

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

**JANUARY 2, 2007
7:30 P.M.**

PRESENT: Dan Allen, Marty Barington, Britt Bruner, Travis Carpenter,
Allen Lepke, Doug Molumby, Jeffrey Smith, Ken Tracy

PRESIDING: Mayor Lou Sebert

AGENDA:

Moved by Tracy, seconded by Lepke, to approve the agenda as prepared with an addendum. Motion carried.

MINUTES:

Moved by Bruner, seconded by Smith, to approve the minutes of the regular City Council meeting held on December 18, 2006. Motion carried.

CITIZEN'S INPUT:

Council Member Bruner commended Street and Sanitation Superintendent Ron Olson and the Street Department for the great effort on the snow removal after the recent storm.

ORDINANCE:

Moved by Bruner, seconded by Carpenter, to place Ordinance #2233, Supplemental Appropriations on first reading. Motion carried.

CONSIDER APPROVAL:

Moved by Carpenter, seconded by Molumby, to approve the Taxicab Operator Licenses for Palace Transit as listed for 2007. Motion carried.

Moved by Lepke, seconded by Barington, to approve support for a redevelopment project at Brentwood Apartments. Motion carried.

BOARD OF ADJUSTMENT:

Moved by Molumby, 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 Shelly Hall for a conditional use permit to operate a daycare center in her home at 1004 West 3rd Avenue, legally described as Lot 11, Block 2, Justs Addition, City of Mitchell, Davison County, South Dakota. Notice

of hearing has been given according to statute and affidavit of publication is on file. The Planning Commission tabled said application. Moved by Lepke, seconded by Molumby, to table said application. Motion carried.

Moved by Barington, seconded by Carpenter, that the 16th day of January, 2007 at 7:30 p.m. in the Council Chambers of City Hall be the date and time set for hearing on the application of Jenny VanOverschelde for a conditional use permit to operate a daycare center in her home at 1101 East 4th Avenue, legally described as Lot 6, Block 8, Gleeson's Addition and to direct the Finance Officer to give notice according to statute. Motion carried.

Moved by Molumby, seconded by Allen, that the 16th day of January, 2007 at 7:30 p.m. in the Council Chambers of City Hall be the date and time set for hearing on the application of Mike Titze for a variance to construct an addition/garage at 316 West 6th Avenue, legally described as the East ½ of Lot 7 and the East ½ of the South ½ of Lot 8, Block 11, Rowley's 2nd Addition and to direct the Finance Officer to give notice according to statute. Motion carried.

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

COMMITTEE REPORTS:

Public Properties Committee:

The Public Properties Committee met on January 2, 2007 at 6:50 p.m. in the Council Chambers of City Hall. The committee approved drafting an application for a federal cost sharing program up to a maximum of \$500,000.00 for a plan to construct a bike path to connect an existing path and two new paths. The committee also approved a supplemental appropriation for a contract with Civil Design Inc. to develop a preliminary design and cost estimate for the proposed soccer complex. Also discussed was the Servicemen's Cemetery proposed cremation facility.

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

HEARING:

It was advised that this is the date and time set for hearing on the application of V.V. Inc. dba EZ\$ Pub for a Retail Wine License with the option of video lottery located at 1801 North Main Street, Suite #3. Moved by Tracy, seconded by Carpenter, to approve said application. Motion carried.

RESOLUTIONS:

Moved by Tracy, seconded by Lepke, to adopt Resolution #2492, Giving Approval to the Issuance and Sale of Tax Incremental Revenue Bonds, as follows:

RESOLUTION NO. 2492

RESOLUTION GIVING APPROVAL TO THE ISSUANCE AND SALE OF TAX INCREMENTAL REVENUE BONDS IN AN AGGREGATE AMOUNT NOT TO EXCEED \$2,000,000 TO FINANCE TAX INCREMENT PROJECT,

AUTHORIZING A LOAN AGREEMENT OR TRUST INDENTURE AND
EXECUTION OF RELATED DOCUMENTS

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mitchell as follows:

Declaration of Necessity. The City of Mitchell (the "City") finds and declares a necessity to issue tax increment revenue bonds in connection with Tax Increment District #8 and use the proceeds therewith to pay for project costs as listed in the tax increment plan and the business improvement plan (collectively the "Project") which Project has been approved and copies of plans are on file with the Finance Officer open to public inspection.

Authority. The City is authorized to issue its tax increment revenue bonds to finance project costs as listed in the project plan (the "Project Costs") pursuant to Section 11-9-33 of the South Dakota Codified Laws. Pursuant to Chapter 11-9 of the South Dakota Codified Laws (the "Act") the City proposes to issue municipal tax incremental revenue bonds (the "Bonds") to finance a portion of the Project Costs. The City is authorized by the Tax Incremental Act to pledge a special fund into which the City will deposit the tax increment (as defined by the Act) and pursuant to SDCL Chapter 9-55 (the "Business Improvement District Act") to pledge a special fund into which the City will deposit the business improvement taxes.

Pledge of State of South Dakota. Pursuant to SDCL 11-9-39.1, the state of South Dakota does pledge to and agree with the holders of any obligations issued under 11-9 that the state will not alter the rights vested in the bond holders until such bonds, together with the interest thereon, with interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceeding by or on behalf of such holders, are fully met and discharged.

Authorization to issue and sell the Bonds. It is hereby determined to be necessary and in the best interests of the City and its inhabitants that this City Council authorize, issue and sell the Bonds in order to finance a portion of the cost of the Project. The Mayor and Finance Officer are authorized to negotiate the sale or publicly bid the Bonds subject to the limitations of law and this resolution. The City Council further authorizes its officers to execute a Bond Purchase Agreement in connection with the Bonds (the "Bond Purchase Agreement"). The Bond Purchase Agreement shall provide for a loan agreement or trust indenture (collectively the "Indenture") which shall evidence the final terms of the bonds. The City does hereby authorize the issuance of Bonds upon such terms as are set forth in the Bond Purchase Agreement and Indenture. The Bonds may be issued by the City without an election pursuant to SDCL §11-9-34.

Terms of the Bonds. The City Council hereby authorizes the issuance of the Bonds in the aggregate principal amount not to exceed \$2,000,000, in one or more series, in accordance with the terms of the Bond Purchase Agreement and Indenture. The authorization to issue the Tax Increment Bonds is effective without any additional action of the City Council and shall be undertaken by the City Finance Officer on such date and upon the terms and conditions deemed reasonable by Finance Officer. The Bonds shall have the maturities, interest rate provisions, shall be dated, numbered, and issued in such denominations, shall be subject to mandatory and optional redemptions and prepayment prior to maturity, shall be executed, sealed, and authenticated in such manner, shall be in such form, and shall have such other details and provisions as are prescribed in the Indenture. The form of the Bonds included in the Indenture are approved in

substantially the form therein, subject to such changes not inconsistent with this Resolution and applicable law, and subject to such changes that are approved by the City Finance Officer. Without limiting the generality of the foregoing, the City Finance Officer is authorized to approve changes in the original aggregate principal amount of the Bonds, in the terms of redemption, the principal amounts subject to redemption, and the dates of redemption of the Bonds, and the other terms of the Bonds. The issuance and delivery of the Bonds shall be conclusive evidence that the City Finance Officer has approved any changes to the forms of the Bonds on file with the City on the date hereof. The proceeds derived from the sale of the Bonds shall be held, transferred, expended, and invested in accordance with the terms of the Indenture and the earnings from all investments of the proceeds of the Bonds shall be held, transferred, expended, and invested in accordance with the terms of the Indenture.

Security for the Bonds. Pursuant to the Act, the City shall receive Tax Increments as defined by the Act. The City Council appropriates and pledges the Tax Increments and Business Improvement Taxes in accordance with the terms of the Indenture. The City Council authorizes the application of the Tax Increment derived from the Tax Increment District #8 and the Business Improvement Taxes to the payment of debt service on the Bonds in accordance with the terms in the Indenture.

Trust Indenture. The Indenture is hereby approved in substantially the form to be filed with the City Finance Officer, subject to such changes not inconsistent with this resolution and applicable law that are approved by the City Finance Officer.

Certification of Proceedings. The officers of the City are authorized and directed to prepare and furnish to the purchasers of the Bonds certified copies of all proceedings and records of the City relating to the authorization and issuance of the Bonds and such other affidavits and certificates as may reasonably be required to show the facts relating to the legality and marketability of the Bonds as such facts appear from the officer's books and records or are otherwise known to them. All such certified copies, certificates and affidavits, including any heretofore furnished, shall constitute representations of the City as to the correctness of the facts recited therein and the action stated therein to have been taken.

Representation Letter. The City Finance Officer is authorized to execute and deliver the Representation Letter in substantially the form on file, with such changes therein not inconsistent with applicable law, as the City Finance Officer may approve, which approval shall be conclusively evidenced by the execution thereof. Any paying agent or bond registrar subsequently appointed by the City with respect to the Bonds shall agree to take all actions necessary to ensure compliance with all representations of the City in the Representation Letter with respect to the bond registrar and paying agent, respectively.

Disclosure Documents and Closing Certificates.

Disclosure of Material Information. The preparation of an Official Statement (or other form of disclosure document) in conjunction with the offer and sale of the Bonds is hereby authorized. When approved by the City Finance Officer of the City, the Official Statement (or other form of disclosure document) is authorized to be distributed in conjunction with the offer and sale of the Bonds. In order to provide for continuing disclosure with respect to the Bonds, to the extent deemed necessary, required, or appropriate by the City Finance Officer,

the City Finance Officer and the Trustee may execute and deliver an agreement or certificate providing for continuing disclosure with respect to the Bonds.

Certificates as to Disclosure and Litigation. The Mayor of the City Council, and the City Finance Officer are individually and collectively authorized to furnish to the purchasers of the Bonds, on the date of issuance and sale of the Bonds, a certificate that, to the best of the knowledge of such officers, the Official Statement (or other form of disclosure document) does not, as of the date of closing, and did not, as the time of sale of the Bonds, contain any untrue statement of a material fact necessary in order to make the statements made therein, in light of the circumstances under which they were made, not misleading. Unless litigation shall have been commenced and be pending questioning the Bonds, proceedings for approval of the Bonds, creation of the Tax Increment District #8, Tax Increment Revenue revenues pledged for payment of the Bonds, creation of the Business Improvement District or the organization of the City, or incumbency of its officers, at the closing, the City Finance Officer shall also execute and deliver a suitable certificate as to absence of material litigation, and the City Finance Officer shall also execute and deliver a certificate as to payment for and delivery of the Bonds, and the signed approving legal opinion of Danforth & Meierhenry, LLP, as to the validity and enforceability of the Bonds and the taxability or tax-exempt status of interest on the Series 2006 Bonds.

Other Documents and Certifications. The City Finance Officer, and other agents, officers, and employees of the City are hereby authorized and directed, individually and collectively, to furnish to the attorneys approving the Bonds, on behalf of the purchasers of the Bonds, certified copies of all proceedings and certifications as to facts as shown by the books and records of the City, and the right and authority of the City to issue the Bonds, and all such certified copies and certifications shall be deemed representations of fact on the part of the City. Such officers, employees, and agents of the City are hereby authorized to execute and deliver, on behalf of the City, all other certificates, instruments, and other written documents that may be requested by bond counsel, the Underwriter, the Trustee, or other persons or entities in conjunction with the issuance of the Bonds and the expenditure of the proceeds of the Bonds. Without imposing any limitations on the scope of the preceding sentence, such officers and employees are specifically authorized to execute and deliver one or more UCC-1 financing statements, a certificate relating to federal tax matters including matters relating to arbitrage and arbitrage rebate, a receipt for the proceeds derived from the sale of the Bonds, an order to the Trustee, a general certificate of the City, and an Information Return for Tax-Exempt Governmental Obligations, Form 8038-G, if any.

Motion carried and resolution declared duly adopted.

Moved by Carpenter, seconded by Molumby, to adopt Resolution #2494, Cancel Checks Outstanding, as follows:

RESOLUTION #2494

WHEREAS, the following checks are declared and reported as outstanding by the City of Mitchell and by statute must be approved for cancellation by the governing body:

	CHECK NO.:	DATE:	ISSUED TO:	AMOUNT:
Budgetary:	103462	01-18-06	Linda Christensen	\$ 18.24
	105103	04-28-06	Aflac	\$2,875.46
	106346	07-18-06	American Family	\$.87

BE IT RESOLVED, that the outstanding checks are hereby approved for cancellation by the City of Mitchell for the budget year ending December 31, 2006.

Motion carried and resolution declared duly adopted.

ORDINANCES:

Moved by Bruner, seconded by Barington, to place Ordinance #2232, Supplemental Appropriations on second reading. Motion carried. Moved by Carpenter, seconded by Lepke, to adopt Ordinance #2232, Supplemental Appropriations, as follows:

**ORDINANCE NO. 2232
SUPPLEMENTAL APPROPRIATION ORDINANCE
AMENDING ORDINANCE NO. 2173
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 2006 according to statute:

GENERAL FUND

STREET & SIDEWALK

101-43120-43300	Street Overlay	\$24,000.00
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The funding will come from the General Fund cash balance.

SPECIAL REVENUE FUND

**PARK, RECREATION & FORESTRY
ICE ARENA**

201-45150-43230	Compressor	\$5,600.00
201-45150-43231	Sprinkler System	\$4,350.00

The funding will come from the Park Fund cash balance.

NUTRITION

219-45140-43420	Hot Shot Van	\$4,000.00
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The funding will come from the Nutrition Fund cash balance.

ENTERPRISE FUND
SEWER-COLLECTION

604-43250-42600 Supplies \$45,000.00

The funding will come from the Sewer Fund cash balance.

GOLF COURSE

614-45250-42610 Gas & Fuel \$7,000.00

The funding will come from a reimbursement of FEMA funds.

Motion carried and ordinance declared duly adopted.

SET DATE:

Moved by Molumby, seconded by Smith, that the 5th day of February, 2007 at 7:30 p.m. in the Council Chambers of City Hall be the date and time set for hearing on the vacation of a portion of Highland Way. Motion carried.

CONSIDER APPROVAL:

Moved by Tracy, seconded by Lepke, to approve amending Resolution #2489, Golf Course Fees for Annual Cart Trail Fee from \$150.00 to \$105.00. Allen and Carpenter opposed. Motion carried.

Moved by Lepke, seconded by Tracy, to approve the following banks as official depositories for the City of Mitchell for 2007:

<u>Bank Name:</u>	<u>Address:</u>	<u>City:</u>	<u>State:</u>	<u>Zip Code:</u>
Wells Fargo	403 North Lawler, PO Box 987	Mitchell	SD	57301
First National Bank SD	210 North Lawler	Mitchell	SD	57301
US Bank	1421 North Main	Mitchell	SD	57301
CorTrust Bank	100 East Havens & Main/ 719 North Main	Mitchell	SD	57301
Home Federal Savings Bank	9th & Main	Mitchell	SD	57301
First Dakota	500 East Norway Avenue	Mitchell	SD	57301
BankWest	Highland Mall	Mitchell	SD	57301
Fulton State Bank	115 East Havens Avenue	Mitchell	SD	57301

Motion carried.

Moved by Lepke, seconded by Molumby, to approve the Daily Republic as the official newspaper for the City of Mitchell for the year 2007. Motion carried.

REFUND OF TAXES:

Moved by Lepke, seconded by Smith, to approve a refund of taxes in the amount of \$601.93 to the City of Mitchell/Wayne Puetz for Lot C-1 a subdivision of Lot C except the East 10 feet thereof in the SW ¼ of Section 27 due to taxes being paid on tax-exempt property. Motion carried.

PAY ESTIMATES:

Moved by Smith, seconded by Allen, to approve change order #1 in the amount of \$9,991.00 for James Valley Community Center Project #2006-7 contracted with Mueller Lumber increasing the contract amount to \$295,758.00. Motion carried.

Moved by Tracy, seconded by Lepke, to approve the following pay estimates:

- pay estimate #36 in the amount of \$2,016.23 for Old Landfill Leachate Project #2003-21 contracted with Leggette, Brashears & Graham,
- pay estimate #25 in the amount of \$1,700.36 for Hitchcock Aquatic Center Project #2004-5 contracted with Bonstroo, Rosene, Anderlik & Associates,
- pay estimate #6 in the amount of \$100,420.00 for James Valley Community Center Project #2006-7 contracted with Mueller Lumber and
- pay estimate #7-Final in the amount of \$9,753.73 for AIP '21 Taxiway Rehabilitation Project contracted with Helms & Associates.

Members present voting aye: Allen, Barington, Bruner, Carpenter, Lepke, Molumby, Smith, Tracy.
Members present voting nay: None. Motion carried.

JANUARY 1, 2007 SALARIES:

The following is a listing of the salaries for elected officials and full time employees of the City of Mitchell for the year 2007. Please note that salaries are shown as hourly wages unless the individual fills an exempt position:

COUNCIL: Daniel Allen-\$7,700.00, Marty Barington-\$7,700.00, Britt Bruner-\$7,700.00, Travis Carpenter-\$7,700.00, Allen Lepke-\$7,700.00, Douglas Molumby-\$7,700.00, Jeffrey Smith-\$7,700.00, Kenneth Tracy-\$7,700.00.

MAYOR: Louis Sebert-\$22,353.00.

ATTORNEY: Douglas Papendick-\$3,300.00, Randolph Stiles-\$43,700.00.

FINANCE: Michelle Bathke-\$44,923.00, Erika Helleloid-\$14.641, Sandi Hieb-\$15.088, Heather Klein-\$12.294, Cathy Krall-\$15.088, Cindy Roth-\$15.088, Marilyn Wilson-\$73,570.00.

PUBLIC WORKS: Deb Hanson-Sudbeck-\$14.641, John Hegg-\$19.546, Sheila Loecker-\$14.641, Tim McGannon-\$78,646.00, Ryan Muck-\$19.683, Neil Putnam-\$49,731.00, Nick Traupel-\$19.683, Ralph Wallace III-\$49,731.00.

HUMAN RESOURCES: Teri Bertness-\$63,252.00, Janice Peterson-\$14.641.

POLICE DEPARTMENT: Adrian Alan-\$16.925, Kimberly Alan-\$16.156, Devin Alfson-\$19.236, Leon Baier-\$54,075.00, David Beintema-\$20.627, Brandon Braun-\$16.925, Ryan Erickson-\$19.683, Donald Everson-\$52,530.00, Dan Fechner-\$19.236, Adam Frerichs-\$17.696, Polly Huber-\$15.088, Dean Knippling-\$19.236, Kelly Knippling-\$19.236, Dan Kopfman-\$16.925, Mike Koster-\$20.154, Kelly Loudenberg-\$19.236, Patrick Oleson-\$19.236, Lyndon Overweg-\$71,070.00, Walt Panzirer-\$19.236, Toby Russell-\$19.236, Russ Stevenson-\$17.696, Trudi Thomas-\$16.156, Cindy Titze-\$12.294, Ryan Titze-\$19.236, Scott Walton-\$23.434.

ANIMAL CONTROL: John Parker-\$14.355.

TRAFFIC: Dick Figland-\$19.732, Larry Grovenburg-\$14.951.

FIRE DEPARTMENT: Joseph Degen-\$14.070, Mark Eliason-\$15.983, Steven Frank-\$13.548, Kurtis Geres-\$14.070, Douglas Glover-\$14.070, Jeffrey Harris-\$13.548, Mark Hinker-\$13.548, Tory Kaufman-\$15.983, Paul Morris-\$14.070, Steve Nedved-\$19.580, Jeremy Robertson-\$14.070, CJ Robinson-\$12.095, Randal Rothlisberger-\$13.548, Harlan Star-\$15.983, Chad Van Laecken-\$13.548, Ben Vanden Hoek-\$14.070, Steven Willis-\$58,418.00.

EMS: Joel Dolezal-\$14.070, Marius Laursen-\$14.070, Robert Parker-\$13.548, Daniel Pollreisz-\$12.468.

STREET: Steve Anderson-\$15.050, Douglas Degen-\$19.732, David Figland-\$19.732, Craig Fuerst-\$17.213, Randy Hanten-\$15.672, Nathan Hegg-\$17.113, Kevin Hughes-\$15.672, Michael Johnson-\$15.672, Troy Kokesh-\$17.113, Pam Morgan-\$14.641, David Muck-\$17.113, Ronald Olson-\$59,031.00, Roger Smith-\$17.113, Arlyn Tietz-\$17.113, Jason Tuttle-\$15.050.

CEMETERY: Becky Handrahan-\$19.732, Aaron Willis-\$12.555.

LIBRARY: Jacqueline Hess-\$48,291.00, Linda Hines-\$13.350, LaJeane Jons-\$15.498, Cynthia Meinen-\$15.498, Linda Rishling-\$15.498, Sandra Spanos-\$17.213, Lori Wagner-\$15.498.

PLAYGROUNDS & ATHLETICS: Kevin DeVries-\$19.546, Billie Kelly-\$44,579.00.

PARK: Claude Burgess-\$14.951, Thomas Kippes-\$54,546.00, Andy Mentele-\$15.050, Steven Roth-\$17.113, Michael Titze-\$13.473.

FORESTRY: Kirby Larson-\$15.672, Bryan Schrank-\$17.113.

RECREATION CENTER: Don Bradwisch-\$13.350, Chris Cranny-\$13.473, Joseph Haiar-\$14.951, Rob Marchand-\$44,579.00.

ICE ARENA:

CADWELL SPORTS COMPLEX: Chuck Jones-\$17.113.

PARKS, RECREATION & FORESTRY SUPERVISION: Randy Ahrendt-\$63,252.00, Angel DeWaard-\$14.641, Marilyn Jansen-\$13.473.

RSVP: Deb Overseth-\$13.473, Brenda Paradis-\$55,637.00, Beverly Robinson-\$12.592.

PALACE TRANSIT: Carol Carstens-\$11.747, Leah Christensen-\$14.058, Gary Goudy-\$13.350, Patti Goudy-\$13.350, JoLynn Hanson-\$39,786.00, Ila Kulm-\$12.815, Larry Moir-\$12.815, James Nichols-\$12.815, Scott Phillips-\$13.350, Garland Schrank-\$12.282.

E-911: Wanda Bennett-\$16.280, Kathy Brink-\$16.280, Gerald Fradet-\$16.280, Marlene Haines-\$50,726.00, Julie Mahaffey-\$16.280, Dawn Niehoff-\$16.280, Paul Paulson-\$16.280, Sherrie Petersen-\$13.900, Roslyn Stevenson-\$15.050.

WATER: Robert Koepke-\$18.503, Ryan Nussbaum-\$15.063, Richard Pollreisz-\$52,188.00, Randall Wittstruck-\$18.503, William Wittstruck-\$18.503.

UTILITIES: William Hurd-\$21.421, Kerry Plooster-\$16.367, Loren Skinner-\$18.503, Larry Stunes-\$59,031.00, Jon Vermeulen-\$18.503, Eugene Wagaman-\$18.503, James Zard-\$14.406.

WATER DISTRIBUTION: David Grosz-\$18.503, Joshua Peterson-\$14.406, Tylor Peterson-\$15.709, Richard VanOverschelde-\$18.503, Brian Wendelboe-\$20.279.

AIRPORT: Michael Scherschligt-\$19.546.

WASTE COLLECTION: Michael Dufek-\$15.050, Curt Haiar-\$14.417, Lloyd Morrison-\$17.213, David Schulte-\$15.050, James Zwinger-\$17.113.

LANDFILL: Darl Allen-\$19.732, Jerry Cain-\$17.113, Todd Russell-\$14.951, Jaylon Tollefson-\$17.113.

CORN PALACE: Dennis Bruske-\$14.951, Sandra Grosz-\$12.815, Diane Mutziger-\$13.350, Anthony Palli-\$18.156, Gary Walton-\$14.355.

CORN PALACE SHOWS: Mark Schilling-\$49,257.00.

CORN PALACE CONCESSIONS: Linda Sandve-\$14.231.

GOLF COURSE: Bryan Moore-\$19.732, Kevin Thurman-\$62,012.00, Ben Tronnes-\$12.853.

BILLS:

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

PAYROLL, DECEMBER 3, 2006 – DECEMBER 16, 2006: CITY COUNCIL-\$2,300.16, MAYOR-\$834.69, ATTORNEY-\$1,807.69, FINANCE-\$8,731.37, HUMAN RESOURCES-\$2,315.60, POLICE-\$45,315.83, TRAFFIC-\$3,196.42, FIRE-\$29,384.35, STREET-\$20,973.28, PUBLIC WORKS-\$13,500.89, CEMETERY-\$3,814.00, ANIMAL CONTROL-\$1,114.96, EMERGENCY MEDICAL SERVICES-\$8,362.69, LIBRARY-\$10,827.96, PLAYGROUNDS & ATHLETICS-\$5,513.59, SWIM POOLL-\$11.38, CAMPGROUND-\$257.58, RECREATION CENTER-\$7,096.29, ICE ARENA-\$1,235.75, CADWELL SPORTS COMPLEX-\$3,534.96, PARK-\$5,573.69, SUPERVISION-\$4,453.92, FORESTRY-\$2,546.33, E911-\$14,789.40, RSVP-\$4,061.28, PALACE TRANSIT-\$13,713.93, WATER-\$10,688.32, WATER DISTRIBUTION-\$7,350.83, SEWER-\$10,569.52, AIRPORT-\$1,518.08, WASTE COLLECTION-\$6,581.00, LANDFILL-\$6,093.24, CORN PALACE MAINTENANCE-\$4,416.35, CORN PALACE SHOWS-\$3,012.41, CORN PALACE CONCESSIONS-\$2,506.87, GOLF COURSE-\$4,037.95.

SALARY ADJUSTMENTS (per hour rate):

CORN PALACE CONCESSIONS: Alicia Connor-\$6.50, Samantha Hohn-\$6.50, Christie Priebe-\$7.00, Pam Titze-\$7.00

CORN PALACE MAINTENANCE: Gary Walton-\$13.937

POLICE: Mike Koster-\$19.567

RECREATION CENTER: Allysa Freidel-\$6.75, Virginia Limberg-\$6.75, Tricia Luckett-\$7.00, Tanya Ruff-\$7.00, Stephanie Uher-\$6.75, Christy Wittstruck-\$6.75

NEW HIRES (per hour rate):

CORN PALACE CONCESSIONS: Sonya Sanchez-\$6.00, Donna Schneider-\$6.00, Darci Winthers-\$7.00

PLAYGROUNDS & ATHLETICS: Shawn Hilton-\$6.50, Paige Holum-\$6.00, Joseph Morse-\$6.50, Eric Olson-\$6.50, Jordan Triestram-\$6.50

WARRANTS: A&B Business Equipment, Supplies-\$1,139.97; A&G Diesel, Parts-\$109.84; A-Ox Welding Supply, Supplies-\$460.99; AAA Collections, Payroll Deduction-\$75.00; Abba's Sewer & Drain, Repairs-\$124.60; Accounts Management, Payroll Deduction-\$105.72; Advance Auto Parts, Supplies-\$417.65; Aflac/Flex One, Claims-\$209.00; Al's Engraving, Supplies-\$23.80; Alice Claggett, Contract Services-\$130.00; Allied Industrial Distribution, Parts-\$120.25; Alltel, Contract Services-\$1,449.37; American Bottling, Supplies-\$148.00; American Garage Door, Repairs-\$189.96; American Library Preview, Supplies-\$239.35; American Red Cross, Supplies-\$476.00; American Water Works, Supplies-\$52.50; Apco, Contract Services-\$86.00; Argus Leader, Advertising-\$130.00; Automatic Building Control, Maintenance-\$240.00; Avera Queen of Peace Hospital, Contract Services-\$1,101.27; B&B Upholstery, Repairs-\$165.70; Bailey Metal Fabricators, Supplies-\$95.00; BBBB's of South Dakota, Supplies-\$12,900.00; Bender's Sewer Cleaning, Maintenance-\$88.00; Birch Telecom, Contract Services-\$5.57; Bonestroo, Rosene and Anderlik, Contract Services-\$ 1,700.36; Boyer Trucks Sioux Falls, Parts-\$88.49; Brenda Paradis, Travel-\$230.80; Business Products, Supplies-\$7,454.37; Butler Machinery, Supplies-\$2,034.21; Cabela's, Supplies-\$50.00; Campbell Supply, Supplies-\$732.28; Carquest Auto Parts, Parts-\$30.93; Cemetery

Updating Service, Contract Services-\$566.44; Cenex Credit Card, Supplies-\$46.11; Central Electric, Utilities-\$7,619.29; Charlie's Shoe Repair, Repairs-\$7.50; City of Emery, Contract Services-\$1,693.50; Claims Associates, Contract Services-\$1,000.00; Clarin, Supplies-\$8,304.00; Coaches Against Cancer, Supplies-\$40.00; Coborn's, Supplies-\$523.18; Coca-Cola Bottling, Supplies-\$1,059.00; Commercial Asphalt, Supplies-\$1,506.37; Cook Implement, Supplies-\$98.79; Cook's Inn, Contract Services-\$1,336.50; County Fair, Supplies-\$413.09; Craig Fuerst, Supplies-\$78.11; Custom Plus Collision, Repairs-\$207.00; Daily Republic, Publishing-\$1,929.21; Dakota Counseling Institute, Contract Services-\$715.00; Dakota Fluid Power, Supplies-\$356.56; Dakota Pump, Repairs-\$99.73; Dakota Supply Group, Supplies-\$182.16; Dakota Transit Association, Contract Services-\$100.00; Dale's A-1 Transmission, Police Tow-\$160.00; Dan Grigg Images, Supplies-\$453.60; Darrell Sonne, Patient Refund-\$10.00; Darrington Water, Supplies-\$35.00; Data Flow, Supplies-\$333.75; Dave Schulte, Reimbursement-\$15.00; Dave's Aerial Spraying, Reimbursement-\$500.00; Davison Conservation District, Contract Services-\$10,940.14; Davison County Register of Deeds, Supplies-\$12.00; Davison Rural Water System, Contract Services-\$44.80; Dawn Niehoff, Reimbursement-\$95.32; Dell Marketing, Supplies-\$684.99; Dependable Sanitation, Contract Services-\$13,739.60; Department of Social Services-Payroll Deduction-\$290.31; Devin Alfson, Travel-\$9.00; Dick's Towing, Police Tow-\$90.00; Domino's Pizza, Meals-\$31.00; Don Everson, Travel-\$9.00; Dorothy Cahoy, Contract Services-\$455.00; Dorothy Stahl, Contract Services-\$390.00; Dugout Lounge, Contract Services-\$1,098.00; Ecolab Pest Elimination, Contract Services-\$300.00; Ed M Feld Equipment, Maintenance-\$600.00; Electronic Security, Supplies-\$2,557.45; Ellefson Implement, Parts-\$5.40; Elvin Safety Supply, Supplies-\$126.50; Enviro Tech Services, Supplies-\$5,798.00; Eric D Anderson, Supplies-\$83.65; Farmers Alliance, Supplies-\$1,075.66; Farnam's Genuine Parts, Parts-\$10.69; Farmer-Bocken Company, Supplies-\$5,723.01; Fastenal, Supplies-\$14.39; Fedex, Supplies-\$22.58; First National Bank, Contract Services-\$23,053.05; Fischer Rounds & Associates-Contract Services-\$75.00; Floor to Ceiling Store, Supplies-\$55.96; Freeman School District, Contract Services-\$91.00; Frito-Lay, Supplies-\$356.40; FSH Communications, Contract Services-\$58.30; G&R Controls, Repairs-\$1,017.09; Gallus Thill, Contract Services-\$210.00; Global Government, Supplies-\$100.78; Gopher Sport, Supplies-\$271.92; Graham Tire, Repairs-\$686.72; Grainger, Supplies-\$298.84; Grand Rental Station, Supplies-\$123.98; Green Tree, Supplies-\$119.99; Gumball-Machine.Com, Supplies-\$16.89; Hard Drive Central, Parts-\$14.95; Harve's Pro Prints, Supplies-\$256.00; Harve's Sport Shop, Supplies-\$1,651.88; Hawkins, Supplies-\$3,459.50; Heartland Manufacturing, Supplies-\$475.16; Helms and Associates, Contract Services-\$10,943.73; Hillyard Floor Care, Supplies-\$410.41; Holiday Inn Hotel & Convention, Room-\$101.20; IAFE, Contract Services-\$195.00; IA, NE, SD Prima Chapter, Dues-\$40.00; Independent Viking Glass, Maintenance-\$1,943.00; Ingram Library Services, Supplies-\$424.18; Interactive Computer Design, Maintenance-\$250.00; Internal Revenue Service, Payroll Deductions-\$50.00; International Association, Supplies-\$345.00; Interstate Office Products, Supplies-\$57.32; IPMA, Supplies-\$655.75; JC Penney Credit Services, Supplies-\$144.95; J.J. Bankdraft, Supplies-\$44.89; Jack Casey, Supplies-\$50.00; James Valley Community Center, Reimbursement-\$160.80; James Valley Nursery, Supplies-\$2,800.00; Janitor's Closet, Supplies-\$164.92; Jet Photo, Supplies-\$5.90; Joe Williams, Maintenance-\$4,200.00; Johnstone Supply of Sioux Falls, Maintenance-\$88.55; Jones Supplies, Supplies-\$618.26; K-Mart, Supplies-\$347.31; Kako International, Supplies-\$420.95; Kimball-Midwest, Supplies-\$279.94; Krohmer Plumbing, Repairs-\$709.84; Kustom Signals, Supplies-\$46.00; Lakeview Sales, Supplies-\$93.39; Lakeview Veterinary Clinic, Contract Services-\$574.22; Leggette Brashers & Graham, Contract Services-\$3,971.66; Leila Schamber, Contract Services-\$520.00; Lois E Huber, Contract Services-\$665.00; Lyle Signs, Supplies-\$246.70; M&L Repair, Radiator Repairs-\$52.00; M&T Fire and Safety, Parts-\$936.71; MC&R Pools, Supplies-\$92.62; Madison Winter Fest, Registration-\$420.00; Main Street

Designs, Supplies-\$261.83; Mark Schilling, Reimbursement-\$366.91; Marquis Who's Who, Supplies-\$625.70; Maurine R Cahoy, Contract Services-\$357.50; McFarland Supply, Reimbursement-\$1,757.68; McLeod's Printing, Supplies-\$446.12; Medtronic Physio-Control, Parts-\$3,068.00; Menard's, Supplies-\$3,864.88; Meyers Oil, Supplies-\$2,010.80; Michaels Fence & Supply, Maintenance-\$7,172.00; Midwest Fire & Safety, Supplies-\$262.00; Midwest Turf & Irrigation, Supplies-\$182.49; Minnesota Valley Testing, Contract Services-\$841.00; Mitchell Area Chamber, Funding-\$2,545.00; Mitchell Area Convention, Funding-\$15,020.00; Mitchell Area Development, Funding-\$3,675.00; Mitchell Concrete Product, Supplies-\$360.30; Mitchell CPR Fund, Services-\$75.00; Mitchell Ford, Repairs-\$769.35; Mitchell Iron & Supply, Supplies-\$591.61; Mitchell School District, Contract Services-\$7,989.60; Mitchell United Way, Payroll Deductions-\$153.25; Mobile Electronic Service, Supplies-\$290.30; Money, Subscription-\$12.95; Mt Vernon School District, Contract Services-\$60.50; Mueller Lumber, Contract Services-\$102,552.33; Muth Electric, Supplies-\$4,162.18; NAEIR, Supplies-\$377.13; Neve's Uniforms, Supplies-\$2,361.86; New Deal Tire, Repairs-\$1,074.45; Northern Tool, Supplies-\$571.25; Northwestern Energy & Communications-Utilities-\$47,715.85; NPC International, Meals-\$38.22; NSPE, Contract Services-\$190.00; Omni Graphics, Supplies-\$187.78; One Call Systems, Services-\$305.00; Palace Cleaners, Supplies-\$563.20; Palace Motors, Parts-\$9.86; Palace Motosports, Supplies-\$235.50; Palace Transit, Contract Services-\$20,000.00; Patzer Woodworking, Supplies-\$14,991.77; Paul's Sandblasting, Repairs-\$350.00; Paul's Towing, Police Tow-\$80.00; Pepsi Cola, Supplies-\$1,511.46; Petty Cash, Reimbursement-\$18.25; Photography Unlimited, Session-\$35.00; Plastow & Associates, Repairs-\$687.60; Pony Creek Steakhouse, Contract Services-\$5,368.50; Pool & Crew, Supplies-\$100.80; Positive Promotions, Supplies-\$71.20; Power Systems, Supplies-\$87.24; Prairie Wave, Contract Services-\$49.81; Pristine Water Solutions, Maintenance-\$559.98; Qualified Presort, Contract Services-\$3,359.17; Quizno's Subs Store, Meals-\$71.88; Qwest, Contract Services-\$3,090.05; R&L Splicing, Supplies-\$500.00; Radio Shack, Supplies-\$99.99; Random House, Supplies-\$192.35; Randy Wittstruck, Travel-\$206.00; Reader's Den, Supplies-\$47.79; Rew's TV Service, Supplies-\$229.00; Robert Johnson Construction, Contract Services-\$489.90; Ron's Bicycle Shop, Repairs-\$80.00; Ron's Saw Shop, Supplies-\$995.16; Roslyn Stevenson, Reimbursement-\$95.32; S&M Printing, Supplies-\$182.50; Santel Communications, Utilities-\$283.51; Schmucker Paul & Nohr, Contract Services-\$2,318.25; Schrank Construction, Contract Services-\$19,437.50; Scott Supply, Parts-\$234.56; South Dakota Airport Management, Fees-\$25.00; South Dakota Association of Code Enforcement, Fees-\$40.00; South Dakota Building Officials, Fees-\$50.00; South Dakota Department of Environment and Natural Resources, Fees-\$1,828.03; South Dakota Department of Health, Contract Services-\$80.00; South Dakota Department of Revenue, Application-\$13.00; South Dakota Department of Transportation, Contract Services-\$ 287.44; South Dakota Federal Property Agency, Supplies-\$4,413.50; South Dakota Human Resource Association, Fees-\$25.00; South Dakota Retailers Association, Fees-\$100.00; South Dakota Retirement System, Retirement Contribution-\$36,093.70; South Dakota State Treasurer, Sales Tax Payment-\$9,237.56; South Dakota Unemployment Division, Unemployment Insurance-\$598.04; South Dakota Supplemental Retirement, Payroll Deductions-\$17,845.07; SDML Worker's Compensation, Contract Services-\$135,887.00; Sears Commercial One, Supplies-\$154.97; Sheehan Mack Sales, Supplies-\$531.06; Sherrie Petersen, Travel-\$108.80; Sherwin-Williams, Supplies-\$492.91; Shirley J. Beck, Contract Services-\$617.50; Shopko, Supplies-\$42.10; Sigma Direct, Supplies-\$436.42; Sign Pro, Supplies-\$99.14; Sioux Falls Two-Way Radio, Repairs-\$235.00; Sioux Pipe, Supplies-\$683.85; Sleepy Eye Industrial Knife, Supplies-\$32.00; Spencer Quarries, Supplies-\$2,338.32; State of South Dakota, Contract Services-\$490.80; Steve Clarke, Reimbursement-\$250.68; Sturdevant's Auto Parts, Parts-\$3,886.10; Sun Gold Trophies, Supplies-\$1,293.64; Tech Solutions, Supplies-\$1,651.25; Teri Bertness, Supplies-\$1,541.62; Tessier's, Repairs-\$1,267.42; Test America Analytical, Contract

Services-\$1,552.78; The Bilco Company, Supplies-\$56.43; The Medicine Shoppe, Supplies-\$78.99; The UPS Store, Supplies-\$ 418.68; Thomas Bouregy, Supplies-\$138.50; Thune True Value Hardware, Supplies-\$371.35; Tim McGannon, Reimbursement, \$2,099.99; TK Electric, Repairs-\$3,761.10; Toby Russell, Travel-\$9.00; Total Stop Food Store, Supplies-\$580.62; Tractor Supply, Supplies-\$156.06; Travelhost of the Sioux Empire, Advertising-\$374.00; Tri Air Testing, Testing-\$108.80; Tri-County Telcom, Services-\$34.08; Troy Eilts, Reimbursement-\$40.00; Twirl Jet Spas, Supplies-\$147.49; US Postal Service, Supplies-\$278.00; United Building Centers, Supplies-\$53.62; United Energy, Supplies-\$17,507.41; United Way & Volunteer Services, Reimbursement-\$3.40; Vanderpol Dragline, Supplies-\$500.00; Velvet Uniforms, Supplies-\$336.30; Venues Today, Subscription-\$200.00; Verizon Wireless, Services-\$105.54; Wal-Mart Community, Supplies-\$622.56; Wal-Mart Store 2990, Reimbursement-\$500.00; Wells Fargo Bank, Fees-\$2,000.00; West Payment Center, Contract Services-\$495.00; Wheelco Brake & Supply, Supplies-\$1,572.31; Wholesale Electronics, Supplies-\$87.48; World Reference Resources, Supplies-\$346.25; Wright Brothers Aviation, Supplies-\$526.57; Yankton Area Senior Citizens, Fees-\$25.00.

Members present voting aye: Allen, Barington, Bruner, Carpenter, Lepke, Molumby, Smith, Tracy.
Members present voting nay: None. Motion carried.

EXECUTIVE SESSION:

Moved by Allen, seconded by Smith, to go into executive session for contractual matters. Motion carried. Moved by Tracy, seconded by Bruner, to come out of executive session. Motion carried.

ADJOURN:

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

Marilyn Wilson
Finance Officer