Palace Games-\$621.12; Harve's Pro Prints, Supplies-\$65.00; Harve's Sport Shop, Supplies-\$31.99; Hauge Associates, Garnishment-\$347.98; Hawkins, Supplies-\$3,302.13; Henry Schein, Supplies-\$2,016.62; Honda of Mitchell, Supplies-\$36.77; Ingram Library Services, Books-\$514.15; Innovative Office Solution, Supplies-\$29.30; Interstate Glass & Door, Supplies-\$101.39; Jacki Larson, Supplies-\$99.00; Jan Weisser, Corn Palace Games-\$70.00; Jeff Hurt, Supplies-\$159.97; Jesse Schlingen, Reimbursement-\$35.00; Jones Supplies, Supplies-\$398.30; Kay Park Recreation, Supplies-\$924.00; Knowbe4, Subscription-\$2,808.97; Lakeview Books, Books-\$66.97; Lawson Products, Supplies-\$18.69; Lori Schmidt, Corn Palace Games-\$150.00; Make It Mine Designs, Supplies-\$85.96; Mark Horan, Corn Palace Games-\$70.00; Marlys Blacksten, Refund-\$35.00; McLeod's Printing, Supplies-\$875.75; Menard's, Supplies-\$2,504.06; Meyers Oil, Supplies-\$1,962.33; Midamerica Books, Books-\$338.15; Midcontinent Communication, Utilities-\$242.42; Midwest Turf & Irrigation, Supplies-\$886.83; Miscellaneous Vendor, Jensen Design Build Refund-\$5,485.55; Mitchell Concrete Product, Supplies-\$187.50; Mitchell High School, Sports Authority Promotion-\$600.00; Mitchell United Way, United Way Deductions-\$199.66; Mount Vernon School District, Contract Services-\$72.00; Mueller Lumber, Supplies-\$267.52; Muth Electric, Maintenance-\$7,439.15; Napa Auto Parts, Supplies-\$67.94; Nate Hegg, Supplies-\$350.00; Northern Truck Equipment, Parts-\$576.52; Northwestern Energy & Communications, Utilities-\$34,536.14; Parkeon, Supplies-\$52.00; Patrick Kiner, Attorney, Refund-\$30.00; Penworthy, Books-\$845.33; Peterbilt of Sioux Falls, Supplies-\$90.50; Planning

& Development District III, 2022 Membership Dues-\$13,381.00; Premier Pest Control, Contract Services-\$400.00; Premier Specialty Vehicles, Supplies-\$14.18; Public Health Laboratory, Lab-\$225.00; Qualified Presort, Mailing Service-\$514.43; Runnings Supply, Supplies-\$1,427.55; S & H Farm Supply, Maintenance-\$32.62; S&M Printing, Supplies-\$25.00; Sacred Hoops Basketball, Sports Authority Promotion-\$1,200.00; Scholastic Inc. Education, Books-\$28.71; Schwalm Properties, Bid #3 Project-\$10,800.00; South Dakota City Management, Dues-\$150.00; South Dakota Department of Agriculture & Natural Resources, Application Fee-\$250.00; South Dakota Firefighters, Membership Dues-\$625.00; South Dakota Governmental Finance Officer, Dues-\$70.00; South Dakota Municipal Attorneys', Dues-\$35.00; South Dakota Municipal League, Annual Membership Dues-\$8,811.37; South Dakota Municipal Street Maintenance, Dues-\$35.00; South Dakota Retirement System, Retirement Contributions-\$50,882.37; South Dakota Supplemental Roth 457, Roth 457 Contributions-\$1,278.50; South Dakota Supplemental Retirement, Supplemental Retirement-\$3,174.80; Sherwin-Williams, Supplies-\$21.65; SHI International, Supplies-\$396.00; South Dakota 811, Professional Service-\$226.80; Staples, Supplies-\$654.25; Sterling Codifiers/America, Annual Web Hosting Fee-\$500.00; Sturdevants Mitchell, Supplies-\$2,840.02; Sun Gold Sports, Supplies-\$338.40; Tessier's, Maintenance-\$327.29; Thune True Value Hardware, Supplies-\$59.39; Top Grade Concrete, 2021-4 P.E. #4-\$48,000.34; Traf-O-Teria System, Supplies-\$425.51; Travis Platt, Reimbursement-\$99.97; Two Way Solutions, Repair-\$1,109.99; Tyler Technologies, Annual Fees-\$28,008.71; Tyler Vetch, Reimbursement-\$136.99; Verizon Wireless, Utilities-\$386.11; Walmart, Supplies-\$79.59; Wells Fargo Bank, TID #18 - Starlite Estates-\$72,640.60; Weston Woods Studios, Books-\$28.71; Wholesale Electronics, Supplies-\$20.95.

Members present voting aye: Allen, Doescher, McCardle, Rice, Sabers, Smith, Tjarks. Members present voting nay: none. Motion carried.

CITIZENS INPUT:

Council Member McCardle stated that it was nice to see the community come together to find a missing dog this weekend that was lost in the below zero temperatures overnight.

BOARD OF ADJUSTMENT:

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

Moved by Tjarks, seconded by Rice, to set date for January 18, 2022 on the application of DLJ LLC for a variance of approximately 448 feet vs 1000 feet as required to be from another cannabis dispensary located at 501 East Juniper, legally described as Lot S-3A except East 63 feet in the Replat of Lot S in the NW ¼ of Section 27-103-60 of the 5th P.M., City of Mitchell, Davison County, South Dakota. Motion carried.

Moved by Tjarks, seconded by Allen, to set date for January 18, 2022 on the application of Genesis Farms LLC for a conditional use permit to operate a Medical Cannabis Dispensary

located at 106 West 5th Avenue, legally described as Lots 11 and 12, Block 12, Rowley's 1st Addition, City of Mitchell, Davison County, South Dakota. Motion carried.

Moved by Rice, seconded by McCardle, to set date for January 18, 2022 on the application of Genesis Farms LLC for a variance of 0 feet vs 300 feet as required to be from a religious institution located at 106 West 5th Avenue, legally described as Lots 11 and 12, Block 12, Rowley's 1st Addition, City of Mitchell, Davison County, South Dakota. Motion carried.

Moved by McCardle, seconded by Rice, to set date for January 18, 2022 on the application of FSST Pharms, LLC dba Native Nations Cannabis for a variance of approximately 16 feet vs 300 feet as required to be from an educational institution and a variance of approximately 950 feet vs 1,000 feet as required to be from another cannabis dispensary located at 1620 South Burr Street, Suite #5, legally described as Lot 4 of AMOCO Irregular Tract in the SE ¼ of Section 27-103-60 of the 5th P.M., City of Mitchell, Davison County, South Dakota. Motion carried.

Moved by Rice, seconded by Smith, 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 Retail (On-off sale) Wine and Cider License RW-7571 from Xtreme Golf, Inc. dba Lake House, 2700 North Main, Ste 2 to Hohn Partnership LLC dba Platinum Players Club III, 719 North Sanborn, Ste 3. Notice of hearing has been given and affidavit of publication is on file. Moved by McCardle, seconded by Allen, to approve said application. Motion carried.

It was advised that this is the date and time set for hearing on the application to transfer Package (Off sale) Liquor License PL-4692 from Fredericksen Restaurant LLC dba Chef Louies, 601 East Havens to County Fair Inc. dba County Fair Food & Fuel, 1012 West Havens. Notice of hearing has been given and affidavit of publication is on file. Moved by Rice, 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 Bhole LLC dba Motel 6, 1309 South Ohlman for a new Retail (On-off sale) Malt Beverage & SD Farm Wine License (does not include video lottery). Notice of hearing has been given and affidavit of publication is on file. Moved by Rice, seconded by McCardle, to approve said application. Motion carried.

CONSIDER APPROVAL:

Moved by Tjarks, seconded by Rice, to approve the application of Speedy Taxi for a new Vehicle for Hire Company. Motion carried.

Moved by Allen, seconded by Rice, to approve the Official Depositories for the City of Mitchell for 2022. Smith abstained. Motion carried.

RESOLUTIONS:

Moved by Rice, seconded by Sabers, to approve Resolution #R2022-01, Designating the Lake Fund as the Appropriate Depository for Certain Revenues, as follows:

RESOLUTION #R2022-01

A RESOLUTION DESIGNATING THE LAKE FUND AS THE APPROPRIATE DEPOSITORY FOR CERTAIN REVENUE

WHEREAS the City of Mitchell has had a contract in place since January 2012 with POET Biorefining LLC regarding the provision of Lake Mitchell water to their facility; and

WHEREAS said contract provides for the billing and payment of certain fees and charges to the City; and

WHEREAS such revenue was being deposited in the City’s Water Fund under line #602-38122-POET Water Sales; and

WHEREAS in acquiring the “Kelley Property” in January of 2019, the City anticipated applying the revenue from POET contract towards the debt service of the loans relating to that property acquisition; and

WHEREAS payments for such debt service have been made from the Water Fund but will be made from the Lake Fund beginning in 2022 for accounting purposes; and

WHEREAS the City must formally declare that the revenue from the POET contract be deposited in the Lake Fund to facilitate said payments from the appropriate fund.

THEREFORE, BE IT RESOLVED by the City Council of the City of Mitchell, SD that all revenue received in reference to the above POET contract shall henceforth be placed into the Lake Fund under line #203-34602-Lake Mitchell Water Use Fees.

Motion carried and resolution declared duly adopted.

ORDINANCES:

Moved by Allen, seconded by Rice, to place Ordinance #O2021-17, Rezoning of “Kelley Property” (40580 250th St) and Abutting City Owned Property from Davison County Agriculture to City of Mitchell Urban Development on second reading. Motion carried. Moved by Rice, seconded by McCardle, to adopt Ordinance #O2021-17, Rezoning of “Kelley Property” (40580 250th St) and Abutting City Owned Property from Davison County Agriculture to City of Mitchell Urban Development, as follows:

ORDINANCE NO. O2021-17

AN ORDINANCE OF THE CITY OF MITCHELL, THAT CHANGES THE ZONING DISTRICT CLASSIFICATION OF THE REAL PROPERTY LEGALLY DESCRIBED AS;

Parcel 1. The W 208.75 feet of the S 208.75 feet of the SE ¼ of the SE ¼ of Section 36, T 104 N, R 61 W of the 5th P.M., Davison County, South Dakota;

Parcel 2. Kelley Tract 1, SW ¼ of the SE ¼ of Section 36, T 104 N, R 61 W of the 5th P.M., Davison County, South Dakota;

Parcel 3. The SW ¼ of SE ¼ Less Kelley Tract 1, Section 36, T 104 N, R 61 W of the 5th P.M., Davison County, South Dakota;

Parcel 4. N ½ & SE ¼ of the SE ¼ Ex Irregular Tract 1 Ex W 208.75 feet of the S 208.75 feet Ex Lot 1 of DN & KN Addition of Section 36, T 104 N, R 61 W of the 5th P.M., Davison County, South Dakota;

from Davison County AG Agricultural to City of Mitchell UD Urban Development District AND THE OFFICIAL ZONING MAP BE CHANGED TO REFLECT THE SAME.

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

Section 1: THE ZONING DISTRICT CLASSIFICATION OF THE REAL PROPERTY LEGALLY DESCRIBED AS

Parcel 1. The W 208.75 feet of the S 208.75 feet of the SE ¼ of the SE ¼ of Section 36, T 104 N, R 61 W of the 5th P.M., Davison County, South Dakota;

Parcel 2. Kelley Tract 1, SW ¼ of the SE ¼ of Section 36, T 104 N, R 61 W of the 5th P.M., Davison County, South Dakota;

Parcel 3. The SW ¼ of SE ¼ Less Kelley Tract 1, Section 36, T 104 N, R 61 W of the 5th P.M., Davison County, South Dakota;

Parcel 4. N ½ & SE ¼ of the SE ¼ Ex Irregular Tract 1 Ex W 208.75 feet of the S 208.75 feet Ex Lot 1 of DN & KN Addition of Section 36, T 104 N, R 61 W of the 5th P.M., Davison County, South Dakota;

from Davison County AG Agricultural to City of Mitchell UD Urban Development District
AND THE OFFICIAL ZONING MAP BE CHANGED TO REFLECT THE SAME.

Section 2. The City Finance Officer shall publish notice of this ordinance and the same shall be effective 20 days after the completed publication thereof, unless the referendum shall be invoked as provided by law.

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

ADJOURN:

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


Michelle Bathke
Finance Officer

Published once at the approximate cost of _____.