

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

**APRIL 7, 2008
7:30 P.M.**

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

ABSENT: Travis Carpenter

PRESIDING: Mayor Lou Sebert

AGENDA:

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

MINUTES:

Moved by Molumby, seconded by Barington, to approve the minutes of the regular City Council meeting held on March 17, 2008. Motion carried.

CITIZEN'S INPUT:

A citizen representing the resident of 401 East Hanson was concerned with the frequent backups of the sewer system at the residence. He asked Council for help in solving and fixing this problem.

Members of the Mitchell Soccer Association explained the brick fundraiser campaign to sell 600 bricks which will raise money for the new soccer complex.

Carmen Ascencio, an aide to South Dakota Democratic Senator Tim Johnson, addressed council regarding any issues they would like Senator Johnson to address and to establish a contact if they would need anything in the future.

BOARD OF ADJUSTMENT:

Moved by Lepke, seconded by Barington, for the City Council to adjourn and sit as the Board of Adjustment. Motion carried.

Moved by Lepke, seconded by Molumby, to table the following applications until the Planning Commission takes action:

- Mitchell Regional Habitat for Humanity for a Conditional Use Permit to construct a duplex at 300 South Foster, legally described as the West 20 feet of Lot 5 and all of Lot 6, Block 3, Fairview Addition, City of Mitchell, Davison County, South Dakota.

and

- Mitchell Regional Habitat for Humanity for a Variance to construct a duplex at 300 South Foster, legally described as the West 20 feet of Lot 5 and all of Lot 6, Block 3, Fairview Addition, City of Mitchell, Davison County, South Dakota.

Motion carried.

It was advised that this is the date and time set for hearing on the application of Tim and Cindy Allen for a variance to construct a garage at 164 South Harmon, legally described as the West 20 feet of Lot 12 and the East 55 feet of Lot 13, Block 15, Indian Head 3rd 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 approved said application. Moved by Molumby, seconded by Smith, to approve said application. Allen abstained. 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 304 East 3rd Avenue, legally described as Lot 8, Block 27, Original 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 approved said application with the conditions the permit is non-transferable and will expire if not operated in a six month period. Moved by Lepke, seconded by Barington, to approve said application. Motion carried.

It was advised that this is the date and time set for hearing on the application of Dennis Burnham for a variance to construct a house at 1616 Bridle Drive, legally described as Lots 24 and 25, Block 2, Bridle Acres 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 approved said application. Moved by Bruner, seconded by Allen, to approve said application. Motion carried.

Moved by Lepke, seconded by Molumby, that the 21st day of April, 2008 at 7:30 p.m. in the Council Chambers of City Hall be the date and time set for hearing on the application of Jennifer Endorf for a Conditional Use Permit to operate a daycare center in her home at 309 East 14th Avenue, legally described as Lots 7, 8, & 9, Block 5, Palmer & Higman's Addition and to direct the Finance Officer to give notice according to statute. Motion carried.

Moved by Tracy, seconded by Allen, that the 21st day of April, 2008 at 7:30 p.m. in the Council Chambers of City Hall be the date and time set for hearing on the application of Andy Spaans for a Variance to construct a garage at 2703 Gamble Court, legally described as Lots 4 & 5, Block 4, Woodland Heights Addition and to direct the Finance Officer to give notice according to statute. Motion carried.

Moved by Smith, seconded by Allen, that the 21st day of April, 2008 at 7:30 p.m. in the Council Chambers of City Hall be the date and time set for hearing on the application of Thomas Pollreisz for a Variance to construct a garage at 1213 North Rowley, legally described as Lot 1, Block 28, Capital Addition and to direct the Finance Officer to give notice according to statute. Motion carried.

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

COMMITTEE REPORTS:

Finance Committee:

The Finance Committee met on April 7, 2008 at 6:30 p.m. in the Council Chambers of City Hall. The committee reviewed the Center for Tourism Research study findings.

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

AWARD BIDS:

Bids were opened and read on the Fire Department Ambulance Project #2008-29 on the 7th day of April, 2008 in the Council Chambers of City Hall.

Moved by Molumby, seconded by Smith, to award as follows:

FIRE DEPARTMENT AMBULANCE PROJECT #2008-29

Midwest Vehicle Professionals, 3208 South Lincoln, York, NE 68467

Item 1	-	\$71,454.00
Item 1A	-	\$2,000.00
Total Bid		\$73,454.00

Motion carried.

HEARING:

It was advised that this is the date and time set for hearing on the application of Palace City Lions Club for a Special Event Malt Beverage License for Hitchcock Park for the Tour DeKota on June 8, 2008. Moved by Tracy, seconded by Barington, to approve said application. Motion carried.

It was advised that this is the date and time set for hearing on the application to transfer Retail (on-off sale) Malt Beverage License RB-2833 from Merv Bouchie dba Lakeview Golf Course to Dan Sabers dba Dan's Pro Shop located at 3300 North Ohlman (Lakeview Golf Course). Moved by Lepke, seconded by Barington, to approve said application. Motion carried.

CONTINUED DISCUSSION:

Discussion took place regarding the Memorial Weekend Event in Mitchell. Moved by Tracy, seconded by Allen, to allow the consumption permit for Main Street from 4:00 p.m. until midnight on May 24th and the band to play until midnight on May 24th. Motion carried. Moved by Smith, seconded by Barington, to block off Main Street from 4:30 a.m. on May 24th until 3:00 a.m. on May 25th from the Depot to 6th Avenue with 1st Avenue to remain open. Motion carried.

RESOLUTIONS:

Moved by Lepke, seconded by Tracy, to adopt Resolution #2619, Credit Card Acquisition and Use Policy, as follows:

RESOLUTION #2619

CREDIT CARD ACQUISITION AND USE POLICY

The Finance Officer is hereby authorized to acquire and issue credit cards to city departments for the purchase of supplies and materials or other transactions authorized by the governing board for the benefit of the municipality. Cards may be used to pay for pre-authorized purchases through the Internet, if it is the only means of payment accepted by the vendor. The card may not be used to pay for meals that qualify for reimbursement through per diem or for any item which does not directly benefit the City of Mitchell.

Credit Line. The credit line for said card shall not exceed \$2,000.00.

Receipts. All purchases made with said card shall be accounted for with purchase receipts retained from the point of sale at which the item(s) were purchased. The employee initiating the purchase will list the item(s) acquired on the purchase receipt and their purpose. The department head shall immediately verify, by signature on the invoice, that the purchase was necessary and to the benefit of the City of Mitchell and shall submit the invoice to the Finance Office with appropriate account expense coding information. Charges submitted to the Finance Office for payment without the proper documentation will not be processed and may become the responsibility of the employee through garnishment. Personal use of the credit card is strictly prohibited. Misuse of credit card accounts or repeated failure to provide proper documentation will be the responsibility of the employee and will be considered grounds for disciplinary action up to and including termination and any restitution.

Reconciliation. The authority reconciling the credit card statement will not be the same individual whose statement is being reconciled.

Perks. Any perks, credits or items of value earned because of the use of said card may only be used for the benefit of the municipality and not for that of the cardholder. Except, frequent flier credits may accrue to the employee/official actually incurring the credit, in accordance with Official Opinion No. 90-04 of the SD Office of the Attorney General.

The Finance Officer is authorized to sign the Credit Card Issuance Agreement.

Motion carried and resolution declared duly adopted.

Moved by Tracy, seconded by Barington, to adopt Resolution #2620, Annexation of Parcel of Land on Indian Village Road, as follows:

RESOLUTION NO. 2620

A RESOLUTION ANNEXING THE REAL PROPERTY LEGALLY DESCRIBED:

A ONE HUNDRED SIXTY-SEVEN FOOT (167') STRIP OF LAND ALONG AND PARALLEL TO THE SOUTH LINE OF IRREGULAR TRACT ONE (1) IN THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼) EXCEPT LOT A OF F.F.KIPPES' FIRST ADDITION PREVIOUSLY DESCRIBED AS A ONE HUNDRED SIXTY-SEVEN FOOT (167') STRIP OF LAND ALONG AND PARALLEL TO THE SOUTH LINE OF SOUTH HARMON DRIVE NOW KNOWN AS INDIAN VILLAGE ROAD IN THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW1/4) EXCEPT LOT A OF F.F. KIPPES' FIRST ADDITION, ALL IN SECTION (9), TOWNSHIP ONE HUNDRED THREE (103) NORTH, RANGE SIXTY (60), WEST OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, AS SET FORTH ON EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

Whereas: The petitioners Scott J. Houwman and Carla R. Houwman are the sole owners of said property;

Whereas: The above describe property is contiguous to the corporate limits of the City of Mitchell, Davison County, South Dakota;

Whereas: There are no persons residing on said property;

Whereas: There are no registered voters residing on said property;

Whereas: The real property is not improved;

Motion carried and resolution declared duly adopted.

Moved by Bruner, seconded by Allen, to adopt Resolution #2621, Plat of Tract 1A of D.D. Roth First Addition, as follows:

**RESOLUTION #2621
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 24th day of March, 2008; and

WHEREAS, it appears from an examination of the plat of TRACT 1A OF D.D. ROTH FIRST ADDITION IN A PORTION OF THE NE ¼ OF SECTION 19 AND IN A PORTION OF PREVIOUSLY PLATTED LOT 1 OF THE SE ¼ OF SECTION 19, ALL IN T 103 N, R 60 W OF THE 5TH P.M., 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 TRACT 1A OF D.D. ROTH FIRST ADDITION IN A PORTION OF THE NE ¼ OF SECTION 19 AND IN A PORTION OF PREVIOUSLY PLATTED LOT 1 OF THE SE ¼ OF SECTION 19, ALL IN T 103 N, R 60 W OF THE 5TH P.M., 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.

Motion carried and resolution declared duly adopted.

Moved by Molumby, seconded by Barington, to adopt Resolution #2622, Plat of Lots 24 and 25 of Enemy Creek Estates, as follows:

**RESOLUTION #2622
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 24th day of March, 2008; and

WHEREAS, it appears from an examination of the plat of LOTS 24 AND 25 OF ENEMY CREEK ESTATES, A SUBDIVISION IN THE NE ¼ OF SECTION 14, T 102 N, R 60 W OF THE 5TH P.M., 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 24 AND 25 OF ENEMY CREEK ESTATES, A SUBDIVISION IN THE NE ¼ OF SECTION 14, T 102 N, R 60 W OF THE 5TH P.M., 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.

Motion carried and resolution declared duly adopted.

Moved by Lepke, seconded by Bruner, to adopt Resolution #2623, Plat of Lots 10A and 10B of Sharpstone Subdivision, as follows:

**RESOLUTION #2623
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 24th day of March, 2008; and

WHEREAS, it appears from an examination of the plat of LOTS 10A AND 10B OF PREVIOUSLY PLATTED LOT 10 OF SHARPSTONE SUBDIVISION, A SUBDIVISION OF THE WEST ½ OF THE SOUTH ½ OF THE SW ¼ OF THE NW ¼ OF SECTION 9, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA; as prepared by Kim L. McLaury, 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 10A AND 10B OF PREVIOUSLY PLATTED LOT 10 OF SHARPSTONE SUBDIVISION, A SUBDIVISION OF THE WEST ½ OF THE SOUTH ½ OF THE SW ¼ OF THE NW ¼ OF SECTION 9, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA; as prepared by Kim L. McLaury, be and the same is hereby approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

Motion carried and resolution declared duly adopted.

Moved by Lepke, seconded by Allen, to adopt Resolution #2624, Authorize Mayor to enter into Conference Center Agreement, as follows:

RESOLUTION #2624

That the City has heretofore constructed a conference center and that the management of said Center will be necessary; and

That the City believes that it would be in the best interests of the City to employ managers for the conference center;

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

That the Mayor be and he is authorized to enter into the Conference Center agreement which is attached hereto and incorporated herein by reference.

Motion carried and resolution declared duly adopted.

Moved by Tracy, seconded by Smith, to adopt Resolution #2625, Golf Course Property Restrictions, as follows:

RESOLUTION #2625

PREAMBLE:

The City of Mitchell, hereinafter referred to as City, has heretofore declared certain property as surplus and offered the same for sale, and sold said property with conditions, which property is hereinafter referred to as PARCEL ONE and legally described as follows, to-wit:

A Plat of Tract 1 of Indian Village First Addition in the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section Nine (9), Township One Hundred Three (103) North, Range Sixty (60), West of the 5th P.M., City of Mitchell, Davison County, South Dakota
and

The Purchaser wants to amend the conditions; and

The City has heretofore declared that no more than two (2) residences may be built on the property sold, described as Parcel One; and

The City has heretofore communicated to the owner of that real estate hereinafter referred to as PARCEL TWO, and legally described as follows, to-wit:

A One Hundred Sixty-seven Foot (167') strip of land along and parallel to the south line of Irregular Tract One (1) in the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4) except Lot A of F.F. Kippes' First Addition previously described as a One Hundred Sixty-seven Foot (167') strip of land along and parallel to the south line of South Harmon Drive now known as Indian Village Road in the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4) except Lot A of F.F. Kippes' First Addition, all in Section Nine (9), Township One Hundred Three (103) North, Range Sixty (60), West of the 5th P.M., Davison County, South Dakota;

that no more than two (2) residences may be built upon that property referred to as Parcel Two; and

That the conditions contemplated by all owners and the City with reference to Parcels One and Two, are that no more than a total of four (4) residences may be built on the real estate described as Parcels One and Two; now, therefore,

BE IT RESOLVED that the Mayor of the City of Mitchell be, and he is hereby authorized to enter into an agreement which may be in any legal form, to limit the constructions on Parcels One and Two, to no more than four (4) residences in total on Parcels One and Two above described—which legal documents include, but are not limited to, deeds, agreements, reservations, restrictions or covenants.

Motion carried and resolution declared duly adopted.

ORDINANCES:

Moved by Lepke, seconded by Smith, to place Ordinance #2273, Amending Code-Signs and Electrical Equipment on second reading. Allen and Bruner opposed. Motion carried. Moved by Molumby, seconded by Lepke, to adopt Ordinance #2273, Amending Code-Signs and Electrical Equipment, as follows:

ORDINANCE NO. 2273

AN ORDINANCE AMENDING CITY OF MITCHELL CITY CODE, TITLE NINE (BUILDING REGULATIONS) CHAPTER FOUR (SIGN REGULATIONS), SECTION SIX (ILLUMIATED SIGNS AND ELECTRICAL EQUIPMENT, PARAGRAPH (D)).

Be it ordained by the City Council, City of Mitchell, Davison County, South Dakota;

Section 1: That 9-4-6 D of the City of Mitchell Municipal Code is to be amended by adding the following hereto underlined:

Electrical Equipment: Electrical Equipment used in connection with outdoor advertising display signs shall be installed in compliance with but not limited to the state electrical code, and municipal building and fire codes.

The material used in connection of the sign shall, as well as the completed sign, shall carry a current Underwriters Laboratory (UL) label.

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.

Allen and Bruner opposed.

Motion carried.

Moved by Tracy, seconded by Lepke, to place Ordinance #2275, Supplemental Appropriations on second reading. Motion carried. Moved by Barington, seconded by Molumby, to adopt Ordinance #2275, Supplemental Appropriations, as follows:

**ORDINANCE NO. 2275
SUPPLEMENTAL APPROPRIATION ORDINANCE
AMENDING ORDINANCE NO. 2254
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 2008 according to statute:

GENERAL FUND		
OTHER FINANCING USES		
101-49000-51114	Transfer Out to E-911	\$25,000.00

The funding will come from the General Fund cash balance.

SPECIAL REVENUE FUND		
E-911		
214-43500-41100	Salaries	\$30,079.00
214-43500-41200	OASI	\$2,301.00
214-43500-41300	Retirement	\$1,805.00
214-43500-41500	Group Insurance	\$8,581.00

The funding will come from E-911 cash balance and a transfer from the General Fund.

Motion carried and ordinance declared duly adopted.

Moved by Lepke, seconded by Barington, to place Ordinance #2276, Supplemental Appropriations, as amended, on first reading. Motion carried.

SET DATE:

Moved by Allen, seconded by Tracy, that the 21st day of April, 2008 at 1:30 p.m. in the Council Chambers of City Hall be the date and time set to receive and consider bids for Paving & Overlay Project #2008-15. Motion carried.

Moved by Barington, seconded by Allen, that the 21st day of April, 2008 at 1:30 p.m. in the Council Chambers of City Hall be the date and time set to receive and consider bids for Kay Avenue Storm Sewer Project #2008-3. Motion carried.

Moved by Smith, seconded by Tracy, that the 21st day of April, 2008 at 1:30 p.m. in the Council Chambers of City Hall be the date and time set to receive and consider bids for Curb & Gutter Project #2008-14. Motion carried.

Moved by Molumby, seconded by Allen, that the 28th day of April, 2008 at 1:30 p.m. in the Council Chambers of City Hall be the date and time set to receive and consider bids for Ice Arena Sandblasting & Painting Project #2008-30. Motion carried.

CONSIDER APPROVAL:

Moved by Bruner, seconded by Lepke, to approve an automatic supplement to the General Fund-Fire in the amount of \$3,454.00 for bunker gear purchase from an insurance reimbursement. Motion carried.

Moved by Smith, seconded by Molumby, to approve an automatic supplement to the Special Revenue Fund-Parks, Recreation & Forestry in the amount of \$3,000.00 for the disabled persons fishing dock from donations of funds. Motion carried.

Moved by Lepke, seconded by Bruner, to approve an automatic supplement to the Special Revenue Fund-Parks, Recreation & Forestry in the amount of \$5,633.00 for Cadwell Sports Complex baseball field improvements from a donation of funds. Motion carried.

Moved by Bruner, seconded by Tracy, to approve an automatic supplement to the Enterprise Fund-Airport in the amount of \$500.00 from a donation of funds for advertising the Airventure Cup Cross Country Air Race. Motion carried.

Moved by Tracy, seconded by Molumby, to approve ratifying the adoption of Resolution #2618, Authorizing Application for Solid Waste Management Program Grant Funds, as follows:

RESOLUTION #2618

**AUTHORIZING SUBMISSION OF AN APPLICATION
FOR
SOLID WASTE MANAGEMENT PROGRAM
GRANT FUNDS**

WHEREAS, The City of Mitchell has identified the need to close its previous landfill; and;

WHEREAS, The City of Mitchell proposes to apply to the Department of Environment and Natural Resources (DENR) for Solid Waste Management Program (SWMP) funding to assist in the costs associated with closure; and

WHEREAS, The City of Mitchell is eligible for Solid Waste Management Program funding assistance for the proposed project; and

WHEREAS, with the submission of the SWMP application the City of Mitchell assures and certifies that all DENR and SWMP requirements will be fulfilled; and

THEREFORE, BE IT RESOLVED, that the City of Mitchell duly authorizes the submission of the SWMP application requesting financial assistance with regards to the closure of the previous landfill facility.

THEREFORE, BE IT RESOLVED, that Lou Sebert, Mayor be authorized to execute the SWMP application for the City of Mitchell.

Motion carried.

Moved by Molumby, seconded by Barington, to authorize the Police Division to apply for Highway Safety Grant funds. Motion carried.

Moved by Molumby, seconded by Barington, to authorize the Police Division to apply for Wal-Mart grant funds. Motion carried.

Moved by Bruner, seconded by Allen, to approve the request of the Mitchell Quarterback Club to conduct a raffle with the drawing to be held on June 14, 2008. Motion carried.

Moved by Lepke, seconded by Molumby, to approve the request of Memorial Weekend in Mitchell Event to conduct a raffle with the drawing to be held on May 24, 2008. Motion carried.

ABATEMENT OF TAXES:

Moved by Bruner, seconded by Smith, to approve the abatement of taxes in the amount of \$4,142.22 to Thomsen Enterprises LLC for Lot 3A, Highland Business Park Addition due to property dedicated to City for use as a conference facility. Motion carried.

Moved by Lepke, seconded by Tracy, to approve the abatement of taxes in the amount of \$436.34 to the City of Mitchell for Lot A, Block 1 in SW ¼ of 33-104-60 due to purchase by tax-exempt entity. Motion carried.

Moved by Bruner, seconded by Tracy, to approve the abatement of taxes in the amount of \$99.49 to the City of Mitchell for Lots 7-12, Block 11, Rowley's First Addition due to purchase by tax-exempt entity. Motion carried.

Moved by Molumby, seconded by Barington, to approve the abatement of taxes in the amount of \$218.92 to the City of Mitchell for the South 33 feet of the NW ¼ of the SW ¼ of the NW ¼ of Section 9-103-60 due to purchase by tax-exempt entity. Motion carried.

PAY ESTIMATES:

Moved by Molumby, seconded by Barington, to approve the following pay estimate:

- pay estimate #6 in the amount of \$2,550.00 for Old Landfill Closure Project #2006-33 contracted with Helms & Associates,
- pay estimate #28 in the amount of \$2,901.72 for New Landfill Monitoring Project #2003-17 contracted with Leggette, Brashears & Graham,
- pay estimate #10 in the amount of \$17,097.00 for Soccer Field Complex Project #2007-1 contracted with Civil Design Inc.,
- pay estimate #10 in the amount of \$1,426.08 for Railroad Avenue-Main to Burr Project #2007-3 contracted with SPN & Associates and
- pay estimate #5 in the amount of \$1,068.75 for Hanson Avenue Project #2007-38 contracted with SPN & Associates.

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

BILLS:

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

PAYROLL, MARCH 9, 2008 – MARCH 22, 2008: CITY COUNCIL-\$2,440.24, MAYOR-\$885.54, ATTORNEY-\$1,807.69, FINANCE-\$10,786.16, HUMAN RESOURCES-\$3,762.40, DATA PROCESSING-\$1,200.24, POLICE-\$48,848.61, TRAFFIC-\$3,403.18, FIRE-\$33,120.80, STREET-\$21,966.66, PUBLIC WORKS-\$14,275.97, CEMETERY-\$2,710.50, MOSQUITO CONTROL-\$308.00, ANIMAL CONTROL-\$1,170.40, EMERGENCY MEDICAL SERVICES-\$7,130.99, LIBRARY-\$9,376.55, PLAYGROUNDS & ATHLETICS-\$4,318.18, SWIM POOL-\$115.88, RECREATION CENTER-\$10,313.42, ICE ARENA-\$1,681.58, CADWELL SPORTS COMPLEX-\$439.75, PARK-\$7,049.98, SUPERVISION-\$4,920.74, FORESTRY-\$2,701.44, E911-\$16,940.02, RSVP-\$4,467.68, PALACE TRANSIT-\$15,940.14, NUTRITION-\$45.00, WATER-\$8,511.16, WATER DISTRIBUTION-\$7,463.96, SEWER-\$9,975.08, AIRPORT-\$1,610.56, WASTE COLLECTION-\$7,880.26, LANDFILL-\$6,346.63, CORN PALACE MAINTENANCE-\$8,292.48, CORN PALACE SHOWS-\$2,042.32, CORN PALACE CONCESSIONS-\$1,001.00, GOLF COURSE-\$5,713.86.

SALARY ADJUSTMENTS (per hour rate):

GOLF COURSE/CEMETERY: Ben Tronnes-\$14.172

UTILITIES: Loren Skinner-\$20.887, Rick VanOverschelde-\$20.887, Eugene Wagaman-\$20.887

NEW HIRES (per hour rate):

CORN PALACE CONCESSIONS: Misty Buchholz-\$7.00

WARRANTS: A&B Business Equipment, Supplies-\$727.22; A-Ox Welding Supply Company, Supplies-\$641.25; AAA Collections, Payroll Deduction-\$75.00; Action Professionals, Supplies-\$169.62; Advance Auto Parts, Parts-\$582.98; Aflac, Payroll Deductions-\$3,157.68; Aflac/Flex One, Claims-\$3,041.39; AIA Corporation, Supplies-\$165.98; Al's Engraving, Supplies-\$72.55; Alignment X-Perts, Repairs-\$295.56; All American Gymnastics, Registration Fees-\$1,519.92; Alyssa Bechen, Instructor Lifeguard Training Class-\$502.50; American Garage Door Company, Door Installation-\$734.70; American Red Cross, Administration Fee-\$43.00; American Water Works Association, Dues-\$150.00; Aramark, Supplies-\$664.34; Arctic Refrigeration, Supplies-\$19.43; Artisans Screen Printing, Supplies-\$778.29; Audra Rew, Reimbursement-\$32.00; Auto Body Specialties, Supplies-\$40.10; Avera Queen of Peace Hospital, Contract Services-\$2,960.24; B&B Upholstery, Repairs-\$50.00; B-Y Water, Utilities-\$30,352.00; Bailey Metal Fabricators, Supplies-\$94.83; Bender's Sewer & Drain, Labor-\$98.00; Best Western, Travel-\$85.00; Blackburn Manufacturing, Supplies-\$192.48; Boyer Trucks, Equipment-\$1,323.72; BP, Supplies-\$45.50; Break Time Portables, Supplies-\$20.00; Brenda Paradis, Reimbursement-\$282.50; Brian Kelly, Supplies-\$889.80; Bryan Rock Products, Supplies-\$351.87; Burger King, Gift Cards-\$25.00; Business Products, Supplies-\$1,166.96; C&D Pedal Tractor Pull, Tractor Pull-\$1,550.00; Cabela's, Supplies-\$65.94; Campbell Supply, Supplies-\$674.75; Card Imaging, Supplies-\$1,137.00; Card Services, Supplies-\$100.78; Carquest Auto Parts, Parts-\$15.75; Cass-Clay Creamery, Supplies-\$61.95; Cenex Credit Card, Supplies-\$113.83; Central Electric Cooperative, Security Lights-\$60.00; Cherrybee's, Supplies-\$33.95; City of Emery, Senior Meals Payroll Reimbursement-\$1,507.65; City of Mitchell, Payroll Deduction-\$20.00; Civil Design, Contract Services-\$17,097.00; CLIA Laboratory Program, Certificate Fee-\$150.00; Coca-Cola Bottling Company, Supplies-\$1,287.20; Connecting Point Computer, Printer Repairs-\$88.50; Cook Implement, Parts-\$221.43; Cook's Inn, Contract Services-\$1,358.50; Corn Palace Concessions, Meals-\$78.00; Cornerstone Coffee House, Meals-\$48.65; Country Trader, Furniture-\$288.00; County Fair, Gift Cards-\$90.00; Credit Collections Bureau, Payroll Deduction-\$163.89; Culver's Restaurant, Gift Cards-\$75.00; Daily Republic, Subscription-\$1,325.60; Dakota Diesel Service, Parts-\$961.00; Dakota Fluid Power, Equipment-\$954.00; Dakota Supply Group, Supplies-\$268.67; Dan Grigg Images, Supplies-\$561.94; Dan Koupal, Fees Reimbursement-\$25.00; Dan Sabers, Contract Services-\$4,400.00; Danforth & Meierhenry, Contract Services-\$15,000.00; Dave Figland, Travel-\$27.00; Davison County Clerk of Courts, Contract Services-\$135.00; Davison County Register of Deeds, Copies-\$27.00; Davison Rural Water System, Utilities-\$35.40; Deadwood Gulch Resort, Travel-\$55.00; Deb Overseth, Travel-\$64.01; Debbie Vaughn, Travel-\$146.27; Delta Dental Plan of South Dakota, Dental Premiums-\$10,607.76; Dependable Sanitation, Recycling-\$13,803.30; Depot, Gift Card-\$25.00; Department of Social Services, Payroll Deductions-\$699.24; Design Solutions & Integrated, Labor & Equipment-\$3,065.39; Devin Alfson, Travel-\$9.00; Dick's Towing, Police Tow-\$165.00; Ditch Witch of South Dakota, Parts-\$127.41; Domino's Pizza, Pizza-\$73.41; Dorothy Cahoy, Contract Services-\$487.50; Dorothy Stahl, Contract Services-\$357.50; Doug Degen, Travel-\$27.00; Robert Snortum, Contract Services-\$1,500.00; Dugout Lounge, Contract Services-\$1,283.40; Easy Picker Golf Products, Supplies-\$269.88; Ecolab Pest Elimination, Contract Services-\$157.50; Ed M. Feld Equipment, Supplies-\$152.00; Ellefson Implement, Parts-\$999.20; Emery Senior Citizens, Reimbursement-\$98.00; Eugene Wagaman, Travel-\$27.00; Fabric Warehouse, Supplies-\$10.89; Farmers Alliance, Supplies-\$1,178.00; Farnam's Genuine Parts, Parts-\$232.68; Farner-Bocken Company, Supplies-\$3,657.01; Fastenal Company, Supplies-\$401.10; Faurot, Supplies-\$77.50; Fedex, Transportation Charges-\$10.52; Fire Engineering, Subscription

Renewal-\$44.95; Florida Micro, Supplies-\$55.34; Frito-Lay, Supplies-\$415.80; Frontier Precision, Supplies-\$787.23; Gallus Thill, Contract Services-\$200.00; General Drivers & Helpers, Payroll Deductions-\$173.00; Geocomm, Contract Services-\$4,646.00; Golden West Technologies, Supplies-\$46.39; Governmental Finance Officers, Registration-\$75.00; Graham Tire Company, Supplies-\$18.15; Grainger, Supplies-\$380.27; Hach Company, Supplies-\$369.30; Harper Brush Central, Supplies-\$57.30; Harve's Pro Prints, Supplies-\$276.25; Harve's Sport Shop, Supplies-\$276.85; HD Supply Waterworks, Supplies-\$3,332.11; Headsets Direct, Equipment-\$375.23; Helms and Associates, Contract Services-\$2,550.00; HF Scientific, Supplies-\$801.83; Hillyard, Supplies-\$369.68; Honda of Mitchell, Supplies-\$59.80; Iowa, Nebraska, South Dakota Prima Chapter, Registration-\$55.00; Inside The Tape, Registration-\$250.00; Integrity Transcription, Supplies-\$623.75; Interstate Glass & Door, Labor-\$222.55; Interstate Office Products, Supplies-\$97.85; Ipromoteu, Supplies-\$128.97; J.J. Bankdraft, Supplies-\$40.60; Jack's Sinclair, Gift Card-\$40.00; James Valley Community Center, Meals-\$24.50; JCL Solutions-Janitors Closet, Supplies-\$455.48; Jennifer Tait, Reimbursement-\$316.33; Joe Dolezal, Travel-\$24.60; Jones Supplies, Supplies-\$2,747.85; K-Mart, Supplies-\$1,114.23; Karla Bridger, Refund-\$50.00; Kelly Knippling, Uniform Allowance-\$245.79; Kimball-Midwest, Supplies-\$134.03; Knology, Supplies-\$52.05; Kris Murtha, Reimbursement-\$206.78; Lakeview Sales, Supplies-\$1,388.10; Larry's I-90 Service, Tow-\$131.00; Lawless Electronics, Repairs-\$714.97; Leggette Brashers & Graham, Contract Services-\$2,901.72; Leila Schamber, Contract Services-\$530.00; Leon Baier, Travel-\$24.55; Lifequest, 2008 Allocation-\$10,000.00; Lighthouse Uniform Company, Supplies-\$199.63; Lois E. Huber, Contract Services-\$750.00; Loren Skinner, Travel-\$27.00; Lucille H. Dufek, Contract Services-\$130.00; Lutheran Social Services, Contract Services-\$60.00; Lyle Signs, Supplies-\$1,022.29; M&H Gas, Gift Card-\$40.00; M&T Fire and Safety, Parts-\$23.53; Marilyn Wilson, Reimbursement-\$959.50; Mark Schilling, Registration-\$1,133.19; Mary Aronson, Reimbursement-\$24.61; Maurine R. Cahoy, Contract Services-\$325.00; McDonald's, Gift Cards-\$75.00; McGovern Center for Leadership, Survey & Report-\$3,000.00; McLeod's Printing, Supplies-\$1,908.80; Medicine Shoppe, Supplies-\$37.25; Menard's, Supplies-\$1,336.21; Meridian Grain, Supplies-\$3,505.78; Meteorlogix, Service Fee-\$76.10; Meyers Oil Company, Supplies-\$404.25; Michaels Fence & Supply, Equipment-\$5,633.19; Midcontinent Communications, Utilities-\$48.54; Midwest Fire & Safety, Supplies-\$205.00; Midwest Playscapes, Picnic Tables-\$898.00; Midwest Tire & Muffler, Labor-\$406.61; Midwest Turf & Irrigation, Supplies-\$26,278.47; Olson, Karla, Refund-\$57.28; Mitchell Area Chamber of Commerce, Registration-\$150.00; Mitchell Area Safehouse, 2008 Allocation-\$2,500.00; Mitchell Ford, Warranty Deductible-\$100.00; Mitchell Iron & Supply, Supplies-\$141.93; Mitchell School District, City Share-\$1,541.95; Mitchell United Way, Payroll Deductions-\$206.72; MPC Pro, Computers-\$3,258.00; Mueller Lumber, Supplies-\$2,667.64; Music & Sound, Supplies-\$129.99; Muth Electric, Contract Services-\$10,689.66; NAEIR, Supplies-\$650.27; National Utility Equipment, Parts-\$291.84; Norman Thuringer, Travel-\$9.00; Northern Safety, Supplies-\$442.19; Northland Chemical, Supplies-\$152.38; Northwestern Energy & Communications, Utilities-\$44,460.20; Palace Cleaners, Supplies-\$388.15; Papa Murphy's Pizza, Meals-\$75.90; Paul Morris, Travel-\$91.39; Paulson Sheet Metal, Repairs-\$251.68; Pepsi Cola, Supplies-\$967.66; Petty Cash, Travel-\$27.00; Petty Cash, Start-Up Change-\$300.00; Pony Creek Steakhouse, Contract Services-\$5,506.20; Porter Distributing, Supplies-\$357.50; Previsor, Fees-\$90.00; Pristine Water Solutions, Chemicals & Lease-\$673.62; Progressive Medical, Supplies-\$507.00; Public Safety Center, Supplies-\$112.54; Qualified Presort, Mailing Service-\$1,133.82; Quizno's Subs Store, Meals-\$148.86; Qwest, Utilities-\$2,799.61; RSVP, Reimbursement-\$191.04; Rausch, Sturm, Israel & Hornik, Garnishment-\$232.28; River Cities Public Transit, Training Fees-\$848.00; Rockmount Research & Alloy, Supplies-\$893.59; Ron's Bicycle Shop, Repairs-\$45.00; S&M Printing Company, Supplies-\$664.16; Sam's Club, Supplies-\$339.37; Sanford USD Medical Center, Recertification

Fees-\$1,775.00; Sanitation Products, Parts-\$360.10; Santel Communications, Utilities-\$55.45; Schmucker Paul & Nohr, Contract Services-\$2,494.83; Scott Supply Company, Parts-\$15.55; South Dakota Department of Public Safety, Ambulance Services Renewal-\$12.00; South Dakota Department of Health, Lab Fee-\$193.00; South Dakota Department of Revenue, License & Registration Fees-\$65.00; South Dakota Federal Property Agency, Equipment-\$1,223.76; South Dakota Fire Chiefs Association, Membership Dues-\$50.00; South Dakota Human Resource Association, Registration-\$35.00; South Dakota Retirement System, Retirement Contributions-\$36,468.01; South Dakota Society for Human Resource Management, Registration-\$358.00; South Dakota State Treasurer, Return Interest-\$10,614.24; South Dakota Unemployment Insurance Division, Unemployment Insurance-\$10,813.33; South Dakota-Supplemental Retirement, Payroll Deductions-\$1,041.00; Sheehan Mack Sales & Service, Equipment-\$3,750.55; Sherwin-Williams, Supplies-\$111.12; Shirley J. Beck, Contract Services-\$617.50; Shopko, Supplies-\$208.01; Siemens Water Technologies, Supplies-\$1,558.00; Sign Pro, Decals-\$443.50; Sioux Equipment, Repairs-\$682.68; Sleepy Eye Industrial, Knife Re grind-\$96.00; Society for Human Resources, Membership Fees-\$160.00; Software House International, Supplies-\$598.06; Spec Seats International, Folding Chairs-\$30,031.20; Stan Houston Equipment, Supplies-\$235.96; Steve Roth, Reimbursement-\$52.00; Sturdevant's Auto Parts, Parts-\$3,973.37; Subway, Meals-\$83.28; Sun Gold Trophies, Supplies-\$222.43; Sun Life Financial, Payroll Deductions-\$1,514.13; Superwinch, Parts-\$54.73; Symbol Arts, Supplies-\$775.00; Tammie Munsen, Instruct Lifeguard Training Class-\$502.50; Tech Solutions, Repairs-\$3,929.18; Tessier's, Repairs-\$633.52; The Cima Companies, Renewal Fees-\$1,064.99; The Dayton Stencil Works, Supplies-\$491.38; Thune True Value Hardware, Supplies-\$339.67; Tim McGannon, Travel-\$39.03; Titan Access Account, Parts-\$285.62; Titze Electric & Remodeling, Labor-\$410.51; Toby Russell, Travel-\$93.69; Toter, Garbage Cans-\$9,900.00; Tractor Supply, Supplies-\$230.96; Traf-O-Teria System, Supplies-\$224.85; Traffic Control Corporative, Supplies-\$330.42; Troy Eilts, Contract Services-\$20.00; Tumblebear Gym Program, Supplies-\$359.90; United Energy, Supplies-\$25,299.35; United Way & Volunteer Services, Reimbursement-\$9.79; UPS Store, Shipping Charges-\$305.01; Variety Foods, Supplies-\$406.69; Velvet Uniforms, Supplies-\$33.29; Virginia Limberg, Personal Training Fees-\$915.00; Visiontron, Supplies-\$79.60; Wade Strand, Contract Services-\$10,000.00; Wal-Mart, Supplies-\$1,029.66; West Payment Center, Supplies-\$500.50; Wheelco Brake & Supply, Parts-\$28.59; Wheeled Coach Industries, Supplies-\$732.46; Wholesale Electronics, Supplies-\$9.67; Yankton Post Office, Postage-\$102.50; Zach Dalrymple, Travel-\$44.00; Zimco Supply, Chemicals-\$9,708.92.

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

ADJOURN:

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

Marilyn Wilson
Finance Officer