

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

**DECEMBER 7, 2009
7:30 P.M.**

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

ABSENT: none

PRESIDING: Mayor Lou Sebert

AGENDA:

Moved by Carpenter, seconded by Barington, to approve the agenda as amended. Motion carried.

MINUTES:

Moved by Beck, seconded by Olson, to approve the minutes of the regular City Council meeting held on November 16, 2009. Motion carried.

CONSIDER APPROVAL:

Mayor Lou Sebert presented the council with a list of members to be appointed to the Lake Mitchell Advisory Committee. Those members include the following: Mark Puetz, Greg McCurry, Dave Allen, Bob Sebert, Troy Helleloid, John McLeod, and Joe Kippes. Moved by Beck, seconded by Backlund, to approve the committee members on the condition that Resolution #2789 is adopted. Motion carried.

BOARD OF ADJUSTMENT:

Moved by Beck, seconded by Backlund, 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 Ryan Tupper for a variance to construct a garage located within the 1201 block of Indian Village Road, legally described as Tract 1A, Indian Village 1st 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 recommended approval of said application. Moved by Allen, seconded by Carpenter, to approve said application. Motion carried.

It was advised that this is the date and time set for hearing on the application of Kylie Roth for a conditional use permit to operate a daycare center in her home located at 613 East 13th Avenue, Lot 4, Outlot D, Fullerton Terrace 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 recommended approval of said application. Moved by Smith, seconded by Beck, to

approve said application, with the conditions that the permit is non-transferrable and that operations not cease for more than a six-month period. Motion carried.

It was advised that this is the date and time set for reviewing the conditional use permit for Collette Stadlman (Owner) and Reggie Siegel (Applicant) for operating a small motorcycle business, located at 240 East 54th Avenue, Lot 8, Maui Farms 1st Addition. The Planning Commission has heard no complaints. Moved by Houwman, seconded by Carpenter, to approve the conditional use permit on the condition that the permit is reviewed annually by the Planning Commission. Motion carried.

Moved by Backlund, seconded by Allen, that the 21st day of December, 2009 at 7:30 p.m. in the Council Chambers of City Hall be the date and time set for hearing on the application of Tracy Palmer for a variance to construct a 32 x 28 shed, located at 3313 North Ohlman, Lot Q in NE 1/4 8-103-60 and to direct the Finance Officer to give notice according to statute. Motion carried.

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

DISCUSSION:

A discussion was held regarding a drainage plan for MSTM Properties. MSTM Properties would like to build another storage unit near their two other units in the Loma Linda area. In the past this area has had drainage problems. A plugged drain tile line has been cleaned out. MSTM Properties owners have suggested draining all surface water to the nearby pond area rather than using the existing drain tile pipe. Moved by Allen, seconded by Smith, to accept the new drainage plan as suggested. Motion carried.

COMMITTEE REPORTS:

Traffic Commission:

A request from Mitchell Wesleyan Church to have the right lane of south bound Sanborn Street closed on Sunday, December 20, 2009 from 5:30 p.m. to 8:30 p.m. for patrons to drive through seven nativity scenes was approved. The closure would be from the south side of the intersection of 7th Avenue and Sanborn for 1½ blocks past the driveway entrance to the south parking lot of Mitchell Wesleyan Church, and would include closing 6th Avenue on the intersection.

Sidewalk:

Deputy Director of Public Works Terry Johnson discussed the gravel path installed at Woodland Heights on Capital Street. Council Member Dan Allen asked if the path could be widened to 8 feet and have cars drive on it. Mayor Lou Sebert stated there are too many low spots and more gravel will not help. Johnson stated this is a temporary fix until water and sewer can be installed. Johnson reviewed hazardous sidewalk spots, especially those by Gertie Bell Rogers Elementary School on 12th Avenue. Johnson reviewed the 2010 proposed sidewalk plan. Sidewalk will be installed at Wallace from Hanson to dead end south of Birch; Ash from Foster to Wallace; 8th from Capital to Mentzer; ramps in NE Quad; and Mentzer from 1st to 2nd Avenue. Johnson reviewed the area on Foster Street north of 7th Avenue. Toshiba is receptive to a sidewalk, but it may be difficult to obtain an easement from Toshiba management in California or Japan. Johnson has checked into the SD Enhancement Project and thinks

the city may be eligible for a grant. The grant would include curb, gutter, and storm sewer from 8th Avenue to 11th Avenue on the west side of Foster Street and from 7th Avenue to Firesteel Drive on the east side of Foster Street. Sidewalks would then be installed from 7th Avenue to Chalkstone Drive on the west side of Foster and from 7th Avenue to Firesteel Drive on the east side of Foster Street. The Sidewalk Committee advised Johnson to start applying for the grant. The Sidewalk Committee commended Johnson for doing a good job on the sidewalk projects.

Public Works:

Deputy Director of Public Works Terry Johnson provided a presentation on a new automated water meter reading system. Johnson explained the program, funds needed for the project, and went over various problems with the current system. Currently there are funds available in the amount of \$178,774.00, which includes 2009 funds of \$88,774.00 and a budgeted amount of \$90,000.00 for 2010. The new proposed system is called Flex Net by Sensus, which can automatically read by the hour, do remote disconnects, and provide instant billing information for the billing office. The proposed system has a cost of \$88,800.00, not including separate costs for concrete pad, internet, and electricity. Johnson noted that there are approximately 5,700 meters that are read manually by two meter readers, who read meters three weeks per month. The new system will cost approximately \$1,271,800.00 to update all of the meters in the entire town at this time. Included in this cost is \$115.00 per transmitter and \$120.00 per meter. Johnson noted that the meter readers also help with maintenance and water main breaks. Once the new system is up and running, Johnson believes the added revenue will pay for the system without the elimination of the two positions. However, that issue could be re-visited at a later time.

Finance:

Finance Officer Marilyn Wilson requested writing off utilities in the amount of \$30,492.57 from 2008 billings. These accounts have already gone to the collection agency and they will continue working on collecting the old accounts. The write-off amount is 0.68% of total utility billings. Wilson also requested writing off delinquent accounts in the amount of \$43,443.16 for EMS-Emergency Medical Services. The Finance Committee approved the write-off amounts. Wilson reviewed Ordinance #2322, Supplemental Appropriations, which will be heard by the City Council.

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

AWARD BIDS:

Bids were opened and read on the Water Storage Improvements-South Side Water Tower – Project #2009-30 on the 22nd day of November, 2009 in the Council Chambers of City Hall.

WATER STORAGE IMPROVEMENTS SOUTH SIDE WATER TOWER PROJECT #2009-30

Moved by Carpenter, seconded by Backlund to award as follows, subject to SD DENR approval, to CB&I, Inc. of Oakdale, MN:

Bid Schedule A - \$1,756,000.00

Motion carried.

Bids were opened and read on the Bike Path over Canal at Lake Mitchell – Project P OEHN (49) PCN 424 R, on the 23rd day of November, 2009 in the Council Chambers of City Hall.

**BIKE PATH OVER CANAL AT LAKE MITCHELL
PROJECT P OEHN (49) PCN 424R**

Moved by Houwman, seconded by Backlund to award as follows, subject to SD DOT approval, to Nolz Dragline of Sioux Falls, SD:

Total Bid Amount - \$159,081.24

Motion carried.

HEARING:

It was advised that this is the date and time set for hearing on the application to transfer Retail (On-Off Sale) Wine License (RW-6558) from Allen’s Restaurant, Inc. dba Country Kitchen to Martinez, Inc. dba Corona Village located at 1101 South Burr Street. Moved by Carpenter, seconded by Barington, to approve said application. Motion carried.

It was advised that this is the date and time set for hearing on the applications for renewal of the following liquor and wine licenses:

RETAIL (ON-SALE) LIQUOR

License No.

RL 5270	Mitchell Cuisine LLC dba Ruby Tuesday	2160 Highland Way
RL 5271	TG Partnership	1610 South Burr St
RL 5350	Lucky’s LLC dba Dr Lucky’s Bar & Grill	205 North Main St
RL 5353	David Backlund Jr dba Partee Bar	2601 East 1 st Ave
RL 5546	Hay Company Partnership dba Steak ‘N’ More	1801 North Main, Ste #4 & #5
RL 5732	Blarney's LLC dba Blarney’s Sports Bar & Grill	2100 Highland Way #W
RL 5756	Chopper LLC dba Peppers	1525 West Havens
RL 5757	Fredericksen Enterprise LLC dba Chef Louie's	601 East Havens St
RL 5758	Mitchell Steak Company LLC dba Whiskey Creek	905 East Spruce St, Ste C
RL 5759	Hay Company Partnership dba Thirsty’s	1801 North Main, Ste #1
RL 5760	S&H Marketing LLC dba Signatures	716 North Rowley, Ste #1
RL 5761	Robert Daniel Bates dba Longhorn Bar	101 North Main St
RL 5762	Jackpot Gamblin Inc	511 North Main St
RL 5763	Leisure Time Inc dba The Depot	210 South Main St
RL 5764	Bathke Enterprises LLC dba One Eyed Jacks Casino	1401 North Main St, #108A
RL 5765	ACT Bookkeeping Services LLC dba Moonlight Bar & Lounge	413 North Main St
RL 5766	RR Enterprises Inc dba Sneaker's Peanut Bar	1514 North Sanborn Blvd, Ste A
RL 5768	Todd F Dikoff dba Brig Steakhouse & Lounge	2700 North Main St
RL 5771	American Legion, Coacher-Goetsch Post 18	107 North Main St
RL 5772	Loyal Order of Moose Lodge 875	516 West 15th
RL 5773	VFW Post 2750/VFW Home Ass'n	103/105 North Main St

RL 5774	Elks of Mitchell Building Association Trustees LLC	112 East 5th Ave
RL 6380	V.V. Inc.	1801 North Main, Ste #3

SUNDAY (ON-SALE) LIQUOR

License No.

RL 5270	Mitchell Cuisine LLC dba Ruby Tuesday	2160 Highland Way
RL 5350	Lucky's LLC dba Dr Lucky's Bar & Grill	205 North Main St
RL 5353	David Backlund Jr dba Partee Bar	2601 East 1 st Ave
RL 5546	Hay Company Partnership dba Steak 'N' More	1801 North Main, Ste #4 & #5
RL 5732	Blarney's LLC dba Blarney's Sports Bar & Grill	2100 Highland Way #W
RL 5756	Chopper LLC dba Peppers	1525 West Havens
RL 5757	Fredericksen Enterprise LLC dba Chef Louie's	601 East Havens St
RL 5758	Mitchell Steak Company LLC dba Whiskey Creek	905 East Spruce St, Ste C
RL 5759	Hay Company Partnership dba Thirsty's	1801 North Main, Ste #1
RL 5760	S&H Marketing LLC dba Signatures	716 North Rowley, Ste #1
RL 5761	Robert Daniel Bates dba Longhorn Bar	101 North Main St
RL 5762	Jackpot Gamblin Inc	511 North Main St
RL 5763	Leisure Time Inc dba The Depot	210 South Main St
RL 5765	ACT Bookkeeping Services LLC dba Moonlight Bar & Lounge	413 North Main St
RL 5766	RR Enterprises Inc dba Sneaker's Peanut Bar	1514 North Sanborn Blvd, Ste A
RL 5768	Todd F Dikoff dba Brig Steakhouse & Lounge	2700 North Main St
RL 5771	American Legion, Coacher-Goetsch Post 18	107 North Main St
RL 5772	Loyal Order of Moose Lodge 875	516 West 15th
RL 5773	VFW Post 2750/VFW Home Ass'n	103/105 North Main St
RL 6380	V.V. Inc.	1801 North Main, Ste #3

**CONVENTION CENTER LIQUOR
(Including Sunday Sales)**

License No.

CL-15421	Highland Conference Center	1920 Highland Way
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PACKAGE (OFF-SALE) LIQUOR

License No.

PL 4685	County Fair Inc dba County Fair Food Store	1305 West Havens St
PL 4686	Freedom Valu Centers, Inc. dba Freedom Valu Center	512 South Sanborn
PL 4687	Highland Travel Plaza LLC	2160 Highland Way
PL 4688	Chopper LLC dba Peppers	1525 West Havens St
PL 4690	Wal-Mart Stores Inc dba Wal-Mart Supercenter #2990	1101 East Spruce St
PL 4691	Robert Daniel Bates dba Long Horn Bar	101 North Main St
PL 4692	Fredericksen Enterprise LLC dba Chef Louie's	601 East Havens St
PL 4694	Coborn's Inc dba Coborn's	1800 North Main St
PL 4695	Dakota Sunset Inc dba Dakota Sunset	1524 West Havens St
PL 4697	TG Partnership	1610 South Burr St
PL 4698	AP Investments dba Amstar	1 st Avenue & Main St
PL 4700	MAC Hotels Inc dba Thunderbird Lodge	1601 South Burr

PL 4701 Miller & Holmes Inc dba M&H Gas Station 221 West Havens St

RETAIL (ON-SALE) WINE LICENSE

License No.

RW 6422	Coborn's Inc dba Coborn's	1800 North Main Street, Ste A
RW 6462	Twin Dragon Inc dba Twin Dragon Restaurant	704 East Norway Ave
RW 6464	RR Enterprises Inc dba Spare Change Casino	1500 North Duff Street, Ste C
RW 6507	Wiebelhaus Companies Inc dba Jack's Sinclair	1905 North Main Street
RW 6509	Sport Time Inc dba Scoreboard	522 North Main Street
RW 6511	Dakota Sunset Inc dba Dakota Sunset	1524 West Havens Street
RW 6538	Hungry's Restaurants dba Marlin's Roadhouse Grill	Hwy 37 South, Ste B
RW 6553	Los Sombreros LLC dba Los Sombrero's	1522 West Havens Street
RW 6558	Allen's Restaurant Inc dba Country Kitchen	1101 South Burr Street
RW 6586	Teresa Quist dba Café Teresa	312 North Main Street
RW 6592	AP Investments dba Amstar	100 South Main Street
RW 6598	Wiebelhaus Companies Inc dba J-Mart	1527 West Havens Street
RW 6659	Graham Oil Inc dba Graham's Interstate BP	1610 South Burr Street
RW 6671	Cubby's Inc. dba Cubby's Mitchell West	1700 West Havens Street
RW 6689	Cubby's Inc dba Cubby's Mitchell East	1000 South Burr Street
RW 7501	Fredericksen Restaurants Inc. dba Burr Street BBQ	1300 South Burr Street
RW 7528	Jason Bates dba Big Dummy's	110/112 North Main Street
RW 7571	Wade Greenwood dba Wine Cellar	401 East Havens Avenue

Notice of hearing has been given according to statute and affidavit of publication is on file. Chief of Public Safety Lyndon Overweg recommended approval of all liquor and wine licenses. A discussion was held regarding the two citations for selling to under-aged individuals at Graham's Interstate BP, one in October 2008 and another in October 2009. Tyler Graham, owner of Graham's Interstate BP, stated that all of his employees are TAM certified. He has recently installed updated computer equipment that requires entry of a birth date when alcoholic beverages are scanned for purchase. Moved by Carpenter, seconded by Beck, to approve said applications. Backlund and Barington abstained. Motion carried.

RESOLUTIONS:

Moved by Houwman, seconded by Beck, to adopt Resolution #2786, 2010 Salary Resolution, as follows:

**RESOLUTION #2786
A RESOLUTION PROVIDING FOR A SALARY SCHEDULE
FOR THE OFFICERS AND FULL TIME EMPLOYEES
OF THE CITY OF MITCHELL, SOUTH DAKOTA**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MITCHELL, SOUTH DAKOTA:

The purpose of the salary schedule is to establish the compensation of full time employees, officers and elected officials. The step plan as herein stated will be effective from January 1, 2010 through December 31, 2010 and is on file in the office of the Finance Officer. There are six (6) steps for each position except salaried exempt positions in the salary schedule that represent a minimum and maximum salary for each position. New employees will normally be hired at Step 1 of the appropriate

classification unless experience and qualifications justify beginning above the minimum. All new employees shall have a probationary period of not less than six (6) months from date of hire.

The following lists the current position classifications and the minimum/maximum salary range for each salaried exempt position as adopted:

<u>POSITION:</u>	<u>Minimum:</u>	<u>Maximum:</u>
Finance Officer	\$67,074	\$83,840
Public Works Director		
Chief of Public Safety		
Park Director	\$59,757	\$74,695
Human Resources Director		
Golf/Cemetery Director	\$52,887	\$66,108
Senior Services Executive Director		
Street/Sanitation Superintendent	\$50,346	\$62,930
Utilities Superintendent		
Assistant Fire Chief		
Deputy Police Chief		
Deputy Director of Public Works		
Field Operations Superintendent	\$46,517	\$58,148
Water Superintendent		
Wastewater Superintendent/Pretreatment Coordinator		
Detective Lieutenant		
Communications Supervisor		
Corn Palace Director		
City Planner	\$42,414	\$53,016
Engineering Supervisor		
Library Director		
Deputy Finance Officer		
Recreation Center Director		
Recreation Director		
Operations Supervisor		

For all hourly non-exempt staff, Step 1 represents the hire rate, Step 2 represents the rate after six months of employment subject to a favorable performance appraisal and Steps 3 through 6 represent the increase at the employee's anniversary date subject to a favorable performance appraisal unless experience and qualifications justify beginning above the minimum. An employee may advance in position/grade when a vacancy exists, but must go through the hiring procedure to advance in all departments with the exception of the Police Department.

The following lists the current position classifications and the progressive steps for each hourly non-exempt position as adopted:

POSITION:	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
<u>Professional/Administrative Series:</u>						
Librarian	\$13.874	\$14.205	\$14.536	\$15.198	\$15.859	\$16.521
Engineer Technician I	\$14.363	\$14.708	\$15.053	\$15.740	\$16.416	\$17.103
Specialist	\$15.171	\$15.528	\$15.886	\$16.614	\$17.329	\$18.057
Airport Manager/Building Inspector/ Recreation Coordinator	\$17.501	\$17.925	\$18.335	\$19.169	\$20.003	\$20.837
Engineering Technician II	\$17.620	\$18.043	\$18.467	\$19.301	\$20.149	\$20.983
<u>Technical Series:</u>						
Operator I	\$13.795	\$14.113	\$14.443	\$15.104	\$15.754	\$16.416
Operator II	\$14.656	\$14.999	\$15.357	\$16.059	\$16.746	\$17.448
Operator III	\$16.575	\$16.959	\$17.356	\$18.150	\$18.931	\$19.725
Foreman	\$18.163	\$18.586	\$19.024	\$19.884	\$20.757	\$21.618
Pretreatment Coordinator	\$19.182	\$19.645	\$20.095	\$21.010	\$21.922	\$22.836
<u>Maintenance/Equipment Operation Series:</u>						
Labor I	\$11.954	\$12.246	\$12.523	\$13.093	\$13.662	\$14.232
Labor II	\$13.384	\$13.702	\$14.032	\$14.668	\$15.303	\$15.939
Equip Operator	\$14.032	\$14.363	\$14.708	\$15.370	\$16.045	\$16.707
Heavy Equipment Operator / Foreman	\$15.330	\$15.687	\$16.059	\$16.787	\$17.514	\$18.243
Supervisor	\$17.673	\$18.097	\$18.507	\$19.355	\$20.189	\$21.036
<u>Staff Support Series:</u>						
Secretary/Receptionist	\$13.106	\$13.424	\$13.741	\$14.363	\$14.986	\$15.609
Administrative Clerk	\$13.516	\$13.835	\$14.151	\$14.800	\$15.437	\$16.084

***POLICE DEPARTMENT**

The following lists the current classifications and the progressive steps for positions within the Police Department. The following classifications are subject to time-in-grade requirements. Requirements for hiring, advancement and review, if different from those previously stated, are set out in the current union contract.

POSITION:	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
Communications Specialist	\$15.188	\$15.495	\$15.800	\$16.445	\$17.101	\$17.789
Patrol Officer	\$17.654	\$18.075	\$18.495	\$19.336	\$20.178	\$21.019
Sergeant	\$20.983	\$21.486	\$21.990	\$22.981	\$23.989	\$24.981

***FIRE DEPARTMENT**

The following lists the current classifications and the progressive steps for positions within the Fire Department.

POSITION:	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
Firefighter	\$12.430	\$12.729	\$13.027	\$13.624	\$14.207	\$14.804
Firefighter-Medic	\$12.918	\$13.216	\$13.529	\$14.140	\$14.764	\$15.374
Fire Captain	\$14.669	\$15.022	\$15.374	\$16.067	\$16.772	\$17.464
Fire Marshall	\$17.980	\$18.393	\$18.825	\$19.687	\$20.534	\$21.395

ELECTED AND APPOINTED OFFICIALS

Salaries of elected and appointed officials are not subject to the provisions of the step plan and are as follows:

Mayor	\$23,024
Attorney	\$51,650
City Council	\$ 7,931

OVERTIME PAY:

Each full time employee, other than exempt supervisory personnel, shall receive time and one-half for work performed when called for overtime duty by the supervisor in charge. A minimum of one hour overtime shall apply in such recall to duty. If the supervisor so grants, compensatory time may be given in lieu of overtime. The following positions are classified as exempt and are not subject to overtime or compensatory time provisions:

Public Works Director, Finance Officer, Chief of Public Safety, Parks Director, Human Resources Director, Golf/Cemetery Director, Street/Sanitation Superintendent, Senior Services Executive Director, Assistant Fire Chief, Deputy Police Chief, Utilities Superintendent, Water Superintendent, Field Operations Superintendent, City Planner, Detective Lieutenant, Communications Supervisor, Engineering Supervisor, Library Director, Corn Palace Director, Deputy Finance Officer, Recreation Center Director, Recreation Director, Operations Supervisor, Deputy Director of Public Works, Wastewater Superintendent/Pretreatment Coordinator.

SHIFT DIFFERENTIAL PAY:

Employees scheduled to work a swing shift or graveyard shift shall be paid an additional \$.50 per hour to a maximum of \$4.00 per each swing shift or late shift worked. Full time employees within the Police Department will receive shift differential pay according to the schedule set out in the current union contract.

TEMPORARY, SEASONAL WAGES:

The hourly wage of temporary, seasonal employees range on an average from the federal minimum wage of \$7.25 per hour to \$12.05 per hour and is determined by the supervisor based on job requirements, skill and experience.

Motion carried and resolution declared duly adopted.

Moved by Carpenter, seconded by Olson, to adopt Resolution #2787, Credit Card Usage, as follows:

**RESOLUTION #2787
CREDIT CARD USAGE**

PREAMBLE:

That the City of Mitchell collects numerous fees, to include fees for water, sewer, and garbage collection. That the fees collected for water, sewer, and garbage collection are committed to bond payments and budgeted expenses. That some patrons are requesting the ability to use credit cards for payment of these utilities fees and other fees.

That to avoid seeking permission from bond holders for the reduction of the stream of income on the utilities and for ease of administration of the use of credit cards it will be necessary that all surcharges be passed on to the patrons.

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

That the Finance Officer is authorized to implement the usage of credit cards issued by VISA or MASTERCARD, or such other vendors as deemed appropriate by the Finance Officer, subject to the Finance Officer charging an additional fee of three per cent (3%) of the amount being paid by the patron on the fees charged by the City of Mitchell.

Motion carried and resolution declared duly adopted.

Moved by Barington, seconded by Carpenter, to adopt Resolution #2788, Lakeview Golf Course Clubhouse Manager Contract for 2010 through 2012, as follows:

**RESOLUTION NO. 2788
LAKEVIEW GOLF COURSE CLUBHOUSE MANAGER CONTRACT
FOR 2010-2012**

RESOLUTION APPROVING CONTRACT FOR THE CLUBHOUSE MANAGER FOR
YEARS 2010 THROUGH 2012

Be it resolved by the City Council of the City of Mitchell, SD as follows:

1. That the Contract for the CLUBHOUSE MANAGER FOR YEARS 2010 THROUGH 2012 (copy attached) is hereby approved and adopted.

Motion carried and resolution declared duly adopted. The Clubhouse Manager Agreement is on file in the Finance Office.

Moved by Beck, seconded by Smith, to adopt Resolution #2789, Establishment of Lake Mitchell Advisory Committee, as follows:

**RESOLUTION #2789
ESTABLISHMENT OF LAKE MITCHELL
ADVISORY COMMITTEE**

PREAMBLE:

That the City of Mitchell believes that Lake Mitchell is a valuable asset that contributes to the welfare of the community economically and recreationally;

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

That the City Council authorizes the establishment of a Lake Mitchell Advisory committee, hereinafter referred to as the “Board” to enhance Lake Mitchell and surrounding areas.

Membership: The Board shall consist of not less than seven (7) nor more than (10) members, of whom two (2) members shall have a residency within the City limits of Mitchell south of 23rd Street, and all of said members shall be appointed by the Mayor and approved by the City Council, and shall meet monthly or more frequently as needed.

Terms of Office: All Board members shall reside within the City or have a Mitchell mailing address and shall serve a term of three (3) years: except, that when the Board is first appointed, the lengths of the terms shall be varied in such a fashion as to assure that no more than one-third (1/3) of the terms expire in any given year. Thereafter, appointment of each member shall be for a full three (3) year term unless the appointment is made to fill a vacancy. Members shall be eligible for three (3) consecutive terms, and members appointed for less than three (3) years will not to be considered appointed for a “term”.

Organization: The Board shall elect officers yearly from its membership, to consist of a chair and vice chair who shall serve no more than three (3) consecutive years in the same capacity. Mitchell Park and Recreation shall furnish a recording secretary at all meetings.

Powers and Duties;

1. Monitor the water quality, as deemed necessary, and recommend methods for improving its quality;
2. Enhance the recreational use of the lake and surrounding areas;
3. Enhance surrounding areas of the lake for public access and view;
4. Recommend use and policies for the lake and surrounding areas;
5. Work jointly with Mitchell Park and Recreation to establish the best use of boat docks and beaches at the lake;
6. Work jointly with the Department of Public Works on water quality and shore line restoration;
7. Provide an annual presentation to Council during budget hearings.

Randy Ahrendt, Parks, Recreation and Forestry Director, addressed the council members and expressed his agreement that Lake Mitchell needs to be promoted more and that the advisory committee is a good idea. Ahrendt also stated that the Park Board is already established and has the authority to make policies and other decisions regarding the lake and areas surrounding the lake. Ahrendt expressed concern that if the advisory committee is allowed to establish policies and procedures, there could be some potential problems in the future. Council Member Mel Olson stated that he does not agree with the establishment of this committee because it is just another level of bureaucracy that is not needed. Olson’s concern is that people will want to form boards or committees to oversee Cadwell Park, the Pepsi Soccer Complex or the Aquatic Center. After much

discussion, the Council Members changed #4 under Powers and Duties to say “Recommend,” rather than “Establish,” use and policies for the lake and surrounding areas and to add #7, to provide an annual presentation to Council during budget hearings.

Council members present voting aye: Allen, Backlund, Barington, Beck, Carpenter, Houwman, Smith. Council members present voting nay: Olson. Motion carried and resolution declared duly adopted.

Moved by Beck, seconded by Carpenter, to adopt Resolution #2790, Interim Financing, as follows:

**Resolution #2790
Interim Financing**

Whereas, the City of Mitchell, South Dakota, must provide financing for fiscal year 2009 for the following fund until such time as monies are received from revenues:

722-2007 Special Assessment-Street Construction	\$18,000.00
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Now, therefore, be it resolved, by the City Council of the City of Mitchell, South Dakota, that the City of Mitchell, South Dakota, provide the necessary interim financing advancing funds from the following source:

216-Special Assessment Revolving Fund

Be it further resolved, that when monies are available, the Special Assessment Revolving Fund will be reimbursed without further action on the part of this council.

Motion carried and resolution declared duly adopted.

Moved by Houwman, seconded by Allen, to adopt Resolution #2791, Adopting State of SD Policies for Palace Transit, as follows:

**Resolution #2791
Adopting State of SD Policies for Palace Transit**

Whereas, the State of South Dakota Department of Transportation has mandated policy changes concerning Drug and Alcohol Testing for Palace Transit personnel and safety sensitive personnel, as defined by the State of SD,

Be it therefore resolved:

That the City of Mitchell adopts, for the covered employees of Palace Transit and safety sensitive personnel as defined by the State of South Dakota, all of the policies as promulgated by the South Dakota Department of Transportation concerning Drug and Alcohol Testing, and any subsequent amendments, as required by the State of South Dakota and/or the Federal Government.

Motion carried and resolution declared duly adopted.

Moved by Houwman, seconded by Beck, to adopt Resolution #2792, Declaration of Surplus Property, as follows:

**RESOLUTION #2792
DECLARATION OF SURPLUS PROPERTY**

PREAMBLE:

That the property described as:

Lot One (1) of North Harmon First Addition, a Subdivision of Government Lot Four (4) and the Southwest Quarter (SW ¼) Of the Northwest Quarter (NW ¼), all in Section Four (4), Township One Hundred Three (103) North, Range Sixty (60), West of the 5th P.M., Davison County, South Dakota

is real property which the City has determined is not needed in the municipality and for which it has no suitable purpose;

NOW THEREFORE, IT IS HEREBY RESOLVED BY THE CITY OF MITCHELL:

That the real property described as:

Lot One (1) of North Harmon First Addition, a Subdivision of Government Lot Four (4) and the Southwest Quarter (SW ¼) Of the Northwest Quarter (NW ¼), all in Section Four (4), Township One Hundred Three (103) North, Range Sixty (60), West of the 5th P.M., Davison County, South Dakota

be, and the same is hereby, declared as surplus property.

Motion carried and resolution declared duly adopted.

RATIFY:

Moved by Carpenter, seconded by Smith, to ratify the Engineering Agreement with SPN & Associates for the Minnesota Street Improvements Project. Motion carried.

CONSIDER APPROVAL:

Moved by Allen, seconded by Olson, to approve amending Ordinance #2321 to change the Special Revenue Fund – E911 Part-time amount from \$7,000.00 to \$14,000.00. Motion carried.

ORDINANCES:

Moved by Smith, seconded by Carpenter, to place Ordinance #2321, Supplemental Appropriations, on second reading. Motion carried. Moved by Carpenter, seconded by Beck, to adopt Ordinance #2321, Supplemental Appropriations, as follows:

**ORDINANCE NO. 2321
SUPPLEMENTAL APPROPRIATION ORDINANCE
AMENDING ORDINANCE NO. 2288
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 2009 according to statute:

GENERAL FUND

ATTORNEY

101-41410-42200	Professional Services	\$10,000.00
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The funding will come from General Fund cash balance.

INSURANCE & BONDS

101-41460-42120	Workmen's Compensation	\$5,000.00
101-41460-42130	Unemployment	\$5,775.00

The funding will come from General Fund cash balance.

STREET & SIDEWALK

101-43120-42515	Sanborn Concrete Joint Repair	\$9,400.00
101-43120-42520	Hazardous Sidewalk Repair	\$12,500.00

The funding will come from General Fund cash balance.

EMS

101-44600-42910	Refunds	\$5,000.00
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The funding will come from General Fund cash balance.

DEBT SERVICE

101-47000-23704	2009 B-Y Water Refunding	\$90,000.00
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The funding will come from General Fund cash balance.

SPECIAL REVENUE FUND

E-911

214-43500-41120	Part-time	\$14,000.00
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The funding will come from E-911 Fund cash balance.

PALACE TRANSIT

218-45150-42500	Repair & Maintenance	\$5,800.00
218-45150-43412	Radio System Upgrade	\$8,760.00

The funding will come from federal government grant funds (80%) and from Palace Transit Fund cash balance (20%).

CAPITAL PROJECTS FUND

SOCCER COMPLEX

524-46500-43300	Construction	\$25,000.00
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The funding will come from an operating transfer from the General Fund.

ENTERPRISE FUND

**WATER
DISTRIBUTION**

602-43340-43409	Water Meters	\$14,500.00
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The funding will come from Water Fund cash balance.

**SEWER
WASTE WATER TREATMENT**

604-43200-41700	Compensated Absence	\$17,350.00
604-43200-42800	Utilities	\$20,000.00

The funding will come from Sewer Fund cash balance.

**SEWER
PRE-TREATMENT**

604-43210-42550	Lab Fees	\$3,000.00
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The funding will come from Sewer Fund cash balance.

**CORN PALACE
SHOWS**

613-45620-42400	Sound & Light System	\$6,000.00
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The funding will come from Corn Palace Fund cash balance.

CORN PALACE

CONCESSIONS

613-45630-41120	Part-time	\$26,500.00
613-45630-42610	Cost of Goods Sold	\$22,500.00

The funding will come from Corn Palace Fund cash balance.

Motion carried and ordinance declared duly adopted.

Moved by Carpenter, seconded by Barington, to place Ordinance #2322, Supplemental Appropriations, on first reading. Motion carried.

SET DATE:

Moved by Allen, seconded by Backlund, that the 21st day of December, 2009 at 7:30 p.m. in the Council Chambers of City Hall be the date and time set for hearing on the application of Walgreen Co. for a Package (Off-Sale) Malt Beverage License. Motion carried.

Moved by Smith, seconded by Backlund, that the 21st day of December, 2009 at 7:30 p.m. in the Council Chambers of City Hall be the date and time set for hearing on the application of Walgreen Co. for a Retail (On-Off Sale) Wine License. Motion carried.

Moved by Allen, seconded by Backlund, that the 21st day of December, 2009 at 7:30 p.m. in the Council Chambers of City Hall be the date and time set for hearing on the application of Bathke Enterprises LLC dba One Eyed Jacks Casino for approval of Sunday sales for 2010 and the remainder of 2009. Motion carried.

Moved by Beck, seconded by Barington, that the 21st day of December, 2009 at 7:30 p.m. in the Council Chambers of City Hall be the date and time set for hearing on the application of Palace City Lions Club for a Special Event Malt Beverage License for a cage fighting event at the Corn Palace on January 8, 2010. Motion carried.

Moved by Allen, seconded by Beck, that the 21st day of December, 2009 at 7:30 p.m. in the Council Chambers of City Hall be the date and time set for hearing on the application to transfer Retail (On-Off Sale) Wine License (RW-7571) from Wade Greenwood dba Wine Cellar to Kelly Hohn. Motion carried.

Moved by Carpenter, seconded by Beck, that the 4th day of January, 2010 at 1:30 p.m. in the Council Chambers of City Hall be the date and time set to receive and consider bids for Class III Concrete Pipe – Project #2010-8. Motion carried.

CONSIDER APPROVAL:

Moved by Houwman, seconded by Olson, to approve an automatic supplement to the General Fund – Debt Service in the amount of \$6,251,000.00 for 2009 B-Y Water Bond Refunding from bond proceeds. Motion carried.

Moved by Houwman, seconded by Barington, to approve an automatic supplement to the Water Fund –

Distribution in the amount of \$2,138,000.00 for the I-90 Water Tower from SRF bond proceeds. Motion carried.

Moved by Carpenter, seconded by Allen, to approve Amendment #1 to Project #2011-2 for bridge on NW edge of Lake Mitchell (West End Bridge.) Overall project costs will increase to \$44,523.42, which is a \$2,701.99 increase. Motion carried.

Moved by Beck, seconded by Carpenter, to approve Amendment #6 to North Highway 37 Roadway Lighting. The net change for this amendment is a decrease of \$340.00. Motion carried.

Moved by Smith, seconded by Allen, to authorize the purchase from Mitchell Ford for a Street Department Pickup – Project #2009-20 in the amount of \$19,433.00 off the state bid. Motion carried.

Moved by Backlund, seconded by Beck, to approve the application of David Fyler for a Taxicab Drivers License. Motion carried.

The application of Robert Zoon for a Taxicab Drivers License was withdrawn.

Moved by Allen, seconded by Backlund, to approve a request of the SD Lions Foundation to conduct a raffle with the drawing to be held on January 30, 2010. Motion carried.

Moved by Allen, seconded by Carpenter, to approve a request of the James River Gobblers N.W.T.F. to a raffle with the drawing to be held on February 6, 2010. Motion carried.

Moved by Carpenter, seconded by Allen, to approve a request to submit for a grant through the SDML Workers' Compensation Fund EMS Equipment Grant Application for a power cot and power chair to be used in the ambulance. The city's share for the cot will be \$8,073.00 and for the chair will be \$1,916.00. Motion carried.

ABATEMENT AND REFUND OF TAXES:

Moved by Beck, seconded by Backlund, to approve the abatement and refund of taxes in the amount of \$135.82 to Frederick or Elaine Joromo for Lot #38, Parkview Mobile Home Park, due to loss from fire. Motion carried.

PAY ESTIMATES:

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

- pay estimate #6 in the amount of \$486,380.68 for Foster Street Lift Station Project #2008-2 contracted with Northern Plains Construction,
- pay estimate #10 in the amount of \$9,817.64 for Hazardous Sidewalk Project #2009-4C contracted with Colwell Concrete,
- pay estimate #6 in the amount of \$17,575.19 for Paving & Overlay Project #2009-15 contracted with Commercial Asphalt,

- pay estimate #5 in the amount of \$367.20 for Old Landfill Leachate Monitoring Project #2009-28 contracted with Leggette, Brashears & Graham,
- pay estimate #8 in the amount of \$489.60 for New Landfill Monitoring Project #2009-29 contracted with Leggette, Brashears & Graham,
- pay estimate #2-Final in the amount of \$1,160.00 for Sanitary Sewer CIPP Liner Project #2009-32 contracted with A-Tech Sewer,
- pay estimate #2 in the amount of \$119,212.00 for Pepsi Soccer complex Phase II Project #2009-33 contracted with Mueller Lumber Company,
- pay estimate #6 in the amount of \$72,913.50 for AIP `23 Runway 12/30 Reconstruct contracted with Muth Electric Inc.,
- pay estimate #6 in the amount of \$199,823.59 for AIP `23 Runway 12/30 Reconstruct contracted with Commercial Asphalt, and
- pay estimate #1 in the amount of \$1,980.00 and pay estimate #2 in the amount of \$6,435.00 for AIP `23 Runway 12/30 Reconstruct contracted with Aaron Swan & Associates.

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

BILLS:

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

PAYROLL, NOVEMBER 1, 2009 – NOVEMBER 14, 2009: City Council-\$2,440.24, Mayor-\$885.54, Attorney-\$1,986.55, Finance-\$9,778.79, Human Resources-\$2,698.24, Information Technology-\$1,329.11, Police-\$55,945.76, Traffic-\$2,957.99, Fire-\$32,759.96, Street-\$22,811.36, Public Works-\$14,776.36, Cemetery-\$3,072.49, Animal Control-\$1,275.11, Emergency Medical Services-\$8,905.17, Library-\$9,765.51, Playground & Athletics-\$3,860.14, Recreation Center-\$9,851.75, Ice Arena-\$1,221.88, Cadwell-\$3,827.60, Soccer Complex-\$128.00, Park-\$6,690.39, Supervision-\$5,195.68, Forestry-\$2,636.08, E911-\$16,133.61, RSVP-\$3,252.48, Palace Transit-\$15,999.23, Nutrition-\$1,649.90, Water-\$7,424.16, Water Distribution-\$8,787.79, Sewer-\$9,545.12, Airport-\$1,666.96, Waste Collection-\$8,821.4, Landfill-\$6,756.49, Corn Palace Maintenance-\$9,513.31, Corn Palace Decorating-\$5,041.38, Corn Palace Shows-\$3,273.09, Corn Palace Concessions-\$2,479.55, Golf Course-\$4,977.27.

NEW HIRES (per hour rate):

Corn Palace Concessions: Jacob Brunsen-\$7.25

Ice Arena: Collin Gronseth-\$7.75; Miles Johnson-\$7.50; Keely Nelson-\$7.50; Sean Nicolaus-\$7.75;

Cami Rauscher-\$7.75; Anna Rice-\$7.25; Dylan Thompson-\$7.50

Palace Transit: Beverly Thompson-\$10.00; Paul Thompson-\$10.00

Playground & Athletics: Cathleen Flynn-\$7.25; Lindsay Lawrence-\$7.25; Josh Lowe-\$10.00; Yvonne Ramirez-\$7.25; Jeremy Tosaya-\$10.00

Rec Center: Clay Loneman-\$7.25; Dawn Morgan-\$8.50

Swimming Pool: Nimisha Bhat-\$7.25; Kim Duff-\$7.25

WARRANTS: A & B Business, Supplies-\$874.76, A-Ox Welding Supply, Supplies-\$198.28, A-Tech Sewer Cleaning & Video, Contract Services-\$1,160.00, Aaron Swan & Associates, Contract Services-\$8,415.00, Accounts Management, Payroll Deduction-\$295.19, Advance Auto Parts, Parts-\$69.47, Aflac, Aflac Withholding-\$6,642.38, Aflac/Flex One, Flex One Checks-\$3,940.45, AIA Corporation, Supplies-\$212.27, Alfred Stratton, Refund-\$41.16, Alltel, Utilities-\$2,120.07, American Garage Door, Parts-\$225.61, Anna Mae Spencer, Contract Services-\$450.00, American Planning Association, Books-\$151.00, Automatic Building Control, Annual Fire Alarm System Check-\$247.00, B-Y Water, Water Usage-\$28,665.00, Baker Bros Electric, Repairs-\$3,555.07, Bankwest, Loan Payment-\$12,995.29, Bartscher Concrete & Masonry, Handicap Ramp-\$603.84, Best Western Ramkota Inn, Travel-\$162.23, Bilco Company, Supplies-\$235.00, Blue Cross Blue Shield, Refund-\$64.60, Bowes Construction, Hydrant Meter Refund-\$1,000.00, Boyer Trucks Sioux Falls, Parts-\$61.35, Break Time Portables, Contract Services-\$40.00, Brian Wendelboe, Travel-\$22.00, Brown Traffic Products, Parts-\$750.00, Bryan Rock Products, Supplies-\$305.78, Business Products, Supplies-\$869.91, Butler Machinery, Parts-\$911.56, Campbell Supply, Supplies-\$790.66, Carquest Auto Parts, Parts-\$16.79, CDW Government, Equipment-\$802.03, Centennial Carpet, Labor & Carpet-\$1,881.28, Central Electric Cooperative, Utilities-\$1,089.26, Chad Colwell Concrete, Contract Services-\$9,817.64, Chicken Coupe, Meals-\$63.69, City of Mitchell, Payroll Deduction-\$50.00, Coca Cola Bottling, Supplies-\$189.00, Commercial Asphalt, Contract Services-\$217,398.78, Commercial Asphalt/Spencer Quarries, Hot Mix-\$1,969.52, Corn Palace Concessions, Supplies-\$64.00, Cortrust Bank, TID #8 Payment-\$12,995.29, County Fair, Supplies-\$67.49, CP Distribution, Supplies-\$308.00, Craig Fuerst, Tool Allowance-\$31.93, D & E Music & Vending, Supplies-\$105.50, Dakota Counseling Institute, 2009 Allocation-\$15,500.00, Dakota Fluid Power, Supplies-\$1,463.26, Dakota Pump, Parts-\$25,790.98, Dakota Supply Group, Supplies-\$29.76, Daktronics, Parts-\$492.76, Dan Grigg Images, Supplies-\$535.69, Dan Sabers, Contract Services-\$4,726.08, Danko Emergency Equipment, Supplies-\$140.44, Davison County Register of Deeds, Copies-\$5.00, Davison Rural Water System, Usage-\$35.90, Day-Timers, Supplies-\$64.23, Daylight Donut, Rolls-\$71.90, Dell Marketing LP, Computer-\$511.69, Delta Dental Plan of South Dakota, Dental Insurance-\$11,001.72, Dependable Sanitation, Recycling-\$17,083.00, Department of Social Services, Child Support-\$2,099.10, Domino's Pizza, Pizza's-\$114.86, Donna Wiczorek, Contract Services-\$275.00, Ebsco, Supplies-\$7,295.17, Ellefson Implement, Parts-\$247.35, Emery Senior Citizens, Utilities Reimbursement-\$84.43, Environmental Toxicity Control, Testing-\$275.00, Farnams Genuine Parts, Parts-\$13.78, Farner-Bocken Company, Supplies-\$5,369.88, Fastenal Company, Supplies-\$40.85, First Bankcard, Supplies-\$2,390.76, First Dakota National Bank, TID #8 Payment-\$34,413.47, First National Bank, TID #8 Payment-\$12,995.29, Floor to Ceiling Store, Supplies-\$561.84, Florida Micro, Supplies-\$67.24, FM Acoustical Tile, Supplies-\$97.28, Frito-Lay, Supplies-\$264.24, Fulton State Bank, TID #8 Payment-\$12,995.29, Galls, Supplies-\$884.50, General Drivers & Helpers, Union Dues-\$179.00, Geotek Engineering, Asbestos Building Survey-

\$1,143.00, Government Employees Health, Refund-\$24.72, Grainger, Supplies-\$170.28, Great Western Tire Company, Tires-\$759.80, Guest Services, Registration-\$232.20, Harve's Sport Shop, Supplies-\$27.00, HD Supply Waterworks, Supplies-\$4,408.58, Henry Schein, Supplies-\$144.00, Hohn Electronics, Rental Fees-\$55.00, Home Federal Bank, TID #8 Payment-\$34,360.96, Howard Pitch Entertainment, Artist Deposit-\$5,100.00, In The Swim, Pool Chemicals-\$396.90, Institutions Services, Equipment Stand-\$235.08, Integrity Transcription, Transcribing Service-\$500.00, Interstate Glass & Door, Labor-\$959.62, Interstate Office Products, Supplies-\$176.64, JC Penney, Supplies-\$389.53, James Valley Community Center, Contract Services-\$975.00, James Valley Nursery, Supplies-\$407.92, JCL Solutions-Janitors Closet, Supplies-\$626.20, Jones Supplies, Supplies-\$278.82, K-Mart, Supplies-\$160.18, Karen Heiser, Contract Services-\$200.00, Katie Buschbach, Personal Training Fee-\$293.00, KMIT/KOOL 98, Advertising-\$260.00, Knology, Supplies-\$52.11, Kone, Repairs-\$521.19, Kris Murtha, Reimbursement-\$5.93, Krohmer Plumbing, Repairs-\$73.98, Kurt Geres, Travel-\$25.50, Kyburz-Carlson Construction, Hydrant Meter Deposit Refund-\$1,000.00, Lakeview Golf Course, Payroll Reimbursement-\$4,273.06, Lakeview Sales, Supplies-\$135.50, Lawson Products, Supplies-\$388.67, Leggette Brashers & Graham, Contract Services-\$856.80, Leila Schamber, Contract Services-\$350.00, Lilas Greenway, Reimbursement-\$6,000.00, Lloyd Huber, Piano Tuning-\$75.00, Lois E. Huber, Contract Services-\$629.00, MC&R Pools, Supplies-\$30.88, Mcfarland Supply Company, Supplies-\$6.94, Mcleod's Printing, Supplies-\$2,858.36, Mebius Nursery & Landscaping, Repairs-\$84.00, Med-Tech Resource, Supplies-\$30.13, Meierhenry Sargent LLP, Legal Services-\$8,000.00, Menard's, Supplies-\$864.52, Meridian Grain, Road Salt-\$1,335.32, Meyers Oil Company, Supplies-\$839.30, Michaels Fence & Supply, Supplies-\$128.32, Midcontinent Communications, Utilities-\$51.43, Midwest Tire & Muffler, Tires-\$448.00, Minnesota Valley Testing, Lab-\$315.00, Mitchell Area Chamber of Commerce, December Funding-\$2,587.50, Mitchell Area Convention Visitors Bureau, December Funding-\$18,112.50, Mitchell Area Development Corporation, December Funding-\$5,175.00, Mitchell Area Safehouse, Allocation-\$2,500.00, Mitchell Concrete Product, Supplies-\$87.00, Mitchell Ford, Parts-\$229.44, Mitchell Iron & Supply, Supplies-\$1,126.56, Mitchell Plumbing & Heating, Supplies-\$14.00, Mitchell School District, City Share-\$1,139.13, Mitchell Telecom, Utilities-\$57.95, Mitchell United Way, United Way Deductions-\$313.50, Mueller Lumber, Supplies-\$119,424.80, Municipal Emergency Services, Supplies-\$326.14, Muth Electric, Fabricators Sales/Use Tax Refund-\$81,715.38, Neve's Uniforms, Uniform Accessories-\$69.05, Newman Traffic Signs, Supplies-\$1,309.50, Nick Swinhart, Travel-\$122.84, Noridan Medicare, Refund-\$258.42, Northern Balance & Scale, Labor-\$165.00, Northern Plains Construction, Contract Services-\$486,380.68, Northland Chemical, Supplies-\$719.80, Northwestern Energy & Communications, Utilities-\$27,510.98, NPC International, Pizza-\$32.17, Office of Weights & Measurement, Test Reports-\$103.00, Palace Cleaners, Mats-\$237.25, Pennington County Sheriff, Evaluation-\$300.00, Pepsi Cola Company, Water Cooler Rent-\$190.10, Petty Cash, Reimbursement-\$59.00, Plastow & Associates, Computer Repairs-\$701.02, Pony Creek Steakhouse, Contract Services-\$2,793.60, Porter Distributing, Supplies-\$195.00, Premier Pest Control, Pest Control-\$130.00, Pristine Water Solutions, Generator Lease & Chemicals-\$715.99, Qualified Presort, Supplies-\$1,356.45, Qwest, Utilities-\$2,497.80, Rapid City Journal, Advertising-\$245.00, River Cities Public Transit, Phone Lines for November-\$112.00, Rock Garden Nursery, Labor-\$3,180.00, Romeo Entertainment Group, Booking Fee-\$750.00, Sam's Club, Supplies-\$497.80, Sandy Parks, Supplies-\$400.00, Sanitation Products, Parts-\$704.79, Santel Communications, Utilities-\$132.90, Schuyler Rubber Company, Supplies-\$959.07, Scott Supply, Parts-\$38.01, South Dakota Department of Health, Lab-\$241.00, South Dakota Department of Revenue, Supplies-\$32.00, South Dakota Public Assurance Alliance, Property Coverage-\$150.00, South Dakota Redbook Fund, Books-\$450.00, South Dakota Retirement System,

South Dakota Retirement System Payment-\$88,155.26, South Dakota State Treasurer, Sales Tax Payment-\$11,698.65, South Dakota-Supplemental Retirement, Supplemental Retirement Payment-\$4,098.66, Service Lighting Company, Supplies-\$623.30, Sharon Rehorst, Contract Services-\$75.00, Sheehan Mack Sales & Service, Parts-\$1,309.70, Shopko, Supplies-\$187.31, Sioux Falls Two-Way Radio, Install New Radio-\$319.97, Sportsmith, Supplies-\$121.70, Steve Anderson, Travel-\$18.00, Sturdevant's Auto Parts, Parts-\$3,966.02, Sun Gold Trophies, Supplies-\$1,164.63, Sun Life Financial, Life Insurance Deductions-\$2,108.78, Test America Laboratories, Lab Fee-\$1,582.91, Thune True Value Hardware, Supplies-\$199.21, Titze Electric & Remodeling, Repairs-\$1,438.63, TK Electric, Repairs-\$294.42, Tractor Supply, Supplies-\$164.97, Tri Air Testing, Air Testing Equipment-\$129.00, Twirl Jet Spas, Supplies-\$81.59, Tyler Technologies, Annual Software-\$287.00, United Energy, Propane-\$22,490.68, United Rentals Northwest, Repairs-\$567.96, UPS Store, Metered Mail-\$611.17, US Bank, TID #8 Payment-\$12,995.29, United States Postal Service, Postage-\$184.00, Variety Foods, Supplies-\$1,653.16, Velvet Uniforms, Supplies-\$1,496.46, Virginia Limberg, Personal Training Fee-\$1,072.00, Walmart Community, Supplies-\$493.33, Weisser's A-1 Air Conditioning, Service Work-\$63.84, Wells Fargo, TID #8 Payment-\$12,995.29, Wells Fargo Bank, Escrow Agent Fee-\$1,000.00, Wells Fargo Bank Na, TID #4 Payment-\$24,442.42, Wells Fargo Brokerage Services, Bond Payment-\$388,837.50, Wells Fargo~Payroll Taxes, Federal Income Tax-\$158,543.11, West Payment Center, Books-\$91.50, Wheelco Brake & Supply, Supplies-\$689.72, Wholesale Electronics, Supplies-\$60.52, Xybix Systems, Supplies-\$63.00.

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

EXECUTIVE SESSION:

Moved by Carpenter, seconded by Backlund, to go into executive session as permitted by SDCL 1-25-2 (4) as requested by City Attorney Randy Stiles. Motion carried. Moved by Backlund, seconded by Olson, to come out of executive session. Motion carried.

ADJOURN:

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

Marilyn Wilson
Finance Officer