

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

**NOVEMBER 5, 2010
12:00 P.M.**

PRESENT: Dan Allen, Geri Beck, Travis Carpenter, Scott Houwman, Jeffrey Smith

ABSENT: Doug Backlund, Marty Barington, Mel Olson

PRESIDING: Mayor Lou Sebert

AGENDA:

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

CANVASS ELECTION RETURNS:

The Council canvassed the returns of the Referred Ordinance Election and Initiated Measure Election held on November 2, 2010.

RESOLUTION:

Moved by Beck, seconded by Carpenter, to adopt Resolution #2870, Canvass Election Returns, as follows:

**RESOLUTION #2870
CANVASS ELECTION RETURNS**

WHEREAS, the members of the City Council of the City of Mitchell, Davison County, South Dakota, have convened on Friday, November 5, 2010 at 12:00 noon for the purpose of canvassing returns of the Municipal Election as provided by law, said election having been held on Tuesday, the 2nd day of November, 2010, in the City of Mitchell, South Dakota for the purpose of Referred Ordinance Election and Initiated Measure Election.

BE IT RESOLVED, that the following is a true and correct abstract of the returns of said election held on November 2, 2010:

MUNICIPAL REFERRED ORDINANCE

The following referendum is referred to the voters by petition. The ordinance will not become effective unless approved by majority vote.

The South Dakota Code allows the off-sale of alcoholic beverages on Sunday if permitted by the municipality. Requests were made to allow the off-sale of alcoholic beverages on Sunday. An ordinance was passed allowing the off-sale of alcoholic beverages on Sunday. Petitions were filed with the City requesting the ordinance be referred to the citizens of Mitchell for their approval of this ordinance.

Yes	2,388
No	3,060

MUNICIPAL INITIATED MEASURE

The following initiated measure is proposed by petition for submission to the voters. The initiated measure will not become effective unless approved by majority vote.

A petition was filed with the City requesting that pieces of real estate owned by the city be permanently dedicated for public use as parks, nature trails, biking trails, hiking trails and similar uses and be preserved to serve as a buffer for surface waters draining into Lake Mitchell. All property subject to this request is city property that abuts the shoreline of Lake Mitchell.

Yes	2,811
No	2,529

Motion carried and resolution declared duly adopted.

ADJOURN:

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

Marilyn Wilson
Finance Officer