

**CITY COUNCIL MEETING
AGENDA
MAY 2, 2011**

COMMITTEE MEETINGS

MAY 2, 2011

(Detailed agendas follow)



7:20 P.M.

PUBLIC HEALTH & SAFETY

Committee meeting agendas are scheduled based on an estimated time of completion. If a meeting concludes prior to its scheduled time the next committee may start its proceedings early.

CITY COUNCIL MEETING
AGENDA

MAY 2, 2011
7:30 P.M.

PLEDGE OF ALLEGIANCE

INVOCATION Trinity Lutheran

ROLL CALL

ENTERTAIN A MOTION TO APPROVE THE AGENDA

ENTERTAIN A MOTION TO APPROVE COUNCIL MINUTES
FROM THE PRIOR MEETING

CITIZEN'S
INPUT:

If you need to address the Mayor and members of the City Council on an item that was not on the agenda, please come forward to the podium and state your name and your concern. Items will be considered but no action will be taken at this time.

DISCUSSION: Use of the compost drop-off site by commercial businesses

ENTERTAIN A MOTION FOR THE CITY COUNCIL TO
ADJOURN AND SIT AS THE BOARD OF ADJUSTMENT

SET DATE: For hearing on the application of Shannon Jones for a Conditional Use
05-16-11 Permit to operate a daycare center in her home, located at 401 South Edmunds,
Lot 1, Block 19, Railroad Addition, City of Mitchell

For hearing on the application of Michelle Moller for a Conditional Use
Permit to operate a daycare center in her home, located at 621 North Wisconsin,
Lot 1, Block 8, Rowley's 2nd Addition, City of Mitchell

For hearing on the application of Daren Long on the matter of rezoning
property described by Triple "D" Tract 1, SE ¼ of Section 23, T 103 N,
R 60 W of the 5th P.M., Davison County, South Dakota, which shall be known
as the NE Corner of South Mattie Street and East Havens Avenue from its
present use and now designated NS/CN District to I District as defined by
the ordinances of the City of Mitchell

ENTERTAIN A MOTION FOR THE BOARD OF ADJUSTMENT
TO ADJOURN AND THE CITY COUNCIL TO RECONVENE IN
REGULAR SESSION

Individuals with disabilities who require special assistance to take part in this meeting may contact one of the following through the switchboard at (605) 995-8420 at least 24 hours prior to the meeting with requests for assistance: Finance Officer, Human Resource Officer or Director of Public Works.

**COMMITTEE
MEETINGS:**

Public Health & Safety

ENTERTAIN A MOTION TO APPROVE COMMITTEE REPORTS

**AWARD
BIDS:**

Paving and Overlay – City Project #2011-15

P3

Sanborn Street Concrete Panel Repair – City Project #2011-22

P4

**CONSIDER
ADOPTION:**

Resolution #2912, Plat of Lots 12-A and 12-B, a Subdivision of Previously
Platted Lot 12, Block 2, Woodland Heights 1st Addition, City of Mitchell

P5-6

Resolution #2913, Lake Mitchell Shoreline Preservation

P7

1st READING:

Ordinance #2362, Rezoning Triple “D” Tract

P8-9

Ordinance #2363, Supplemental Appropriations

P10-12

**SET DATE:
05-16-11**

Hearing on applications for renewal of Malt Beverage & SD Farm Wine
Licenses

Hearing on the application of the Palace City Lions Club for a Special Event
Malt Beverage License at Hitchcock Park on June 7, 2011 for the Tour de
Kota event

Hearing on the application of the Palace City Lions Club for a Special Event
Malt Beverage License at the Horseman’s Sports Arena on July 14-17, 2011
for the Corn Palace Stampede Rodeo event

**SET DATE:
06-06-11**

Hearing on the Proposed Resolution of Necessity for Construction of Base
Course, Curb & Gutter, Storm Sewer, Concrete Alley Paving, Concrete
Removal, Accessories, Approach Pavements, Miscellaneous Expenses and
Engineering Services and Project Interest for Alley from North Kimball
Street to North Langdon Street

Hearing on the Proposed Resolution of Necessity for Construction of
Bituminous Paving, Base Course, Curb & Gutter, Storm Sewer, Portion of
Concrete Alley Paving, Concrete Removal, Accessories, Approach Pavements,
Miscellaneous Expenses and Engineering Services and Project Interest for North
Langdon from East 7th Street north to Alley

**CONSIDER
APPROVAL:**

Dissemination Agent Agreement with Northland Securities to provide
Continuing Disclosure Services for qualifying bond issues

P13-19

Automatic supplement to the Special Revenue Fund – Parks & Recreation – in
the amount of \$14,200.00 for a Daktronics sign for MAC Hockey & Skating
Ice Arena from a donation of funds

**CONSIDER
APPROVAL:**

Automatic supplement to the Special Revenue Fund – Parks & Recreation – in the amount of \$3,500.00 for restroom construction at Frank’s Bay from a donation of funds

Automatic supplement to the Sanitation Enterprise Fund – Landfill – in the amount of \$100,000.00 for the Waste Tire Disposal Program from grant funds

Raffle requests:

- Heart & Sole Cancer Assistance Inc. dba Heart & Sole Cancer Walk/Run with the drawing to be held on June 17, 2011 **P20**
- Mitchell Main Street & Beyond with the drawing to be held on August 27, 2011 **P21**
- Pheasant Country with the drawing to be held on October 14, 2011 **P22**

**ABATEMENT
OF TAXES:**

Abatement of taxes in the amount of \$812.60 to Mitchell School District for Lots A-4 and A-5, a subdivision of Lot A in the SW ¼ of 27-103-60 due to purchase by tax exempt entity **P23-24**

PAY ESTIMATES & CHANGE ORDERS:

P25-27

South Side Water Tower Project #2009-30 contracted to CB&I Inc.

- A. Pay Estimate #10 in the amount of \$20,900.00
- B. Change Order #1 reflecting actual quantities on the project which increases the contract price by \$5,900.00 and the adjusted contract amount is \$1,761,900.00

Lawler Street Utilities Project #2010-2B contracted to Spencer Quarries

- A. Pay Estimate #1 in the amount of \$675.00

North Mentzer, East 8th and Boatramp Project #2010-4B contracted to Colwell Concrete, Inc.

- A. Pay Estimate #13 in the amount of \$6,479.76

Lake Mitchell Campground Rip Rap Project #2010-5 contracted to Dixie Veurink Trucking

- A. Pay Estimate #1 in the amount of \$3,330.00

Sidewalk – Neighborhood Parks Project #2011-4I contracted to Big “O” Concrete

- A. Pay Estimate #1 in the amount of \$8,246.61

Street Sweeper Project #2011-18 contracted to Sheehan Mack Sales

- A. Pay Estimate #1-Final in the amount of \$147,800.00

ENTERTAIN A MOTION TO APPROVE THE PAY ESTIMATES

ROLL CALL

**ENTERTAIN A MOTION TO APPROVE THE BILLS AND AUTHORIZE
MONTHLY PAYMENT OF RECURRING AND OTHER EXPENSES IN
ADVANCE AS APPROVED BY THE FINANCE OFFICER**

ROLL CALL

ADJOURN

NEXT COUNCIL MEETING DATE: MAY 16, 2011
COUNCIL AGENDA DEADLINE IS WEDNESDAY PRIOR TO CITY COUNCIL MEETING

FOR COUNCIL INFORMATION:

Regular Council Meeting Minutes (04-18-11)

P28-39

Planning Commission Minutes (04-25-11)

P40

Gas and Diesel Fuel Bids

P41

PUBLIC HEALTH & SAFETY AGENDA

MAY 2, 2011 7:20 P.M.

CITY COUNCIL CHAMBERS

1. **APPROVE AGENDA**
2. **APPROVE MINUTES OF APRIL 18, 2011**
3. **STREET LIGHTING MITCHELL CHRISTIAN SCHOOL**
805 W 18th Ave

Committee meeting agendas are scheduled based on an estimated time of completion. If a meeting concludes prior to its scheduled time the next committee may start its proceedings early..

"The City of Mitchell invites all interested parties to give oral or written comments. If special accommodation are required, please notify the Public Works Department at 995-8433 at least 24 hours prior to the scheduled meeting."

COMMITTEE MEMBERS

Travis Carpenter - Chairman
Scott Houwman

Mel Olson
Jeff Smith

Geri Beck

PUBLIC HEALTH & SAFETY MINUTES
APRIL 18, 2011
CITY COUNCIL CHAMBERS

ATTENDING: Travis Carpenter, Jeffrey Smith, Geri Beck,

ABSENT: Scott Houwman, Mel Olson

OTHERS: Marty Barington, Dan Allen, Doug Backlund

Carpenter called meeting to order:

1. APPROVE AGENDA

Motion by Beck, seconded by Smith to approve agenda. All members present voting aye, motion carried.

2. APPROVE MINUTES

Motion by Smith, seconded by Beck to approve minutes for March 21, 2011. All members present voting aye, motion carried.

3. MTI BURN PERMIT EXTENSION

Maurice Laursen stated with the weather as it was last month, MTI requested an extension for their burn permit. Motion by Beck, seconded by Smith to extend the burn permit for proper weather. All members present voting aye, motion carried.

4. GOLF/CEMETERY BURN PERMIT

Maurice Laursen said the golf has improved this area and needs a burn permit. Motion by Smith, seconded by Beck to approve the permit. All members present voting aye, motion carried.

Adjourn at 7:05.

**BID TABULATION FOR PAVING & OVERLAY #2011-15
 BID OPENING: 1:30 PM, APRIL 26, 2011 - CITY HALL, MITCHELL, SD**

		Commercial Asphalt 25254 413th Avenue Mitchell, SD 57301		2010	2009	2008	2007
1	Asphalt for Tack CSS-1H or RC-70	20	Tons \$ 575.00 \$	11,500.00 \$	568.00 \$	468.00 \$	438.00 \$
2	Asphalt Concrete Class "G" Type I New Paving & Reconstruction	980	Tons \$ 31.35 \$	30,723.00 \$	31.35 \$	29.95 \$	28.80 \$
3	Asphalt Concrete Class "G" Type II Overlays	8800	Tons \$ 31.35 \$	275,880.00 \$	31.35 \$	29.95 \$	28.80 \$
4	Asphalt Cement PG 64-22	495	Tons \$ 590.00 \$	292,050.00 \$	590.00 \$	405.00 \$	403.00 \$
5	Hot Mix Picked Up At Plant		Ton \$ 56.00 \$	- \$	56.00 \$	47.25 \$	45.75 \$
6	Cold Milling	18,000.00	S.Y. \$ 1.60 \$	28,800.00 \$	2.00 \$	\$	\$

TOTAL BID \$ 638,953.00

Prepared by Deb Hanson-Sudbeck

BID TABULATION FOR SANBORN CONCRETE PANEL REPAIR CITY PROJECT #2011-22 BID OPENING: 1:30 PM - APRIL 26, 2011 - CITY HALL, MITCHELL, SD							
ITEM	DESCRIPTION	EST. QUANTITY	UNIT	Rexwinkel Concrete 225 S. Industrial Rd Corsica, SD 57328		Big Al Contracting, LLC 1605 E. Cedar Lane Sioux Falls, SD 57103	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
SANBORN CONCRETE PANEL REPAIR							
1	Remove & Replace 8" Reinforced Fast Trax Paving	5,940	S.F.	\$ 9.56	\$ 56,786.59	\$ 13.35	\$ 79,299.27
2	Traffic Control	1	L.S.	\$ 7,525.00	\$ 7,525.00	\$ 8,500.00	\$ 8,500.00
<i>Contractor shall be responsible to repair existing sidewalk or paving if it is damaged during the removal of the existing curb & gutter (incidental)</i>							
TOTAL BID SCHEDULE				\$	\$ 64,311.59	\$	\$ 87,799.27

Prepared by Deb Hanson-Sudbeck

**RESOLUTION #2912
RESOLUTION OF CITY COUNCIL**

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 25th day of April, 2011; and

WHEREAS, it appears from an examination of the plat of LOTS 12-A AND 12-B, A SUBDIVISION OF PREVIOUSLY PLATTED LOT 12, ALL IN BLOCK 2 OF WOODLAND HEIGHTS FIRST ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, as prepared by Paul J. Reiland, a duly licensed Land Surveyor in and for the State of South Dakota, that said plat is in accordance with the system of streets and alleys set forth in the Master Plan adopted by the City Planning Commission of the City of Mitchell, South Dakota, and that such plat has been prepared according to law;

THEREFORE, be it resolved by the City Council of Mitchell, South Dakota, that the plat of LOTS 12-A AND 12-B, A SUBDIVISION OF PREVIOUSLY PLATTED LOT 12, ALL IN BLOCK 2 OF WOODLAND HEIGHTS FIRST ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, as prepared by Paul J. Reiland, be and the same is hereby approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

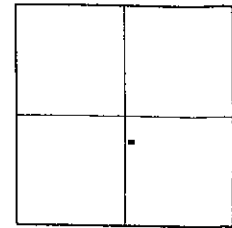
I, Marilyn Wilson, Finance Officer of the City of Mitchell, South Dakota, hereby certify that the foregoing resolution was passed by the City of Mitchell, South Dakota, at a meeting held on the 2nd day of May, 2011.

Mayor

Finance Officer



(IN FEET)
1 inch = 100 ft.



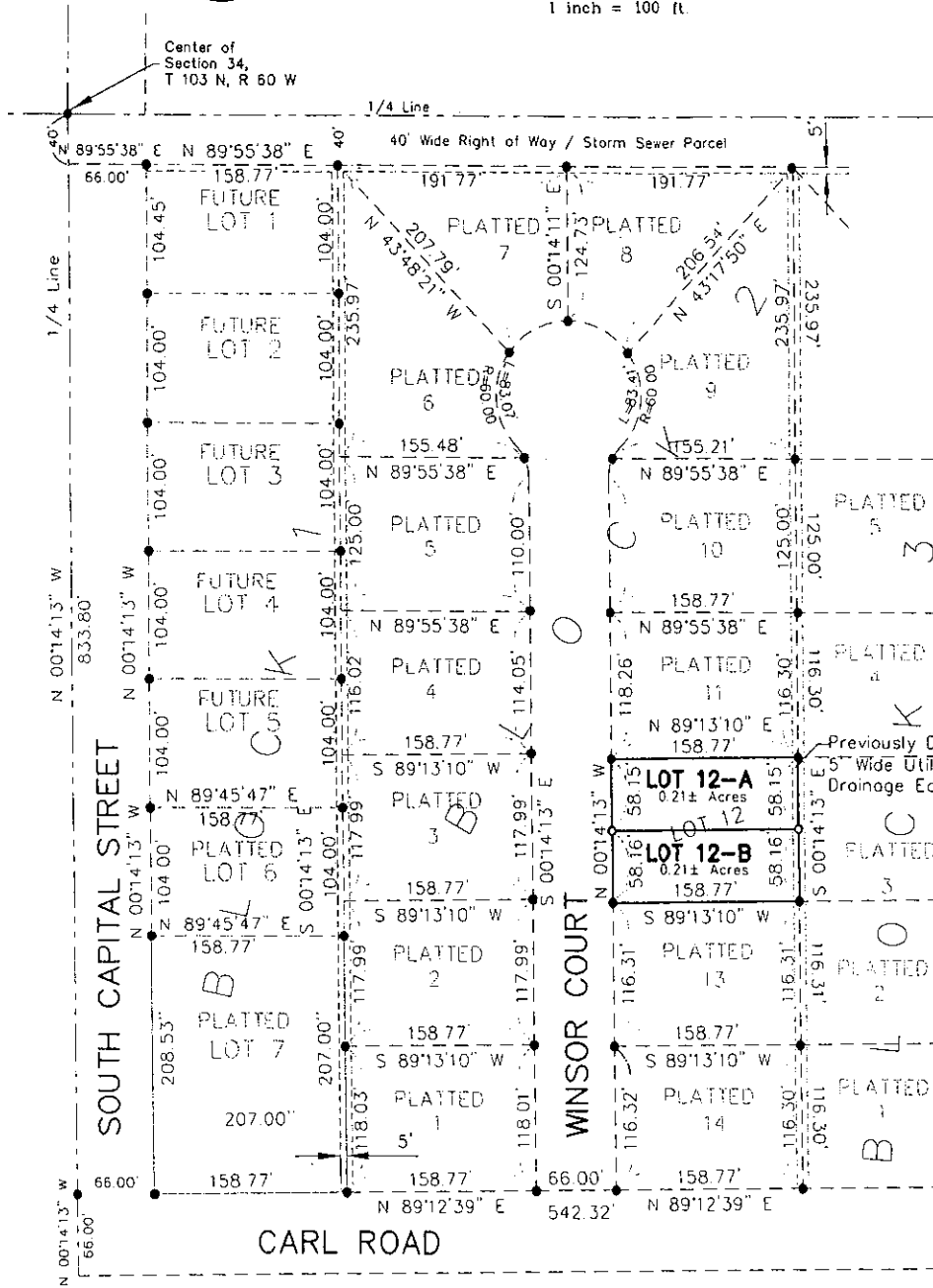
LOCATION MAP
SCALE: 1" = 3000'

LEGEND

- = FOUND IRON MONUMENT
- = SET 5/8" X 16" REBAR WITH CAP NO. 6702
- ▲ = FOUND SURVEY MARKER SPIKE
- △ = SET SURVEY MARKER SPIKE
- 100' (P) = PLATTED BEARING OR DISTANCE
- 100' (R) = DISTANCE OF RECORD
- 100' = MEASURED BEARING OR DISTANCE
- = FOUND NAIL
- = SET 3/8" X 10" NAIL
- WM = WITNESS MONUMENT

PREPARED BY: PAUL J. REILAND, R.L.S.
2100 NORTH SANBORN BLVD. - P.O. BOX 398
MITCHELL, SOUTH DAKOTA 57301-0398
PHONE: (605) 996-7781

BEARINGS ARE BASED ON AN ASSUMED COORDINATE SYSTEM.



A PLAT OF LOTS 12-A AND 12-B, A SUBDIVISION OF PREVIOUSLY PLATTED LOT 12, ALL IN BLOCK 2 OF WOODLAND HEIGHTS FIRST ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.

SURVEYOR'S CERTIFICATE

I, Paul J. Reiland, the undersigned, do hereby certify that I am a Registered Land Surveyor in and for the State of South Dakota. At the request of Ethan Co-op Lumber Association, Inc., a South Dakota corporation, as owner, and under its direction for purposes indicated therein, I did on or prior to April 12, 2011, survey those parcels of land described as follows: LOTS 12-A AND 12-B, A SUBDIVISION OF PREVIOUSLY PLATTED LOT 12, ALL IN BLOCK 2 OF WOODLAND HEIGHTS FIRST ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.

In my professional opinion and to the best of my knowledge, information and belief, the within and foregoing plat is true and correct.
Dated this 15th day of April, 2011.

Paul J. Reiland
Registered Land Surveyor #SD6702



SPN

& Associates
Engineers, Planners and Surveyors

2100 North Sanborn Blvd. • P.O. Box 398 Mitchell, South Dakota 57301-0398
Phone: (605) 996-7781 Fax: (605) 996-0015

Resolution #2913
Lake Mitchell Shoreline Preservation

Preamble: The City of Mitchell recognizes that the residents rely on Lake Mitchell as a secondary source for a safe drinking water supply; that considerable sums of money have been spent by the City and lake residents for the stabilization of the lake shoreline; that considerable sums of money have been spent on dredging Lake Mitchell; that Lake Mitchell is a valuable recreational asset for the City; that the stabilization of the shoreline and the implementation of ordinances, in furtherance of these objectives, are necessary for the preservation of Lake Mitchell; now therefore it is

Resolved that there is declared a moratorium on the issuance of any building permit for any residential property located at Lake Mitchell, which building permit would alter, change or move in any manner the high water mark of the lake property and that no work will be done on any residential lake property which would alter, change, or move, the high water mark on any lake residential property. This moratorium's duration is for a period of six months for the purpose of enacting appropriate ordinances for the preservation of the shoreline of Lake Mitchell.

Dated this 2nd day of May, 2011.

Mayor

ATTEST:

Finance Officer

Seal

ORDINANCE NO. 2362

AN ORDINANCE OF THE CITY OF MITCHELL, SOUTH DAKOTA, REZONING REAL PROPERTY LEGALLY DESCRIBED TRIPLE 'D' TRACT 1, SOUTHEAST QUARTER (SE1/4), SECTION 23, TOWNSHIP 103 N, RANGE 60 W, DAVISON COUNTY, SOUTH DAKOTA FROM NEIGHBORHOOD SHOPPING DISTRICT (NS) AND CONSERVATION DISTRICT (CN TO INDUSTRIAL (I) DISTRICT AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF MITCHELL.

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

Section 1. The real property legally described as Triple 'D', Tract 1, Southeast Quarter (SE ¼), Section 23, T 103 N, R 60 W, Davison County, South Dakota is to be rezoned from Neighborhood Shopping (NS) District and Conservation (CN) District to Industrial (I) District (HB) and amend the Official Zoning Map of the City of Mitchell.

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.

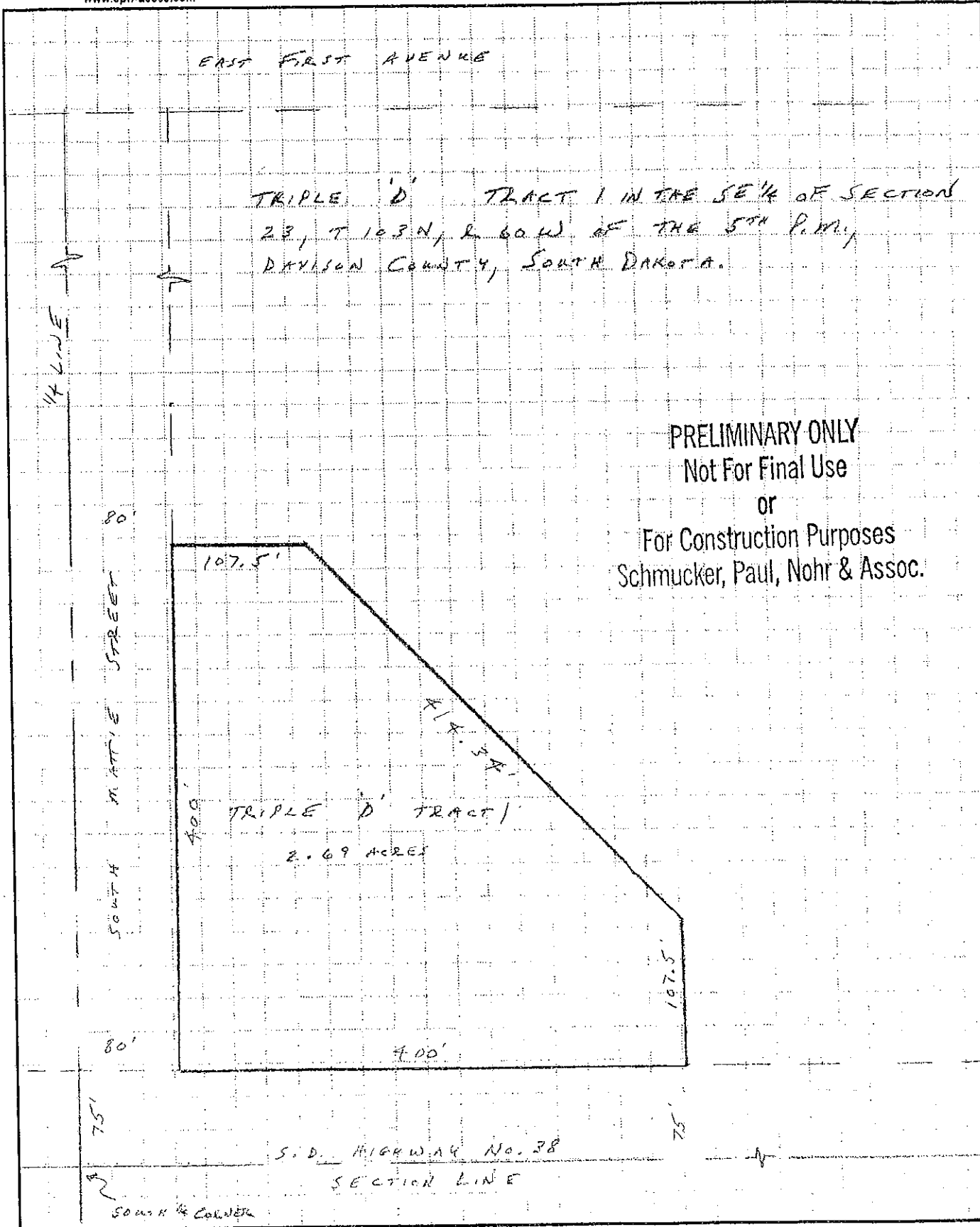
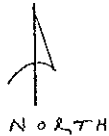
Passed and approved this the 16th day of May, 2011.

MAYOR

ATTEST:

FINANCE OFFICER

FIRST READING May 2, 2011
SECOND READING May 16, 2011
ADOPTION May 16, 2011



ORDINANCE NO. 2363
SUPPLEMENTAL APPROPRIATION ORDINANCE
AMENDING ORDINANCE NO. 2343
CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

BE IT ORDAINED, BY THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, that the following sums be appropriated to authorize certain expenditures and to meet certain obligations for the year 2011 according to statute:

GENERAL FUND
INFORMATION TECHNOLOGY

101-41935-42920	Computer Software	\$2,500.00
101-41935-43510	Computer Hardware	\$3,500.00

The funding will come from General Fund cash balance.

ENTERPRISE FUND
GOLF COURSE

614-45250-42603	Sand	\$6,000.00
614-45250-42604	Trees & Sod	\$6,000.00

The funding will come from Golf Course Fund cash balance.

First Reading: May 2, 2011
Second Reading: May 16, 2011
Adoption: May 16, 2011

Attest:

Mayor

Finance Officer
[Seal]

City of Mitchell

GOLF & CEMETERY DEPARTMENT
700 WEST 23RD • MITCHELL, SOUTH DAKOTA 57301 • (605) 995-8461 • FAX (605) 995-8464

April 25, 2011

To: Mayor Lou Sebert
City Council Members
Finance Officer, Marilyn Wilson

Re; Request for Supplemental Appropriation to Golf Course Budget from Golf Reserve Fund

I am hereby requesting a supplemental appropriation in the amount of \$ 12,000.00 to complete the construction of # 7 green at Lakeview Golf Course.

\$ 6,000.00 to 614-45250- 42603 Sand line item for sand
\$ 6,000.00 to 614-45250- 42604 Trees, sod and seed for bentgrass sod and trucking

In Mid 2010, the Golf Board directed that #7 green be rebuilt as soon as possible. Construction was started in the Fall of 2010 and is now ready for Sodding and grow in.

The green being replaced has long been a source of customer complaint due to it's 1920s construction flaws that are not acceptable at today's putting speeds. This green has become more problematic each year due to its steep incline and small size among other problems. As the greens putting speed have increased, the problems and complaints have also increased.

This green was down to a pin placement for putting of around 800 useable square feet out of 2,600. The new green will be around 5,800 square feet.

Although we have budgeted funds in past years to try and complete this project, funds were not available due to dropping revenues at that time. That meant a delay of the project until funds were available.

By sodding this green, it should be playable in early July 2011 weather permitting.
Respectfully...



Kevin Thurman, Director
GOLF & CEMETERY DEPARTMENT

EXPLANATION #7 GREEN PROJECT

The existing #7 green at 2,600 square feet exhibited the following problems...

- A. too sloped eliminating $\frac{3}{4}$ of space for actual cupping of pin for putting use
- B. liability due to being too close to #4 green
- C. difficult maintenance because of heavy traffic in small area of green
- D. green gets worn out by July due to overall heavy traffic in season
- E. wind will actually move ball around and ball often does not stay on green when chipping

Changes of humidity and wind could make an average pin placement impossible later in the day when greens dried out. A constant source of customer complaint.

The new green will be around 6,000 square feet with a sandtrap. Subtle slope with gentle contour will make the playing experience on this hole a positive and interesting instead of penal (unless you end up in the sand)

I requested a quote from a contractor on greens construction. He indicated that a basic green in the 4,000 square feet range would be from \$ 30,000 to \$ 60,000 for a bare green without sandtrap or much undulation and mounding. A green goes up in cost per square foot of course as it gets bigger. Even if we would do the contours and haul the dirt in, getting below \$ 45,000 for a bare green this size would have been difficult.

All of the work to date and for the finish will be in-house.

The sod on the existing green will be maintained for most of this season and be used for another project if we can get to it this year.

It was not practical to add an addition to this green since the steep area around it was not conducive to efficient construction. The outcome of an addition would not have been desirable.

Also, it would take the hole out of play and negatively affect revenues for too much of the summer.

Kevin Thurman, CGCS

DISSEMINATION AGENT AGREEMENT

THIS DISSEMINATION AGENT AGREEMENT (the "Dissemination Agreement"), dated as of _____ by and between the City of Mitchell, South Dakota, 612 North Main, Mitchell, SD 57301 (the "Issuer") and Northland Securities, Inc., 45 - South 7th Street, Suite 2000, Minneapolis, MN 55402 ("the Dissemination Agent") in connection with bond issues of the Issuer (the "Bond Issues") identified in Exhibit A which is attached to and by reference made a part of this Dissemination Agreement:

The Issuer and the Dissemination Agent covenant and agree as follows with respect to the Bond Issues:

SECTION 1. Definitions. the following capitalized terms shall have the following meanings:

"Annual Report" shall mean the document or documents filed by the Dissemination Agent with a National Repository or State repository pursuant to this Dissemination Agreement.

"Annual Report Data" shall mean the Issuer's audited financial statements, such other financial information and operating data for each Bond Issue as may be requested by the Dissemination Agent to compile the Annual Report, and information collected by the Dissemination Agent (such as data from the county auditor).

"Continuing Disclosure Agreement" shall mean that certain agreement or undertaking executed by the Issuer at the time of issuance of the bond issues listed in Exhibit A.

"Disclosure Representative" shall mean the Finance Officer of the Issuer or his or her designee, or such other officer or employee as the Issuer shall designate in writing to the Dissemination Agent from time to time.

~~"Listed Events" shall mean any of the material events listed in Section 5(a) of this Dissemination Agreement.~~

"National Repository" shall mean any Nationally Recognized Municipal Securities Information Repository for purposes of the Rule. Attached to and by reference made a part of this Dissemination Agreement is Exhibit B, a current list of National Repositories. Notwithstanding anything to the contrary contained herein, Exhibit B may be amended from time to time by the Dissemination Agent, following the designation of additional National Repositories or loss of such status by an existing National Repository, by delivering a notice of amendment and an amended Exhibit B to the Issuer.

"Rule" shall mean Rule 15c2-12(b)(5) adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time.

"SEC" shall mean the Securities and Exchange Commission or any successor to its functions governing state and municipal securities disclosure.

"State" shall mean the State of South Dakota.

"State Repository" shall mean any public or private repository or entity designated by the State as a state repository for the purpose of the Rule. As of the date of this Agreement, there is no State Repository.

SECTION 2. Purpose of the Dissemination Agreement. This Dissemination Agreement is being entered into by the Issuer and the Dissemination Agent in order to assist the Issuer in complying with the Rule.

SECTION 3. Provision of Annual Reports.

(a) On an annual basis, the Issuer shall provide the Annual Report Data to the Dissemination Agent in a timely manner. The Dissemination Agent shall compile and provide to the Repository by June 30th of each year, commencing June 30, 2011, the Annual Report for each Bond Issue in a format consistent with the Rule.

(b) If the Dissemination Agent has not received a copy of the Annual Report Data in a timely manner, the Dissemination Agent shall contact the Issuer to determine the status of information and whether the Issuer will remain in compliance with the Annual Report due date referenced in subsection (a).

(c) The Dissemination Agent shall:

(i) determine each year prior to June 30th, the name and address of each National Repository and each State Repository, if any; and

(ii) file a report with the Issuer and the Trustee (if applicable) certifying that the Annual Report has been provided pursuant to this Dissemination Agreement, stating the date it was provided and listing all the Repositories to which it was provided.

SECTION 4. Content of Annual Reports. The Annual Report prepared by the Dissemination Agent for each Bond Issue shall contain or incorporate by reference the financial information and operating data specified in the applicable Continuing Disclosure Agreement or continuing disclosure provisions of any applicable Resolution, Indenture, Loan Agreement or Lease Agreement, relating to bond issues listed in Exhibit A.

SECTION 5. Reporting of Significant Events.

(a) This Section 5 shall govern the giving of notices of the occurrence of any of the Events listed below or in the Issuer's Continuing Disclosure Agreement or in the applicable Resolution, Indenture, Loan Agreement or Lease Agreement:

1. Principal and interest payment delinquencies;
2. Non-payment related defaults, if material;
3. Unscheduled draws on debt service reserves reflecting financial difficulties;
4. Unscheduled draws on credit enhancements reflecting financial difficulties;
5. Substitution of credit or liquidity providers, or their failure to perform;
6. Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security;
7. Modifications to rights of security holders, if material;
8. Bond calls, if material, and tender offers;
9. Defeasances;
10. Release, substitution, or sale of property securing repayment of the securities, if material;
11. Rating changes;
12. Bankruptcy, insolvency, receivership or similar event of the obligated person;
13. The consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
14. Appointment of a successor or additional trustee or the change of name of a trustee, if material.

(b) The Issuer shall promptly notify the Dissemination Agent in writing of the occurrence of any of the listed Events, and such notification must be within ten (10) business days of the occurrence of the event. Such notice shall instruct the Dissemination Agent to report the occurrence pursuant to subsection (c).

(c) If the Dissemination Agent has been instructed by the Issuer to report the occurrence of a Listed Event, the Dissemination Agent shall file a notice of such occurrence with the Municipal Securities Rulemaking Board promptly, but within ten (10) business days of the occurrence of the Event, to the extent the Issuer has met the requirements in Section 5(b).

SECTION 6. Dissemination Agent. The Issuer has engaged the Dissemination Agent to assist it in carrying out its obligations under this Dissemination Agreement and may discharge any such Dissemination Agent, with or without appointing a successor or Dissemination Agent. The Dissemination Agent may terminate its duties hereunder upon fifteen (15) days written notice to the Issuer. For its services hereunder, the Dissemination Agent shall be paid an annual fee of \$1,250 for the Bond Issues listed in Exhibit A that are required by the Rule to file an Annual Report. In addition, the Issuer shall reimburse the Dissemination Agent for out of pocket expenses incurred in preparing the Annual Report.

SECTION 7. Amendment, Waiver. Notwithstanding any other provision of this Dissemination Agreement, the Issuer and the Dissemination Agent may amend this Dissemination Agreement, and any provision of this Dissemination Agreement may be waived, in writing, as agreed to by the parties thereto.

SECTION 8. Additional Information. Nothing in this Dissemination Agreement shall be deemed to prevent the Issuer from disseminating any other information, using the means of dissemination set forth in this Dissemination Agreement or any other means of communication.

SECTION 9. Duties, Immunities and Liabilities of Trustee and Dissemination Agent. The Dissemination Agent shall have only such duties as are specifically set forth in this Dissemination Agreement, and the Issuer agrees to indemnify and save the Dissemination Agent, its officers, directors, employees and agents, harmless against any loss, expense and liabilities which it may incur arising out of or in the exercise or performance of its powers and duties hereunder, including the costs and expenses (including attorneys' fees) of defending against any claim of liability, but excluding liabilities due to the Dissemination Agent's gross negligence or willful misconduct.

SECTION 10. Beneficiaries. This Dissemination Agreement shall inure solely to the benefit of the Issuer and the Dissemination Agent, and shall create no rights in any other person or entity.

SECTION 11. Counterparts, This Dissemination Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the CITY OF MITCHELL, SOUTH DAKOTA and NORTHLAND SECURITIES, INC. have caused this Dissemination Agreement to be executed in their respective names, all as of the date first written above.

CITY OF MITCHELL, SOUTH DAKOTA

NORTHLAND SECURITIES, INC.

By _____
Its Finance Officer

By Catherine Winkelhake
Its Vice President

EXHIBIT A

BOND ISSUES SUBJECT TO CONTINUING DISCLOSURE

CITY OF MITCHELL, SOUTH DAKOTA

ISSUE		DATED	FIRST REPORT	FINAL MATURE	LAST REPORT
PAR	ISSUE	DATE	DUE	DATE	DUE
\$1,565,000	Sales Tax Revenue Bonds, Series 2000B	12/28/00	06/30/01	12/01/13	06/30/14
\$6,235,000	Sales Tax Revenue Refunding Bonds, Series 2009	10/01/09	12/31/09	12/01/20	12/31/20

EXHIBIT B

LIST OF NATIONAL REPOSITORIES

Municipal Securities Rulemaking Board (MSRB)
<http://emma.msrb.org>
(filing only in an electronic format as prescribed by the MSRB)

**CITY OF MITCHELL
RAFFLE PERMIT**

Date of Application: April 28, 2011

Organization: Heart & Sole Cancer Assistance Inc. dba Heart & Sole Cancer Walk/Run

SDCL #22-25-25 authorizes the following organizations or committees to conduct lotteries / raffles. Please indicate your category:

- | | |
|--|--|
| <input type="checkbox"/> Chartered veterans' organization | <input type="checkbox"/> Religious organization |
| <input checked="" type="checkbox"/> Charitable organization | <input type="checkbox"/> Educational organization |
| <input type="checkbox"/> Fraternal organization | <input type="checkbox"/> Local civic or service club |
| <input type="checkbox"/> Political party | <input type="checkbox"/> Volunteer fire department |
| <input type="checkbox"/> Political action committee or political committee on behalf of any candidate for a political office | |

Contact Information:

Name: Mary Nutter

Address: 714 S Burr, Suite 101, Mitchell, SD 57301

Phone #: 605- 996-8100

Email: mnutter@homefederal.com

501(c) 3 – (Non-Profit): yes no eligible

Dates of Ticket Sales: May 15, 2011 to June 17, 2011

Date of Raffle Drawing: June 17, 2011

Value of Raffle Prize: \$1,000.00

Proceeds Benefitting: Heart & Sole Cancer Assistance

For Finance Office Use Only:

Council Approval Date: _____

Signature:

Finance Office

**CITY OF MITCHELL
RAFFLE PERMIT**

Date of Application: 4-19-11

Organization: MITCHELL MAIN STREET & BEYOND

SDCL #22-25-25 authorizes the following organizations or committees to conduct lotteries / raffles. Please indicate your category:

- | | |
|--|---|
| <input type="checkbox"/> Chartered veterans' organization | <input type="checkbox"/> Religious organization |
| <input type="checkbox"/> Charitable organization | <input type="checkbox"/> Educational organization |
| <input type="checkbox"/> Fraternal organization | <input checked="" type="checkbox"/> Local civic or service club |
| <input type="checkbox"/> Political party | <input type="checkbox"/> Volunteer fire department |
| <input type="checkbox"/> Political action committee or political committee on behalf of any candidate for a political office | |

Contact Information:

Name: ROBERT SCHOENFELDER - VP

Address: 400 N. MAIN

Phone #: 990-4500 (MMS&B) 990-2300 (BOB)

Email: MMS&BEYOND@YAHOO.COM

501(c) 3 - (Non-Profit): yes no eligible

Dates of Ticket Sales: ASAP TO AUG 27, 2011

Date of Raffle Drawing: AUGUST 27th (LAST NIGHT) ^{CORN PALACE}

Value of Raffle Prize: TOP PRIZE - APPROX \$1000

Proceeds Benefitting: MMS&BEYOND AND MMS&BEYOND LOAN PROGRAM

For Finance Office Use Only:

Council Approval Date: _____

Signature:

Finance Office

**CITY OF MITCHELL
RAFFLE PERMIT**

Date of Application: 4-21-11

Organization: Pheasant Country

SDCL #22-25-25 authorizes the following organizations or committees to conduct lotteries / raffles. Please indicate your category:

- | | |
|--|--|
| <input type="checkbox"/> Chartered veterans' organization | <input type="checkbox"/> Religious organization |
| <input checked="" type="checkbox"/> Charitable organization | <input type="checkbox"/> Educational organization |
| <input type="checkbox"/> Fraternal organization | <input type="checkbox"/> Local civic or service club |
| <input type="checkbox"/> Political party | <input type="checkbox"/> Volunteer fire department |
| <input type="checkbox"/> Political action committee or political committee on behalf of any candidate for a political office | |

Contact Information:

Name: DAVE ALLEN

Address: 208 S. WALLACE

Phone #: 405-996-8649

Email: _____

501(c) 3 - (Non-Profit): yes no _____ eligible _____

Dates of Ticket Sales: ASAP

Date of Raffle Drawing: OCT 14th Pheasant Banquet

Value of Raffle Prize: VARIOUS

Proceeds Benefitting: Pheasant Country / Pheasant? For ever

For Finance Office Use Only:

Council Approval Date: _____

Signature:

Finance Office

APPLICATION FOR ABATEMENT AND/OR REFUND OF PROPERTY TAXES

Tax Year Payable 2011

Board of County Commissioners of Davison County, South Dakota

Tax Bill # 2010 R 9594

NAME Mitchell School District
MAILING ADDRESS 821 N. Capital St
CITY Mitchell STATE SD ZIP CODE 57301

Legal Description of Property Lots A-4 & A-5 sub of Lot A in SW1/4 of 27-103-60

Parcel # 158100270070007

Application for an abatement/refund of taxes is being presented due to the following reason (check applicable provision)

- An error has been made in any identifying entry or description of the real property, in entering the valuation of the real property or in the extension of the tax, to the injury of the complainant;
- Improvements on any real property were considered or included in the valuation of the real property, which did not exist on the real property at the time fixed by law for making the assessment;
- The complainant had no taxable interest in the property assessed against the complainant at the time fixed by law for making the assessment;
- Taxes have been erroneously paid or error made in noting payment or issuing receipt for the taxes paid;
- The same property has been assessed against the complainant more than once in the same year, and the complainant produces satisfactory evidence that the tax for the year has been paid;
- A loss occurred because of flood, fire, storm, or other unavoidable casualty; Date of Loss: 5-11-10
- Structures have been removed after the assessment date (upon verification by the director of equalization)
Date structures removed _____
- Applicant, having otherwise qualified for the Assessment Freeze for the Elderly and Disabled, but missed the deadline as prescribed in § 10-6A-4
- Applicant, having otherwise qualified for classification of owner-occupied single family dwelling, but missed the deadline as prescribed by law due to temporary duty assignment for the military.
- Tax bill generated in previous year to transfer the title or for relocation of a mobile home.
- Other / Comments : Purchased by tax exempt entity.

No tax may be abated on any real property which has been sold for taxes, while a tax certificate is outstanding – Any abatement on property within corporate limits of a municipality must be first approved by the governing body of the municipality.)

I hereby apply for an abatement / refund of property taxes for the above reasons.
[Signature]
Applicant's Signature

Subscribed and sworn to, before me this 14th
Day of April, 2011
[Signature]
Notary ~~Auditor~~ Deputy Auditor

Approved / Disapproved by City or Township Board _____	Date _____
Approved / Disapproved by County Chairman _____	Date _____

DATE RECEIVED in the County Auditor's office _____ Received by _____

Current Tax: 1490.46 Date Approved: _____
Adjusted Tax: 677.86
Amt Abated/Refunded: 812.60 Check Number if Refunded: _____

Print Key Output

5722551 V5R4M0 060210

S10C520E

04/14/11 11:08:50

Display Device : BETTYWS1
User : BETTY

Tax Year: 2010 Bill#: 9594 DAVISON COUNTY F1=Return
Source: REAL PROPERTY 15-Digit Key: 15B100270070007 F7=Return
ENTER to Return

Taxpayer: MITCHELL SCHOOL DISTRICT #17-2 Twp/City: 15 MITCHELL CITY
Legal 1: LOTS A-4 & A-5 SUB OF LOT A SW1/4 Sch Dist: 03 MITCHELL 17-2
Legal 2: 27-103-60 Tax Dist:
Addition: Fire Dist: 03
CitySpec: Escrow:
TaxFund:

TAX DUE PAID BY RCPT# DATE INTEREST AD FEE CERT SHERIF
1st: 745.23
2nd: 745.23

1st Payment Paid By: Tax Sale Yr: Cert#:
2nd Payment Paid By: NSF Check: Taxes Spc Assess
Paid In Protest: Sold & Assigned: County: 294.94
Paid As Subsequent: Dont Publish: Twp/City: 377.89
Adj Rcpt # 1st Payment 2nd Payment Sch Ag:
Sch N-Ag: 811.58
Other: 6.05
Sp Asses:

Current MITCHELL SCHOOL DISTRICT #17-2
Owner & DBA MITCHELL TECHNICAL INST Ttl Tax: 1490.46 Pmt Still Due:
Address 821 N CAPITAL AVE Adj Tax: 1 745.23
MITCHELL SD 57301-2002 W/Fees: 1490.46 2 745.23

1490.46 ÷ 365 days = 4.083452/day x 199 days = 812.60 (Abate)

PAY ESTIMATES FOR MAY 2, 2011

CONTRACTORS	PROJECT	P.E. #	AMOUNT	PAID TO DATE	CONTRACT AMOUNT
CB&I Inc.	#2009-30 South Side Water Tower	#10	\$ 20,900.00	\$ 1,240,713.80	\$ 1,328,513.80
Spencer Quarries	#2010-2B Lawler Street Utilities	#1	\$ 675.00	\$ 675.00	\$ 88,885.80
Colwell Concrete Inc.	#2010-4B N. Mentzer, E. 8th, Boatramp	#13	\$ 6,479.76	\$ 83,354.74	\$ 62,381.25
Dixie Veurink Trucking	#2010-5 Lake Mitchell Campground Rip Ra	#1	\$ 3,330.00	\$ 3,330.00	\$ 153,073.20
Big O Concrete	#2011-4I Sidewalk - Neighborhood Parks	#1	\$ 8,246.61	\$ 8,246.61	\$ 15,497.00
Sheehan Mack Sales	#2011-18 Street Sweeper	#1-Final	\$ 147,800.00	\$ 147,800.00	\$ 147,800.00
			\$ 187,431.37	\$ 1,484,120.15	\$ 1,796,151.05

Prepared by Deb Hanson-Sudbeck

CHANGE ORDER NUMBER :

ONE

PROJECT:

WATER STORAGE IMPROVEMENTS

CONTRACTOR: CB&I Inc.

OWNER:

CITY OF MITCHELL

1000 Remington Blvd.

PROJECT NUMBER(S) :

Suite 105

Bolingbrook, IL 60440-4706

SPN Proj. No.13334.00

City # 2009-30

SRF # C462129-02

ITEM	BID SCHEDULE "A" AS APPROVED TO DATE:			TOTAL APPROVED VALUE			RECOMMENDED CHANGES		NEW CONTRACT, WITH CHANGES:			
	DESCRIPTION	QUANTITY	UNIT PRICE	QUANTITY	UNIT PRICE	VALUE	QUANTITY	VALUE	QUANTITY	VALUE		
1	Mobilization	1	LS	\$92,371.00		\$92,371.00		LS	\$0.00	1	LS	\$92,371.00
2	Remove and dispose of existing 300,000 gallon multi-leg water tower	1	LS	\$43,000.00		\$43,000.00		LS	\$0.00	1	LS	\$43,000.00
3	Furnish and install new steel tank concrete support composite elevated water storage tank with a minimum capacity of not less	1	LS	\$1,171,000.00		\$1,171,000.00		LS	\$0.00	1	LS	\$1,171,000.00
4	Tank Foundation	1	LS	\$225,000.00		\$225,000.00		LS	\$0.00	1	LS	\$225,000.00
5	Furnish and install control room with all piping, valves, equipment and appurtenances.	1	LS	\$129,000.00		\$129,000.00		LS	\$0.00	1	LS	\$129,000.00
6	Electrical Wiring	1	LS	\$19,000.00		\$19,000.00		LS	\$0.00	1.0	LS	\$19,000.00
7	Salvage and installation of existing monitoring and SCADA equipment	1	LS	\$1,600.00		\$1,600.00		LS	\$0.00	1	LS	\$1,600.00
8	Existing SCADA upgrade	1	LS	\$15,000.00		\$15,000.00		LS	\$0.00	1	LS	\$15,000.00
9	Remove existing 30" MJ cap	1	EA	\$1,000.00		\$1,000.00		EA	\$0.00	1	EA	\$1,000.00
10	Topsoil, Seed, Fertilize and Mulch	4,300	SY	\$2.33		\$10,019.00		SY	\$0.00	4,300	SY	\$10,019.00
11	30" DI Water Main	20	LF	\$300.00		\$6,000.00	(17)	LF	-\$5,100.00	3	LF	\$900.00
12	6" DI Water Main	55	LF	\$55.00		\$3,025.00		LF	\$0.00	55	LF	\$3,025.00
13	Furnish and Install Fire Hydrant	1	EA	\$4,000.00		\$4,000.00		EA	\$0.00	1	EA	\$4,000.00
14	Furnish and Install 30" x 30" x 12" MJ Tee	1	EA	\$9,000.00		\$9,000.00	(1)	EA	-\$9,000.00		EA	\$0.00
15	Furnish and Install 12" x 6" Reducer	1	EA	\$1,000.00		\$1,000.00		EA	\$0.00	1	EA	\$1,000.00
16	Furnish and Install 6" 45° MJ bend	1	EA	\$1,000.00		\$1,000.00		EA	\$0.00	1	EA	\$1,000.00
17	Furnish and Install 6" Gate Valve & Box	1	EA	\$2,000.00		\$2,000.00		EA	\$0.00	1	EA	\$2,000.00
18	Connect Existing 30" Water Main	1	EA	\$3,000.00		\$3,000.00		EA	\$0.00	1	EA	\$3,000.00
19	Furnish and Install 4" PVC sanitary sewer service	135	LF	\$37.00		\$4,995.00		LF	\$0.00	135	LF	\$4,995.00
20	Furnish and Install sanitary sewer cleanout	2	EA	\$500.00		\$1,000.00		EA	\$0.00	2	EA	\$1,000.00
21	Connect Existing sanitary sewer main	1	EA	\$2,000.00		\$2,000.00		EA	\$0.00	1	EA	\$2,000.00
22	Furnish and Install 6" gravel surfacing	100	TN	\$20.00		\$2,000.00		TN	\$0.00	100	TN	\$2,000.00
23	Furnish, install, maintain and remove stabilized construction entrance	1	LS	\$6,000.00		\$6,000.00		LS	\$0.00	1	LS	\$6,000.00
24	Furnish, install, maintain and remove silt fence	570	LF	\$7.00		\$3,990.00		LF	\$0.00	570	LF	\$3,990.00
CO#1 Item 1	Furnish and Install 24" 45° MJ Bend		EA	\$3,560.00		\$0.00	3	EA	\$10,680.00	3	EA	\$10,680.00
CO#1 Item 2	Furnish and Install 24" x 12" MJ Tee		EA	\$5,150.00		\$0.00	1	EA	\$5,150.00	1	EA	\$5,150.00
CO#1 Item 3	24" DI Water Main		LF	\$417.00		\$0.00	10	LF	\$4,170.00	10	LF	\$4,170.00
TOTAL VALUES FOR:				APPROVED TO DATE			RECOMMENDED CHANGES:		NEW CONTRACT, WITH CHANGES:			
BID SCHEDULE "A", AS APPROVED TO DATE:				\$1,756,000.00			\$5,900.00		\$1,761,900.00			

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

**APRIL 18, 2011
7:30 P.M.**

PRESENT: Dan Allen, Doug Backlund, Marty Barington, Geri Beck, Travis Carpenter, Scott Houwman, Jeffrey Smith

ABSENT: Mel Olson

PRESIDING: Mayor Lou Sebert

AGENDA:

Moved by Allen, seconded by Carpenter, to approve the agenda as prepared. Motion carried.

MINUTES:

Moved by Houwman, seconded by Barington, to approve the minutes of the regular City Council meeting held on April 4, 2011. Motion carried.

BOARD OF ADJUSTMENT:

Moved by Houwman, seconded by Allen, for the City Council to adjourn 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 Brad Jamison for a variance to construct a garage, located at 1000 West Hurst, Block 9 except W 88 ft. and except E 166 ft. and except Lot 8 and except that portion of Hurst Street, Sunnyside Addition, City of Mitchell. Notice of hearing has been given according to statute and affidavit of publication is on file. The Planning Commission recommended approval of said application with the following conditions: plant more trees around the garage and for Mr. Jamison to bring in a drainage plan. Moved by Houwman, seconded by Smith, to approve said application with the condition that more trees are planted around the garage and a drainage plan is submitted. Motion carried.

It was advised that this is the date and time set for hearing on the application of Larry Weisser for a variance to construct a garage, located at 320 East Douglas, Lots 83 and 84, Overlook Addition, City of Mitchell. Notice of hearing has been given according to statute and affidavit of publication is on file. The Planning Commission recommended approval of said application. Moved by Allen, seconded by Houwman, to approve said application. Motion carried.

It was advised that this is the date and time set for hearing on the application of Dick and Shirley McEntee for a conditional use permit to operate a rummage/farmer's market out of their garage from May to November, located at 1705 North Wisconsin, Lot 3, Block 8, Fullerton Properties 1st Addition, City of Mitchell. Notice of hearing has been given according to statute and affidavit of publication is on

file. The Planning Commission recommended approval of said application. Moved by Houwman, 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 of Bobbie Sperlich for a conditional use permit to operate a daycare center in her home located at 1028 East 2nd Avenue, Lot 18, Block 10, Gleeson's Addition, City of Mitchell. Notice of hearing has been given according to statute and affidavit of publication is on file. The Planning Commission recommended approval of said application with the conditions that the permit is non-transferrable and the permit will expire in six months if the daycare is not operating. Moved by Carpenter, seconded by Houwman, to approve said application with the conditions that the permit is non-transferrable and the permit will expire in six months if the daycare is not operating. Motion carried.

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

COMMITTEE REPORT:

Traffic:

A request from Shafer Memorials for a loading/unloading zone on the corner of 11th and Rowley was approved. A request from the Daily Republic to designate the north curb on Railroad Avenue as a loading zone was approved. The loading zone would begin 50 feet east from the east curb line at the corner of Railroad and Lawler back to the loading dock and would have effective hours of 7:00 a.m. to 7:00 p.m. A request from Public Safety for three (3) ten-minute parking spaces in the City parking lot on the south side of Cherrybee's during the Lawler Street construction process was approved. After completion of the construction, one (1) parking space will remain as a ten-minute parking space.

Public Health and Safety:

A request from Mitchell Technical Institute for a time extension on their burn permit was reviewed by Fire Marshall Marius Laursen. Laursen noted that the weather has not cooperated over the past month for MTI to complete their burn. The burn permit will be in effect until the weather is favorable enough to complete the burn. A request for a burn permit from the Golf & Cemetery director due to improvements at the golf course was approved.

Finance:

Finance Officer Marilyn Wilson reviewed the city's sales tax collections for the first quarter of 2011. The 1st and 2nd penny sales tax collections for the first quarter were \$998,091.40, which is down 0.61% from last year's first quarter collections of \$1,004,206.79. The Entertainment Tax collections for the first quarter of 2011 were \$118,695.00, which is down 1.61% from last year's first quarter collections of \$120,615.39. Council member Beck asked if we are still making payments on the overpayment from last year. Wilson noted that the last payment was made in December, 2010.

Moved by Beck, seconded by Smith, to approve the committee reports. Motion carried.

DEPARTMENT REPORTS:

Moved by Carpenter, seconded by Allen, to approve the following department reports: February reports - Finance Department Cash Balances and Airport Board; March reports – Police Department, Fire Department, Building Permits, Mitchell Regional Ambulance, Palace Transit, Water Department, Airport and Airport Board; April reports – Golf & Cemetery. Council member Smith asked for clarification from Kevin Thurman, Golf & Cemetery Director, regarding the Lawn Bowling Board. Any suggestions or recommendations to be considered by the Golf & Cemetery Board must come from the Lawn Bowling Board, not an individual member of the board. Thurman also noted that they have a waiting list of people wanting to have spots at the Community Garden. The Golf & Cemetery Board is looking at having larger spots available next year, as well as making additional spots available. Thurman did not think there would be time to get that accomplished for this year’s season, but will ask for funds during budget hearings for next year. Motion carried.

AWARD BIDS:

Bids were opened and read on the Petroleum Products Project #2011-13 on the 12th day of April, 2011 in the Council Chambers of City Hall. Moved by Carpenter, seconded by Houwman, to award as follows:

**PETROLEUM PRODUCTS
PROJECT #2011-13**

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

CRS-2 P-Emulsion delivered to Street Department storage tank in lots of approximately 5000 gallons – approximate quantity is 230 Ton

Amount \$532.00 per ton

Motion carried.

Bids were opened and read on the Hazardous Curb & Gutter Project #2011-14B on the 12th day of April, 2011 in the Council Chambers of City Hall. Moved by Barington, seconded by Allen, to award as follows:

**HAZARDOUS CURB & GUTTER
PROJECT #2011-14b**

Rexwinkle Concrete, PO Box 43, Corsica, SD 57328

Hazardous Curb, Valley Gutters, Approach Pavement and Fillet Sections:

- | | |
|---|-------------|
| 1. 6” Reinforced Valley Gutter (Fast Trax) – 1164 S.F. @ \$5.40 | \$ 6,285.60 |
| 2. 4” Concrete Approach Pavement (Fast Trax) – 938 S.F. @ \$5.00 | 4,690.00 |
| 3. Curb and Gutter 0 to 40 ft Lengths – 844 L.F. @ \$25.00 | 21,100.00 |
| 4. Curb and Gutter 41 ft. and larger lengths – 200 L.F. @ \$22.00 | 4,400.00 |
| 5. 6” Reinforced Fillet Sections (Fast Trax) – 360 S.F. @ \$8.00 | 2,880.00 |

6. Remove Curb and Gutter – 1044 L.F. @ \$3.00	3,132.00
7. Remove Approach Pavement – 938 L.F. @ \$3.00	2,814.00
8. Remove Fillet Sections – 360 S.F. @ \$3.00	1,080.00
TOTAL BID	\$ 46,381.60

Addendum #1: New Construction Curb & Gutter – Schedule 2:

1. Type “B” Curb and Gutter – 485 S.F. @ \$16.50	\$ 8,002.50
2. 6” Reinforced Fillet Section – 179 S.F. @ \$6.25	1,118.75
3. Replace 6” Reinforced Fillet Section – 84 L.F. @ \$7.00	588.00
4. Replace Type “B” Cub & Gutter – 156 L.F. @ \$23.00	3,588.00
5. 6” Reinforced Concrete Paving – 773 S.F. @ \$4.65	3,594.45
6. Replace 4” Sidewalk – 3032 L.F. @ \$3.20	9,702.40
7. Reinforced Ramp and Sidewalk – 1 L.S. @ \$2,850.00	2,850.00
8. Remove Fillet Sections – 360 S.F. @ \$3.00	1,080.00
TOTAL BID	\$ 30,524.10

Motion carried.

Bids were opened and read on the Grass Fire Apparatus for Fire Division Project #2011-25 on the 12th of April, 2011 in the Council Chambers of City Hall. Moved by Beck, seconded by Barington, to award as follows:

**GRASS FIRE APPARATUS FOR FIRE DIVISION
PROJECT #2011-25**

Allegiant Emergency Services, 104 S. Main, Hartford, SD 57033

One (1) New 4-Wheel Drive Unit with Wildlife Flatbed Rig,
as per specifications

TOTAL BID \$ 74,924.00

Motion carried.

Bids were open and read on the Cadwell Mowers Project #2011-26 on the 12th day of April, 2011 in the Council Chambers of City Hall. Moved by Carpenter, seconded by Houwman, to award as follows:

**CADWELL MOWERS
PROJECT #2011-26**

Ellefson Implement Inc., 2600 West Havens, Mitchell, SD 57301

1. One (1) New 4-Wheel Drive Unit as per specifications – JD 1435	\$ 24,994.00
2. One (1) New 2-Wheel Drive Unit as per specifications – JD 1435	\$ 15,579.00

3. Snow blower for Item #1	\$ 3,450.00
TOTAL BID	\$ 44,023.00

Motion carried.

HEARING:

It was advised that this is the date and time set for hearing on the proposed resolution of necessity for street and alley construction. The area being considered is the alley from North Kimball Street to North Burr Street and street construction on North Langdon from East 7th Avenue north to the alley. Tim McGannon, Director of Public Works, reviewed the areas for the proposed construction. Discussion took place with property owners in the proposed project areas. McGannon noted that a petition was received with 54% of the property owners against the proposed project. Engineering staff will be working on a different proposal to be presented at a later date.

RESOLUTIONS:

Resolution #2898, Resolution of Necessity for the alley north of 7th Avenue from Kimball Street to Burr Street and Street Assessment on North Langdon Street from 7th Avenue north to alley for Concrete Alley, Base Course, Storm Sewer, Curb & Gutter, Bituminous Paving, Engineering Fees and Miscellaneous Expenses, died for lack of a motion.

Moved by Houwman, seconded by Carpenter, to adopt Resolution #2909, Solid Waste Management Grant Funds, as follows:

**RESOLUTION NO. 2909
SOLID WASTE MANAGEMENT GRANT FUNDS**

WHEREAS, the City of Mitchell wishes to host a collection of waste tires for the Mitchell regional landfill's service area; and

WHEREAS, the City is eligible to apply for SD Solid Waste Management Grant (SWMG) funds for the proposed collection and reuse / disposal of waste tires from the service area; and

WHEREAS, the costs of advertisement of the event and final disposal costs of the waste tires are eligible for reimbursement by the grant funds; and

WHEREAS, the City has developed a work plan and will submit this plan to the Department of Environment and Natural Resources;

THEREFORE, be it resolved by the City Council of Mitchell, South Dakota duly authorizes the submission of the SWMG application for the proposed project;

THEREFORE, be it further resolved, that the Mayor of Mitchell be authorized to execute and sign the SWMG application on behalf of the City.

Motion carried and resolution declared duly adopted.

Moved by Carpenter, seconded by Allen, to adopt Resolution #2910, Diesel Exhaust Removal System Services authorizing entry into a contract with Ward Diesel Filter Systems in the amount of \$43,695.30 through GSA contract #GS-07F-0246L, as follows:

**RESOLUTION #2910
DIESEL EXHAUST REMOVAL SYSTEM SERVICES**

PREAMBLE:

For the health and safety of the personnel utilizing the Public Safety Building it would benefit the air quality of the building if exhaust removal systems were installed;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MITCHELL:

That the Mayor, for and on behalf of the City, is authorized to enter into the contract with Ward Diesel Filter Systems company for five (5) installations of the "NO SMOKE" diesel exhaust removal system services, all as is contained in Exhibit "A", which is attached hereto and incorporated herein by reference.

Chief of Public Safety Lyndon Overweg noted that one fire truck and four ambulances will be fitted with the exhaust removal systems. Motion carried and resolution declared duly adopted.

ORDINANCES:

Moved by Smith, seconded by Carpenter, to place Ordinance #2360, Amend Mitchell City Ordinance 4-2-4 (Softball Complex), on second reading. Motion carried. Moved by Carpenter, seconded by Allen, to adopt Ordinance #2360, Amend Mitchell City Ordinance 4-2-4 (Softball Complex), as follows:

**ORDINANCE #2360
An Ordinance Amending Mitchell City Ordinance 4-2-4 (Softball Complex)**

Preamble: The South Dakota Compiled Laws were changed in 2010 concerning areas where alcohol can be consumed when a license holder is involved in the sale of alcoholic beverages. Also the ordinance needs to be updated so that consumption in the parking lots of the softball complex located West of Minnesota and South of West 13th Ave, in the City of Mitchell is prohibited and consumption of alcoholic beverages, in the softball diamonds, is limited to adult softball leagues and adult tournament play.

Now therefore be it ordained that Mitchell City Ordinance 4-2-4 be and the same is hereby amended as hereinafter set forth

4-2-4: OPEN CONTAINERS:

A. Liquor Establishments:

It shall be unlawful for any licensee holding any on-sale alcoholic beverage or malt beverage license of whatever nature to permit any person to leave the premises for which said license is issued with any open container containing an alcoholic beverage of whatever nature on which the tap or seal has been broken, except as authorized by the city council, pursuant to South Dakota Codified Laws 35-1-5.3 and in connection with special events the city council will approve the container that will be used for the special event.

B. Public Ways:

1. No alcoholic beverage shall be sold or served for consumption or consumed or possessed unless the seal of the original package remains unbroken upon any public street or public way, including any parking lot under private ownership to which the public has access or which is open or available to the public within the city, except as authorized by the city council pursuant to South Dakota Codified Laws 35-1-5.3 and in connection with special events the city council will approve the container that will be used for the special event. (Ord. 2294, 12-1-2008)
2. It shall be unlawful for any person to consume or to have a package or any receptacle containing any beer, wine or other alcoholic beverage in his possession unless the seal of the original package remains unbroken upon any public property owned by the city lying north of Cemetery Road, now known as 23rd Avenue, and west of Highway 37 and which bounds upon and is adjacent to Lake Mitchell between the hours of nine o'clock (9:00) P.M. and seven o'clock (7:00) A.M. the following day. (1984 Code § 25-7)
3. Mitchell City Ordinance 4-2-4 B. (1.) does not apply to alcoholic beverage containers with a broken seal possessed and/ or alcoholic beverages consumed by persons of legal drinking age, while such person(s) is on the grounds of The City of Mitchell softball complex, located West of Minnesota Street and South of West 13th Avenue between the hours of 7:00 a.m. and 12 a.m. midnight during adult softball league and tournament play only. This exception is not applicable to youth softball or youth baseball events on the premises. The Mitchell Softball Complex grounds consists of the East and West softball complex fields and does not include the parking lot that is located between them.
4. No person shall possess or consume any alcoholic beverage upon the premises which is known as the municipal bathing beach and which premises is described as lots 25 through 31, Bayside subdivision to Lake Mitchell. There shall be placed at the entrance or entrances to the said municipal bathing beach appropriate signs informing the public of the prohibition of alcoholic beverages within the said beach area. (1984 Code § 25-8; and. 2005 Code)

Motion carried and ordinance declared duly adopted.

Moved by Houwman, seconded by Carpenter, to place Ordinance #2361, Supplemental Appropriations, on second reading. Motion carried. Moved by Houwman, seconded by Beck, to adopt Ordinance #2361, Supplemental Appropriations, as follows:

**ORDINANCE NO. 2361
SUPPLEMENTAL APPROPRIATION ORDINANCE
AMENDING ORDINANCE NO. 2343
CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA**

BE IT ORDAINED, BY THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, that the following sums be appropriated to authorize certain expenditures and to meet certain obligations for the year 2011 according to statute:

**SPECIAL REVENUE FUND
PARKS, RECREATION & FORESTRY
RECREATION CENTER**

201-45140-42500	Repair	\$13,500.00
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The funding will come from Park Fund cash balance.

**SPECIAL ASSESSMENT
REVOLVING FUND**

216-45000-43300	Sidewalk Construction	\$20,000.00
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The funding will come from Special Assessment cash balance.

Motion carried and ordinance declared duly adopted.

CONSIDER APPROVAL:

Moved by Smith, seconded by Barington, to authorize the Lake Advisory Committee to investigate the possibility of a public dock program at Lake Mitchell. Greg McCurry of the Lake Advisory Committee presented information to the council regarding the possibility of implementing a public dock program. Committee members have visited several other lakes that currently have a dock program. The committee has proposed two locations for the placement of public docks: one on North Harmon Drive and one on South Harmon Drive. A total of nine spots are being proposed. Council members listened to comments from concerned residents. Council members determined that more public input is needed and recommended that the Lake Advisory Committee do further investigation and report back to the council. Motion carried.

Moved by Houwman, seconded by Backlund, to approve the following raffle requests:

- Mitchell Wrestling with the drawing to be held on June 11, 2011
- James River Gobblers (N.W.T.F.) with the drawing to be held on October 30, 2011

Motion carried.

PAY ESTIMATES:

Moved by Smith, seconded by Houwman, to approve the following pay estimates:

- pay estimate #12 in the amount of \$905.00 for SE Sewer Interceptor (MTI) Project #2010-25 contracted with SPN & Associates,
- pay estimate #2 in the amount of \$12,088.52 for Park Irrigation Supplies Project #2011-7 contracted with John Deere Landscapes, and
- pay estimate #11 in the amount of \$39,521.00 for Traffic Division Striper/Painter Project #2011-17 contracted with E-Z Liner.

Members present voting aye: Allen, Backlund, Barington, Beck, Carpenter, Houwman, Smith.
Members present voting nay: none. Motion carried.

BILLS:

Moved by Allen, seconded by Backlund, to approve the following payroll expenditures, adjustments to payroll and accounts payable warrants:

PAYROLL, MARCH 20, 2011 – APRIL 2, 2011: City Council-\$2,440.24, Mayor-\$885.54, Attorney-\$1,986.55, Finance-\$11,350.45, Human Resources-\$2,877.28, Information Technology-\$1,407.12, Police-\$56,947.43, Traffic-\$3,607.74, Fire-\$31,473.65, Street-\$22,711.86, Public Works-\$15,281.92, Cemetery-\$3,310.08, Animal Control-\$1,294.24, Emergency Medical Services-\$9,366.13, Library-\$9,965.27, Recreation & Aquatics-\$4,797.92, Recreation Center-\$11,180.80, Sports Complexes-\$3,191.56, Parks-\$10,466.39, Supervision-\$5,150.48, E911-\$17,413.79, RSVP-\$3,401.36, Palace Transit-\$15,599.13, Nutrition-\$1,877.50, Water-\$5,823.73, Water Distribution-\$8,069.59, Sewer-\$10,283.70, Airport-\$1,692.01, Waste Collection-\$8,381.84, Landfill-\$6,570.39, Corn Palace Maintenance-\$8,976.08, Corn Palace Shows-\$3,537.14, Corn Palace Concessions-\$1,740.60, Golf Course-\$5,450.89.

SALARY ADJUSTMENTS (per hour rate):

NUTRITION: Leila Jackson-\$8.25

PALACE TRANSIT: Randy Horvath-\$10.643, Larry Moir-\$12.204, Marjorie Novak-\$8.50, Einar Peterson-\$10.643, Dennis Preston-\$11.045, Dennis Ruff-\$12.204, Stan Ruff-\$12.204

PARKS: Alex Young-\$14.578

SENIOR SERVICES: Shannon Foster-\$13.948

NEW HIRES (per hour rate):

PARKS: Amiel Ziebart-\$11.50

POLICE: Alvin Andera-\$10.00

SPORTS COMPLEXES: Don Bradwisch-\$11.00, Robert Christensen-\$7.50, Dennis Hargan-\$9.50

WARRANTS: A & B Business, Supplies-\$2,687.22, A-Ox Welding Supply, Supplies-\$310.84, Adam Frerichs, Boot Allowance-\$100.00, Aflac, Aflac Withholding-\$4,227.18, Aflac/Flex One, Flex One Checks-\$56.91, Alltel, Utilities-\$4,076.34, Andy Mentele, Travel-\$11.00, Arctic Refrigeration, Repairs-\$413.18, Audiogo, Books-\$382.31, Auto Body Specialties, Parts-\$39.20, Avera Queen of Peace Hospital, Contract Services-\$2,321.52, Avera Queen of Peace Hospital, Training & Supplies-\$640.44, B & B Upholstery, Repairs-\$50.00, B-Y Water, Water Usage-\$35,085.00, Bailey Metal Fabricators, Repairs-\$322.41, Bailey Plumbing & Heating, Repairs-\$850.06, Baker Bros Electric, Repairs-\$604.45, Ben DeVries, Reimbursement-\$50.00, Best Western Kelly Inn, Travel-\$140.00, Birch Communications, Utilities-\$37.10, Blue Cross Blue Shield of South Dakota, Refund-\$481.60, Brenda F. Reinfeld, Contract Services-\$220.00, Brenda Schroeder, Uniform Repairs-\$73.00, Brock White Company, Supplies-\$2,830.00, Business Products, Supplies-\$1,935.26, Butler Machinery, Parts-\$124.72, Campbell Supply, Supplies-\$843.28, Card Services, Supplies-\$57.28, Carquest Auto Parts, Parts-\$127.05, Carson Industries, Supplies-\$199.90, Center Point Large Print, Books-\$83.28, Central Electric Cooperative, Utilities-\$10,128.99, Cherie Ramsdell, Contract Services-\$3,160.00, Coca Cola Bottling Company, Supplies-\$841.00, Corn Palace Concessions, Supplies-\$189.00, Cornerstone Coffee House & Deli, Meals-\$49.50, Daily Republic, Legals-\$4,990.14, Dakota Counseling Institute/Stepping Stones, Allocation-\$15,580.00, Dakota Fluid Power, Supplies-\$662.19, Dakota Pump, Repairs-\$795.92, Dakota Supply Group, Supplies-\$31.47, Dale's A-1 Transmission, Police Tow-\$250.00, Dan Grigg Images, Supplies-\$658.65, Darl Allen, Travel-\$23.00, Darrington Water Conditioning, Rental-\$41.00, Davison County Register of Deeds, Copies-\$1.00, Davison Rural Water System, Utilities-\$77.50, Deb Bartscher, Reimbursement-\$24.73, Dell Marketing, Supplies-\$46.50, Delta Dental Plan of South Dakota, Dental Insurance-\$11,490.96, Demco, Supplies-\$109.01, Department of Social Services, Child Support-\$1,160.95, Detroit Industrial Tool, Supplies-\$424.01, Diamond Blade Warehouse, Supplies-\$210.03, Diamond Lake Book Company, Books-\$598.95, Dick Figland, Travel-\$11.00, DLT Solutions, Subscription Renewal-\$1,890.58, Domino's Pizza, Pizza-\$188.78, Dr. Robert Snortum, Contract Services-\$1,500.00, Electronic Security Equipment, Repairs-\$960.00, Ellefson Implement, Parts-\$1,144.61, Erla, Professional Services-\$810.00, Ez-Liner Industries, Contract Services-\$40,236.00, Farmers Alliance, Supplies-\$1,523.17, Farnams Genuine Parts, Parts-\$41.94, Fastenal Company, Supplies-\$18.60, Fedex, Transportation Charges-\$10.57, Floor to Ceiling Store, Supplies-\$312.12, Frito-Lay, Supplies-\$205.80, Gale, Supplies-\$323.66, Gaylord Bros, Supplies-\$74.35, Gempler's, Supplies-\$241.20, General Drivers & Helpers, Union Dues-\$795.50, GF Advertising Services, Screen Printing-\$24.00, Golden West Technologies, Security Monitoring-\$375.00, Graham Tire, Parts-\$6.97, Grainger, Supplies-\$788.80, Harlow's Bus Sales, Parts-\$48.40, Hartford Senior Medical Clinic, Refund-\$50.04, Harve's Pro Prints, Supplies-\$253.20, HD Supply Waterworks, Supplies-\$1,021.05, Henke Tractor Repair Shop, Parts-\$506.23, Heritage Archives, Supplies-\$497.50, Highland Conference Center, Annual Banquet-\$3,388.96, Hohn Electronics, Repairs-\$129.64, Hohn's Carpet Cleaning, Labor-\$150.00, Honda of Mitchell, Parts-\$67.79, Info USA Marketing, South Dakota Business Directory-\$470.00, Ingram Library Services, Supplies-\$3,806.19, Integrity Transcription, Transcribing Service-\$507.50, Interstate Glass & Door, Parts-\$228.00, James Valley Community Center, Allocation-\$5,028.00, JCL Solutions-Janitors Closet, Supplies-\$141.04, Joe Dolezal, Reimbursement-\$25.00, John Deere Landscapes, Contract Services-

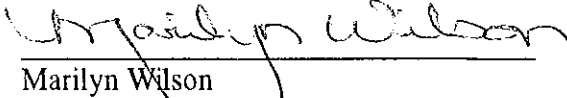
\$12,994.04, John Hegg, Travel-\$41.50, Jones Supplies, Supplies-\$2,363.42, JT Services, Equipment-\$116.14, K-Mart, Supplies-\$47.94, Kone, Maintenance Coverage-\$611.70, Krohmer Plumbing, Supplies-\$2.65, Kustom Signals, Parts-\$93.00, Lakeview Veterinary Clinic, Dog Pound-\$1,350.51, Lawson Products, Supplies-\$207.34, Leader Sporting Goods, Supplies-\$20.99, Learning Opportunities, Books-\$217.44, Light & Siren, Equipment-\$1,185.54, M & T Fire and Safety, Parts-\$1,244.00, Maloney & Maloney, Legal Services-\$1,750.00, Marilyn Wilson, Reimbursement-\$18.00, McFarland Supply, Supplies-\$192.49, McLeod's Printing, Supplies-\$1,331.83, Medica, Refund-\$603.20, Medicare Refunds-South Dakota, Refund-\$340.81, Medico Insurance Company, Refund-\$21.72, Menard's, Supplies-\$1,336.18, Meridian Grain, Supplies-\$1,401.13, Meyers Oil Company, Oil-\$396.55, Michael Todd & Company, Parts-\$3,045.00, Midamerica Books, Books-\$464.62, Midcontinent Communications, Utilities-\$100.70, Midwest Tire & Muffler, Repairs-\$21.53, Mitchell Area Chamber of Commerce, April Funding-\$2,637.50, Mitchell Area Convention Visitors Bureau, April Funding-\$18,462.50, Mitchell Area Development Corporation, Allocation-\$25,525.00, Mitchell Community Scholarship, Round-Up-\$664.71, Mitchell Iron & Supply, Parts-\$2,361.78, Mitchell School District, Annual Payment-\$68,985.00, Mitchell Senior Center, RSVP Patrol Breakfast-\$28.00, Mitchell Telecom, Utilities-\$180.69, Mitchell United Way, United Way Deductions-\$190.64, Mount Vernon School District, Contract Services-\$129.80, Mueller Lumber Company, Supplies-\$395.23, Murtha Repair, Repairs-\$746.75, Muth Electric, Repairs-\$10,245.13, Nepstads Flower Shop, Arrangement-\$39.25, Neve's Uniforms, Supplies-\$389.51, Newman Traffic Signs, Supplies-\$1,019.45, Northwestern Energy & Communications, Utilities-\$12,225.19, O'Reilly Automotive, Parts-\$31.80, Online2b, Books-\$497.00, Palace Cleaners, Supplies-\$240.75, Palace Motors, Parts-\$142.71, Paramount Reporting, Professional Services-\$229.43, Parts World, Parts-\$7.50, Paul Schreck, Equipment-\$264.00, Paulson Sheet Metal, Maintenance-\$233.52, Paulson's Music Center, Supplies-\$499.75, Pepsi Cola Company, Rental-\$267.26, Petty Cash, Start-Up Change-\$300.00, Physio-Control, Supplies-\$1,177.00, Plastow & Associates, Repairs-\$687.60, Pony Creek Steakhouse, Contract Services-\$2,070.95, Porter Distributing, Supplies-\$162.50, Pratt Audio-Visuals & Video, Supplies-\$1,043.95, Premier Pest Control, Contract Services-\$219.90, Pro-Build, Supplies-\$17.24, Professional Mailing & Marketing, Mailing Service-\$2,711.62, Pumpkin Books, Books-\$344.38, Qualified Presort, Mailing Service-\$913.44, Quill, Supplies-\$586.75, Qwest, Utilities-\$381.26, R R Bowker, System Update-\$1,970.00, Ramada, Travel-\$289.71, Random House, Books-\$97.50, Reader's Den, Books-\$166.90, Recorded Books, Books-\$7,016.15, River Cities Public Transit, Phone Lines-\$112.00, Rodger Kulm Repair, Repairs-\$278.69, Ron Olson, Travel-\$124.26, S & S Willers, Bunker Sand-\$1,264.59, Safariland, Supplies-\$150.80, Sanitation Products, Garbage Containers-\$12,562.50, Santel Communications, Utilities-\$215.01, Schmucker Paul & Nohr, Contract Services-\$905.00, Scott Supply, Parts-\$764.98, South Dakota Department of Environment & Natural Resources, Fees-\$1,896.12, South Dakota Department of Revenue, Replacement License Plates-\$18.00, South Dakota Department of Social Services, Refund-\$316.03, South Dakota Federal Property Agency, Equipment-\$100.00, South Dakota Governmental Finance Officers School, Registration-\$150.00, South Dakota Governmental Human Resource, Registration-\$25.00, South Dakota Municipal League, Registrations-\$42.00, South Dakota One Call, Fees-\$90.78, South Dakota Retirement System, South Dakota Retirement System Payment-\$38,698.99, South Dakota Retirement System Special Pay Plan, Supplemental Retirement-\$15,531.11, South Dakota Wastewater Association, Registration-\$195.00, Sebco Books, Books-\$53.14, Service Lighting, Supplies-\$624.80, Sherwin-Williams, Supplies-\$183.86, Shi Corporation, Software-\$1,185.39, Shoemaker Computing, Maintenance-\$240.00, Shopko, Supplies-\$73.93, Showcases, Supplies-\$67.37, Sign Pro, Supplies-\$82.00, Sioux Falls Two-Way Radio, Repairs-\$3,564.89, Sleepy Eye Industrial Knife, Re grind Olympia Knife-\$93.14, Southeast South Dakota Tourism,

Registration-\$25.00, Stan Houston Equipment, Equipment-\$19,449.00, Standard Insurance Company, Life Insurance Deductions-\$1,143.95, State of South Dakota, Utilities-\$271.85, Sturdevant's Auto Parts, Parts-\$2,346.29, Sun Gold Trophies, Supplies-\$50.00, Tessier's, Repairs-\$400.14, Thomas Bouregy & Company, Books-\$139.50, Thune True Value Hardware, Supplies-\$509.06, Titan Access Account, Supplies-\$131.57, Titze Electric & Remodeling, Labor-\$2,733.42, TK Electric, Repairs-\$67.87, Total Fire Protection, Excise Tax-\$215.12, Tractor Supply, Supplies-\$49.99, Trail King Industries, Repairs-\$897.60, Triotel Communications, Utilities-\$33.66, Turning Point Productions, Supplies-\$138.47, Ultramax, Supplies-\$792.00, United Energy, Fuel-\$63.00, United Health Care Insurance, Refund-\$150.80, United Way & Volunteer Services, Copies-\$5.50, UPS Store, Shipping Charges-\$138.06, United States Postal Service, Postage-\$84.00, Unites States Postmaster, Stamps-\$264.00, Variety Foods, Supplies-\$448.15, Verizon Wireless, Utilities-\$47.64, Vern Eide Ford, Repairs-\$147.32, Virginia Ann Devine, Sidewalk Reimbursement-\$470.29, Walmart Community, Supplies-\$601.96, West Payment Center, Supplies-\$551.81, Wheelco Brake & Supply, Supplies-\$10.13, Wholesale Electronics, Supplies-\$83.69, Wright Brothers Aviation, Airport Administration-\$500.00, Zach Dalrymple, Boots Reimbursement-\$100.00, Zimco Supply, Chemicals-\$17,870.00.

Members present voting aye: Allen, Backlund, Beck, Houwman, Olson, Smith. Members present voting nay: none. Motion carried.

ADJOURN:

There being no further business to come before the meeting, it was moved by Houwman and seconded by Olson to adjourn the meeting. Motion carried.


Marilyn Wilson
Finance Officer

Published once at the approximate cost of _____.

PLANNING COMMISSION MINUTES

APRIL 25, 2011

PRESIDING: Larson

PRESENT: Griffith, Everson, Larson, Fergen, Molumby

ABSENT: Schmucker, Meyers, Smith

OTHERS: McGannon, Hegg, Laursen

AGENDA: Motion by Everson, seconded by Molumby to approve the agenda including the addendum. All members present voting aye, motion carried.

MINUTES:

Motion by Everson, seconded by Griffith to approve the minutes of the regular meeting of April 11, 2011. All members present voting aye, motion carried.

NEXT MEETING:

Motion by Fergen, seconded by Griffith to schedule the next Planning Commission meeting for May 9, 2011 at 12:00 p.m. subject to chair for hearings on petitions for rezoning and applications for variances and conditional use permits for publication and Finance Officer be directed to give notice according to statute. All members present voting aye, motion carried.

PLAT: A Plat of Lots 12-A and 12-B, A Subdivision of previously platted Lot 12, all in Block 2 of Woodland Heights 1st Add. to the City of Mitchell, Davison County, SD. This was to break up Lot 12 so the owners on each side would take half of the lot. Motion by Everson, seconded by Griffith to approve this plat. All members present voting aye, motion carried.

PLAN: Mitchell School Dist. 1006 S Lawler New Shed Zoned HB
Motion by Molumby, seconded by Fergen to approve this plan. All members present voting aye, motion carried.

PLAN: Thirsty's 1801 N. Main Modify Permit Zoned HB
Doug Aslesen reviewed the new plan for Thirsty's. He said the mall owners requested a little bigger plan than the one he had. Also they wanted it to match with the mall and have glass in front. Marius Laursen stated it would meet fire code if he had 20' in front of the building for a fire lane. Aslesen stated he had 24'. Motion by Everson, seconded by Fergen to approve this plan. All members present voting aye, motion carried.

ADJOURN:

Vice Chairman Larson adjourned meeting at 12:05 P.M.

Minutes submitted by Sheila Loecker

City of Mitchell

612 NORTH MAIN STREET • MITCHELL, SOUTH DAKOTA 57301 • (605) 995-8420 • FAX (605) 995-8410
ENGINEER (605) 995-8435 • WATER PLANT (605) 995-8449 • STREET (605) 995-8465 • WASTE WATER (605) 995-8446
WATER/UTILITIES (605) 995-8498 • PUBLIC WORKS/PLANNING/ZONING/INSPECTOR (605) 995-8433
www.cityofmitchell.org

April 26, 2011

TO: MAYOR & CITY COUNCIL

RE: On Road Diesel Fuel and Unleaded Gas

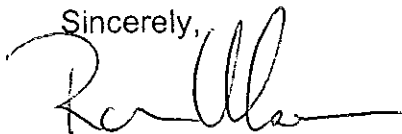
United Energy, LLC.	Requested Gallons	Bid Gallons		
On Road Diesel	2000	2000	\$3.68	\$ 7360.00
Unleaded Gas-10% Ethanol	5500	5500	\$3.565	\$19607.50
Unleaded Gas-No Ethanol	5500	5500	\$3.615	\$19882.50
Off Road Diesel	0	0	\$0	\$
				Total: \$26967.50

Meyers Oil Co.

On Road Diesel	2000	2000	\$3.66	\$ 7320.00*
Unleaded Gas-10% Ethanol	5500	5500	\$3.5456	\$19500.80*
Unleaded Gas-No Ethanol	5500	5500	\$3.6237	\$19930.35
Off Road Diesel	0	0	\$0	\$
				Total: \$26820.80

Meyers Oil was the low bidder and the bid for the items in bold and marked with asterisk were awarded to them.

Sincerely,



Ron Olson
Street & Sanitation Superintendent

cc: United Energy, LLC.
Meyers Oil Co.



