

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

**December 17, 2018  
6:00 P.M.**

**PRESENT:** Dan Allen, Marty Barington, John Doescher, Kevin McCardle, Steve Rice,  
Dan Sabers, Jeffrey Smith, Susan Tjarks

**ABSENT:**

**PRESIDING:** Mayor Bob Everson

**AGENDA:**

Moved by Allen, seconded by Tjarks, to remove item "e" Set date of 01-07-19 for hearing on the application to transfer MG Oil Company DBA EZ\$ Pub, 1801 North Main Street, Ste 3-4-5-6, Mitchell to MG Oil Company DBA EZ\$ Pub/Village Bowl, 1500 North Duff Street, STE F, Mitchell from the consent agenda and to approve the following items on the consent agenda:

- a. City Council Minutes
  1. City Council December 3, 2018.
- b. Committee Meeting Minutes
  1. Planning Commission November 13, 2018.
- c. Department Reports
  1. Finance (November),
  2. Sales Tax Collections (November),
  3. Building Permits (November),
  4. Police (November),
  5. Fire (November),
  6. EMS (November),
  7. Fire & EMS Combined (November),
  8. Palace Transit Ridership (November),
  9. Airport (November), and
  10. Water Distribution (November).
- d. Raffle Permits
  1. MTI Mavericks Rodeo Team with the drawing to be held on January 12, 2019,
  2. James River Gobblers Chapter NWTF with the drawing to be held on February 2, 2019,
  3. Mitchell Skating and Hockey Association with the drawing to be held on February 24, 2019,
  4. Life Quest-Dancing for Dreams Event with the drawing to be held on March 22, 2019, and
  5. Mitchell Lion's Club with the drawing to be held on April 6, 2019.

- f. Set date for bid opening 1:30 p.m., January 17, 2019 for Sanborn Street Phase II & III Reconstruction City Project #2019-22, and Sanborn Bridge Improvements City Project #2018-22B.
- g. Approve 2019 Taxi License Applications
  - 1. Robert Unruh,
  - 2. E-Z Ride Taxi,
  - 3. Palace Transit,
  - 4. Granite Springs, and
  - 5. Derek Davis.
- h. Change Order #1 Sidewalk Project Schedule B City Project #2018-4B increasing contract amount by \$2,320.29 for final quantities for sidewalk and miscellaneous work for hazardous sidewalk contracted to Top Grade Concrete adjust contract amount to \$54,215.29.
- i. Authorization to apply for State Grant for Landfill Compactor City Project #2019-18.
- j. Authorize purchase of 3/4 Ton Pickup City Project #2019-20.
- k. 2017 Delinquent Utility Billing Account Write-Offs
- l. 2018 Ambulance Mandatory Write-Offs

m. Gas & Fuel Quotation

<u>Country Pride Coop</u>	<u>Requested Gallons</u>	<u>Bid Gallons</u>	<u>Price per Product</u>	<u>Total Bid</u>
On Road Diesel-#2	1,100	1,100	\$2.31	\$ 2,541.00*
On Road Diesel-#1	1,100	1,100	\$2.69	\$ 2,959.00*
Off Road Diesel -#2	2,650	2,650	\$2.03	\$ 5,379.50*
Off Road Diesel -#1	2,650	2,650	\$2.41	\$ 6,386.50*
Total Bid:				\$17,266.00*

Country Pride was the only bidder for items marked with an asterisk.

- n. Pay Estimates December 17, 2018
  - Pay Estimate #4 in the amount of \$5,952.05 for Sidewalk-Schedule "B" #2018-4 contracted to Top Grade Concrete,
  - Pay Estimate #1-Final in the amount of \$56,500.00 for Jitters Demo-512 N Main #2018-8 contracted to VanderPol Dragline Inc.,
  - Pay Estimate #4 in the amount of \$135.00 for Jitters Demo-512 N Main #2018-8 contracted to L.L. Jirsa, Architect,
  - Pay Estimate #1 in the amount of \$134,096.70 for Asphalt/Concrete Crushing #2018-9 contracted to Intex Corporation,
  - Pay Estimate #6 in the amount of \$1,147.50 for East Havens Watermain Loop #2018-25 contracted to SPN & Associates,
  - Pay Estimate #2 in the amount of \$13,600.00 for Kibbee Ditch Tributary Design #2018-31 contracted to SPN & Associates,
  - Pay Estimate #2 in the amount of \$5,350.00 for Waste Water Collection Evaluation #2018-34 contracted to SPN & Associates,
  - Pay Estimate #7 in the amount of \$14,640.00 for East Central Drainage-Storm Sewer #2018-39 contracted to SPN & Associates,

Pay Estimate #2 in the amount of \$2,485.20 for Sanborn Phase II & Phase III-Street #2018-22 contracted to SPN & Associates,

- o. Approve Bills, Payroll, Salary Adjustments and New Employee Hires and Authorize Payment of Recurring and other expenses in advance as approved by the Finance Officer

**PAYROLL NOVEMBER 4, 2018 – NOVEMBER 17, 2018:** City Council \$3,016.00, Mayor \$1,255.00, City Administrator \$4,808.42, Attorney \$3,871.18, Finance \$12,951.35, Human Resources \$3,382.92, Municipal Building \$3,272.58, Information Technology \$2,514.44, Police \$68,453.26, Traffic \$4,312.80, Fire \$47,211.46, Street \$25,797.17, Public Works \$19,196.52, Cemetery \$3,674.47, Animal Control \$1,423.52, Emergency Medical Services \$10,695.77, Library \$13,452.40, Recreation & Aquatics \$6,901.41, Recreation Center \$14,212.91, Sports Complexes \$9,705.06, Parks \$10,758.24, Supervision \$5,010.24, E911 \$23,819.29, RSVP \$5,523.97, Palace Transit \$18,125.98, JVCC \$1,428.00, Nutrition \$985.00, Water Distribution \$12,464.65, Sewer \$12,322.24, Airport \$2,698.36, Waste Collection \$10,939.67, Landfill \$8,354.71, Corn Palace \$24,284.92, Golf Course \$5,505.80.

**PAYROLL NOVEMBER 18, 2018 – DECEMBER 1, 2018:** City Council \$3,016.00, Mayor \$1,255.00, City Administrator \$4,858.42, Attorney \$3,971.18, Finance \$17,601.36, Human Resources \$5,432.92, Municipal Building \$3,895.62, Information Technology \$2,593.44, Police \$83,840.53, Traffic \$6,434.02, Fire \$54,116.04, Street \$35,280.27, Public Works \$25,196.50, Cemetery \$4,478.49, Animal Control \$1,423.52, Emergency Medical Services \$15,113.43, Library \$20,109.92, Recreation & Aquatics \$8,145.04, Recreation Center \$15,147.27, Sports Complexes \$12,812.59, Parks \$10,439.30, Supervision \$6,110.23, E911 \$30,748.56, RSVP \$6,263.12, Palace Transit \$22,489.80, JVCC \$1,345.13, Nutrition \$816.99, Water Distribution \$14,594.03, Sewer \$16,184.76, Airport \$3,969.45, Waste Collection \$13,458.90, Landfill \$9,437.40, Corn Palace \$22,698.71, Golf Course \$8,255.82

**NEW HIRES:**

CORN PALACE: Gage Renken-\$9.85, Blake Schentzel-\$11.35, Jacob Wolles-\$11.35, Colby Deseive-\$11.35, Tate Ellwein-\$8.85.

SPORTS COMPLEX: Zachary Uttecht-\$10.85, Turner Serr-\$10.85, Tanner Puetz-\$9.35.

FIRE: Matthew Rector-\$18.06.

LIBRARY: Ada Morales-\$9.35, James Fowkes-\$9.35.

**SALARY ADJUSTMENTS:**

POLICE: Dan Fechner-\$27.096.

STREET: Dale Star-\$20.135.

WASTE COLLECTION: Michael Stark-\$12.35.

CORN PALACE: Sarah Holzer-\$10.85.

RECREATION & ACQUATICS: Jamie Henkel-\$26.439.

**WARRANTS:** A & G Diesel, Supplies-\$790.97; A-OX Welding Supply, Supplies-\$449.66; AAA Collections, Garnishment-\$269.02; Adam Schulz, Rewards/Challenge-\$1,500.00; Advance Auto Parts, Supplies-\$49.29; Aflac, Aflac Withholding-\$10,109.52; Aflac Group, Critical Care-\$1,162.40; AFSCME Council 65, Union Dues-\$565.92; Alex Young, Reimbursement-\$120.19; Ameripride Services, Supplies-\$399.60; Avera Occupational Medicine, Contract Services-\$1,221.50; B-Y Water District, November Usage-\$42,124.80; Bailey Metal Fabricators, Supplies-\$4,430.91; Baker & Taylor, Books-\$2,408.93; Becker Arena Products, Supplies-\$1,862.67; Bender's Sewer Cleaning, Repairs-\$3,600.00; Better Containers, Supplies-\$270.50; Big Daddy D's, Contract Services-\$4,536.00; Blackstone Publishing, Supplies-\$110.04; Brandon Manchester, Reimbursement-\$100.00; Break Time Portables, Rental-\$95.00; Buhl's Drycleaning, Service-\$46.00; Builders First Source, TID #15-Probuid-\$30,822.76; Building Sprinkler, Supplies-\$368.70; Campbell Supply, Supplies-\$1,771.22; Carquest Auto Parts, Supplies-\$71.81; Casey Tegethoff, Reimbursement-\$10.97; Center Point Large Print, Books-\$89.28; Century Link, Utilities-\$61.06; Cindy Titze, Reimbursement-\$30.00; City of Mitchell, Utilities-\$3,420.05; Civicplus, Annual Fees-\$628.80; Coborn's, Contract Service-\$595.00; Coca Cola Bottling, Supplies-\$1,514.20; Commercial Asphalt, Supplies-\$3,543.98; Commercial Asphalt/Spencer Quarries-Supplies-\$3,497.16; Community Transportation, Membership-\$575.00; Core & Main, Supplies-\$1,300.00; Core-Mark Midcontinent, Supplies-\$1,224.49; Corn Palace Concessions, Supplies-\$12.00; Corporate Translation Service, Translating Service-\$1.30; Country Pride Coop, Supplies-\$33,772.85; County Fair, Supplies-\$197.27; County Fair, Contract Services-\$650.00; Craig Fuerst, Supplies-\$272.92; Cummins Sales and Service, Maintenance-\$452.88; Dak Tech, Supplies-\$3,198.00; Dakota Pump, Supplies-\$2,273.35; Dakota Supply Group, Equipment-\$4,702.96; Darrington Water Conditioning, Rentals-\$78.40; Davison County Extension, Supplies-\$200.00; Davison County Register of Deeds, Supplies-\$31.00; Davison Rural Water Systems, Utilities-\$75.40; Dearreader.Com, Subscription-\$350.00; Delta Dental Plan of South Dakota, Dental Premiums-\$14,329.78; Dependable Sanitation, Contract Services-\$23,800.00; Department of Social Services, Child Support-\$1,275.22; Dice Benefits Consulting, Administration Fees-\$522.00; Diesel Machinery, Supplies-\$163.77; Dug Out, Contract Services-\$672.00; Educational Development, Books-\$917.62; ELO Prof, Annual Audit-\$4,875.00; Farm & Home Publishers, Books-\$107.80; Farmers Alliance, Supplies-\$786.50; Fastenal, Supplies-\$41.40; Ferguson Waterworks #2516, Supplies-\$17.73; First Dakota National Bank, Morris-TID #20-\$4,565.16; Forum Communications, Advertising-\$3,416.19; Gale, Book-\$905.65; Galls, Supplies-\$176.20; Graham Tire, Repair-\$22.49; Happy Memories

Band, Contract Services-\$150.00; HF Scientific, Supplies-\$172.03; Hugh W Holmes, Contract Services-\$300.00; Ingram Library Services, Books-\$452.41; Innovative Office Solution, Supplies-\$204.85; Integrity Transcription, Transcribing Service-\$836.85; Intellipro Security, Repairs-\$345.11; Interstate Office Products, Supplies-\$331.40; Intex, 2018-9 P.E. #1-\$134,096.70; JCL Solutions, Supplies-\$784.14; JD Concrete Products, Supplies-\$86.00; Jeri Mickelson, Travel-\$830.05; Jessica Pickett, Travel-\$141.20; Jones Supplies, Supplies-\$168.63; Kimball-Midwest, Supplies-\$370.62; Krohmer Plumbing, Maintenance-\$15,119.74; Kully Supply, Supplies-\$57.60; Lakeview Veterinary Clinic, Service Dog Tommy-\$1,525.44; Larry Jirsa, Professional Service-\$405.00; Larry's I-90 Service, Repairs-\$3,499.87; Librarians' Choice, Books-\$751.64; M & T Fire and Safety, Supplies-\$972.00; Make It Mine Designs, Supplies-\$954.00; McLeod's Printing, Supplies-\$992.41; Mega Wash, Repairs-\$8.00; Menard's, Supplies-\$744.20; Messerli & Kramer, Garnishment-\$518.35; Meyers Oil, Supplies-\$2,120.30; Michael Todd & Company, Supplies-\$443.68; Midcontinent Communication, Utilities-\$2,459.92; Midwest Alarm Company, Repair-\$873.00; Midwest Turf & Irrigation, Supplies-\$684.68; Minnesota Valley Testing, Lab-\$1,369.00; Miscellaneous Vendor, Campbell, Refund-\$32.88; Mitchell Area Chamber of Commerce, 2018 Funding-December-\$5,417.00; Mitchell Area Convention Visitors Bureau, 2018 Funding-December-\$17,337.00; Mitchell Boys Basketball, Instructor Fees-\$700.00; Mitchell Concrete Product, Supplies-\$212.38; Mitchell Girls Basketball, Instructor Fees-\$700.00; Mitchell Iron & Supply, Supplies-\$622.66; Mitchell Telecom, Utility-\$2,447.39; Mitchell United Way, United Way Deductions-\$228.11; Mount Vernon School District, Contract Services-\$59.40; Mitchell Technical Institute, Stage Hands-\$1,500.00; Mueller Lumber, Supplies-\$1,122.49; Muth Electric, Supplies-\$10,609.30; Naeir, Supplies-\$37.75; Nalco, Supplies-\$64.00; Napa Auto Parts, Repair-\$1,365.47; Nate Hegg, Supplies-\$385.00; Nebraska Salt & Grain, Supplies-\$3,356.19; Northwestern Energy & Communications, Utilities-\$58,551.66; O'Reilly Automotive, Supplies-\$85.45; Online Computer Library Center, Supplies-\$341.81; Palace City Pawn, Supplies-\$100.00; Parkston Boom's Restaurant, Contract Services-\$2,623.00; Penguin Random House, Supplies-\$108.75; Pepper Entertainment, Entertainment-\$9,716.66; Pepsi Cola, Supplies-\$241.52; Petty Cash, Reimbursement-\$52.62; Porta Pros, Rental-\$350.00; Premier Pest Control, Contract Services-\$215.00; Public Safety Center, Supplies-\$188.94; Qualified Presort, Mailing Service-\$453.05; Recorded Books, Supplies-\$1,260.19; Rexwinkel Concrete, Repair-\$4,185.68; S & M Printing, Supplies-\$728.50; Saga Communications of South Dakota, Advertising-\$120.00; Samantha Chapman, Travel-\$63.84; Sanitation Products, Supplies-\$1,255.42; Santel Communications, Utilities-\$1,794.16; Satcom Global, Utilities-\$42.75; Schmucker Paul & Nohr, 2018-25 P.E. #6-\$37,222.70; Scholastic Library Publish, Books-\$221.17; Scott Supply, Supplies-\$1,238.20; South Dakota of Environment and Natural Resources, November Fees-\$2,354.35; South Dakota Department of Health, Lab-\$270.00; South Dakota Department of Health, Supplies-\$140.00; South Dakota Federal Property Agency, Supplies-\$22.00; South Dakota Retirement System, Retirement Contributions-\$61,884.45; South Dakota State Historical Society, Microfilming-\$80.00; South Dakota-Supplemental Retirement, Supplemental Retirement Contributions-\$3,012.66; South Dakota-Supplemental Roth 457, Roth 457 Contributions-\$425.00; Sign Pro, Supplies-\$48.40; Standard Insurance Company, Life Insurance-\$2,395.26; Staples Advantage, Supplies-\$326.86; Storey Kenworthy/Matt Parr,

Supplies-\$546.00; Streicher's-Minneapolis, Supplies-\$6,600.00; Sturdevant's Auto Parts, Supplies-\$1,180.71; Subway, Meals-\$32.45; Sun Gold Sports, Supplies-\$99.00; Tessier's, Repairs-\$1,778.24; Test America Laboratories, Lab-\$2,329.50; Thomas L Price, Professional Service-\$700.00; Thomson Reuters-West, November Charges-\$642.76; Three D Security, Maintenance-\$639.00; Thune True Value Hardware, Supplies-\$106.38; Ticketforce, Usage Fees-\$644.80; TK Electric, Maintenance-\$5,801.73; TMA Stores, Repair-\$18.54; Top Grade Concrete, 2018-4B P.E. #4-\$5,952.05; Travis Hohrman, Supplies-\$82.10; True North Steel, Supplies-\$10,206.00; Two Way Solutions, Repairs-\$382.99; United Parcel Services Store #4227, Shipping-\$194.80; Vanderpol Dragline, 2018-8 P.E. #1 Final-\$56,500.00; Verizon Wireless, Utilities-\$2,054.80; Vern Eide Ford Lincoln, Repairs-\$407.60; Walmart, Supplies-\$301.18; Watertown Wholesale, Supplies-\$100.20; Wheelco Brake & Supply, Supplies-\$724.70; Wholesale Electronics, Supplies-\$247.46; Wright Brothers Aviation, Maintenance Contract-\$500.00; Ellwein Brothers, Supplies-707.70; South Dakota State Treasurer, Sales Tax Payment-15,538.34; US Bank, 2013 Norway Lift Station-SRF-\$9,058.30; Wellmark, Medical Expenses-\$215,542.23; Corn Palace, ATM Checks-\$26.40; Wage Works, Flex Expense-\$5,394.10; City of Mitchell, Health Insurance-\$194,688.00.

Members present voting aye: Allen, Barington, Doescher, McCardle, Rice, Sabers, Smith, Tjarks. Members present voting nay: none. Motion carried.

#### **CONSIDER APPROVAL:**

Consent Agenda Item e. Moved by Allen, seconded by Rice, to approve the set date of 01-07-19 for hearing on the application to transfer MG Oil Company DBA EZ\$ Pub, 1801 North Main Street, Ste 3-4-5-6, Mitchell to MG Oil Company DBA EZ\$ Pub/Village Bowl, 1500 North Duff Street, STE F, Mitchell. Motion carried with Barington abstaining.

#### **CITIZENS INPUT:**

Council Member Steve Rice asked about the garbage pickup for Christmas Eve and Christmas Day. Street Superintendent Kevin Roth informed the City Council and the public that garbage collection for Monday, December 24, 2018 and Tuesday, December 25, 2018 will be collected on Wednesday, December 26, 2018. He stated that there will be notices published in the newspaper and on the City of Mitchell's website.

Council Member Kevin McCardle asked if the Christmas tree on the Corn Palace Plaza was a budgeted item. City Administrator Stephanie Ellwein stated that it was not required that the Christmas tree be bid because it did not reach the \$50,000.00 required bid amount.

#### **COMMITTEE REPORT:**

##### **Sidewalk:**

The Sidewalk Committee met on December 17, 2018. Sidewalk Committee Chairman Terry Johnson presented a review of the sidewalk projects for the remainder of the five-year plan.

Johnson presented the assessment cost, city cost and the amount of sidewalk in square feet for each area.

The Sidewalk Committee approved the proposed sidewalks for the following years 2019, 2020, and 2021.

Moved by Tjarks, seconded by McCardle, to approve the Committee Report. Motion carried.

**CONSIDER APPROVAL:**

Moved by Smith, seconded by Rice, to approve the renewal of Liquor License RL-5765 for V.V. Inc, DBA The Hideout. Motion carried.

**HEARING:**

It was advised that this is the date and time set for hearing on the application of Corn Palace Shrine Club for a Special Event Liquor License located at the Masonic Lodge for January 11, 2019 for the Mitchell Area Chamber Banquet. Notice of hearing has been given and affidavit of publication is on file. Moved by Rice, seconded by McCardle, to approve said application. Motion carried.

**BOARD OF ADJUSTMENT:**

Moved by Allen, seconded by Rice, for the City Council to recess and sit as the Board of Adjustment. Motion carried.

**HEARING:**

It was advised that this is the date and time set for hearing on the application of Boyd Reimnitz for a side yard on a corner variance of 12' vs 20' for placement of a detached garage located at 620 W 5th Ave, legally described as the W 50 feet of Lots 7, 8, and 9, Block 17, Rowley's 2nd Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential District. Notice of hearing has been given according to statute and affidavit of publication is on file. The Planning Commission recommended approval of said application with the following condition that the parking of vehicles does not extend into the sidewalk. Moved by Rice, seconded by Sabers, to approve said application with the following condition that the parking of vehicles does not extend into the sidewalk. Motion carried.

It was advised that this is the date and time set for the continued December 19, 2016 hearing on the application of West Havens Storage LLC for a conditional use permit for construction of self-service storage facilities at 1522 West Havens Avenue, legally described as the East 140' of Irregular Tract 4A located in the Southwest ¼, Section 21, Township 103 North, Range 60 West of the 5<sup>th</sup> P.M., Less PE-1, Platted Various, City of Mitchell, Davison County, South Dakota. The property is zoned HB-Highway Oriented Business District. The Planning Commission recommended approval of said application with the following condition that the access easement from Ohlman Street and the easement through the north property to Elm Street is recorded.

Moved by Tjarks, seconded by Allen, to approve said application with the following condition that the access easement from Ohlman Street and the easement through the north property to Elm Street is recorded. Motion carried.

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

**HEARING:**

It was advised that this is the date and time set for hearing and action on the taxicab license revocation for Speedy Taxi. The City Council received several requests asking for the license to be revoked. The following people spoke in favor of revocation of the license: Lori Claussen and Larry Johnson. No one spoke in opposition of revocation of Speedy Taxi's license nor was there any representation from Speedy Taxi. After much testimony, the item died for lack of a motion.

**CONSIDER APPROVAL:**

Moved by Rice, seconded by Barington, to deny the approval of the 2019 Taxicab license application for Speedy Taxi. Motion carried.

**AWARD BID:**

Bids were opened and read on the Used Scraper Project #2018-43 on the 11<sup>th</sup> day of December, 2018 in the Council Chambers of City Hall. Moved by Allen, seconded by McCardle, to award the project, as follows:

**USED SCRAPER  
CITY PROJECT#2018-43**

Vanderpol Dragline Inc., 1001 Hot Rod Road, Mitchell, South Dakota 57301.

Used scraper as per specifications.

Lump Sum: \$61,000.00

Motion carried.

**RESOLUTIONS:**

Moved by Rice, seconded by Tjarks, to approve Resolution #R2018-65, A Plat of Tract 1 of Odland's First Addition an Addition in the East 860 feet (860') of the South 646 feet (S 646') of the Southeast Quarter (SE 1/4) of Section 18, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota, as follows:

**RESOLUTION #R2018-65**



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 10<sup>th</sup> day of December, 2018; and

WHEREAS, It appears from an examination of the plat of Tract 1 of Odland's First Addition, an Addition in the East 860 feet (E 860') of the South 646 feet (S 646') of the Southeast Quarter (SE ¼) of Section 18, T 103 N, R 60 W of the 5<sup>th</sup> P.M., Davison County, 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 1 of Odland's First Addition, an Addition in the East 860 feet (E 860') of the South 646 feet (S 646') of the Southeast Quarter (SE ¼) of Section 18, T 103 N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota be and the same is approved and the description set forth therein and the accompanying surveyors certificate shall prevail.

Motion carried and resolution declared duly adopted.

**CONSIDER APPROVAL:**

Moved by Allen, seconded by McCardle, to approve and authorize the Mayor to sign Agreement #A2018-30 for CEI professional services required for the design and construction of Sanborn Street Phases II & III City Project #2019-22 with Schmucker, Paul, Nohr and Associates. Motion carried.

Moved by McCardle, seconded by Barington, to approve and authorize the Mayor to sign Agreement #A2018-31 for the Purchase Agreement at 701 North Main in the amount of \$1.00. In addition the City of Mitchell agrees to a non-compete clause for the next fifteen years at this location. Motion carried.

Moved by Rice, seconded by Allen, to approve and authorize the Mayor to sign Agreement #A2018-32, Amendment to Extend Existing Wildland Fire contract with the South Dakota Department of Agriculture, Wildland Fire Division for cooperative fire suppression services. The agreement would include Amendment #1 to extend the end date from December 31, 2018 to May 15, 2019. Motion carried.

Moved by Sabers, seconded by Barington, to approve and authorize the Mayor to sign Agreement #A2018-33, 2019-2020 Clubhouse Manager Agreement for the annual sum of \$51,966.00. This amount represents an approximate 3% increase. Motion carried.

Moved by Rice, seconded by McCardle, to approve and authorize the Mayor to sign the Utilities Certificate and Right of Way Certificates with SDDOT for BIG Grant, (Sanborn Bridge City Project #2018-22B), BRF3710(00) 18-1 PCN06V8. Motion carried.

**ORDINANCES:**

Moved by Tjarks, seconded by Allen, to place Ordinance #O2018-16, Snow Removal Ordinance for District A Updating the Boundaries on second reading. Motion carried. Moved by Tjarks, seconded by Allen, to adopt Ordinance #O2018-16, as follows:

**ORDINANCE NO. O2018-16**

AN ORDINANCE UPDATING THE BOUNDARIES FOR SNOW REMOVAL DISTRICT A.

**BE IT ORDAINED BY THE CITY OF MITCHELL, SOUTH DAKOTA AS FOLLOWS:**

Section 1.

That subsection 7-6-3A(1) be AMENDED to read as follows:

1. District Designated: The following portions of streets and public areas are hereby declared to constitute snow removal district A:

All downtown city owned public parking lots.

Kimball Street from south side of Railroad Street to south side of Fifth Avenue.

Lawler Street from south side of Railroad Street to south side of Seventh Avenue.

Main Street from the railroad depot to north side of Highway 37 Bypass.

Railroad Street from east side of Kimball Street to west side of Rowley Street.

Rowley Street from south side of Railroad Street to south side of Seventh Avenue.

First Avenue from east side of Kimball Street to the east side of Sanborn Boulevard.

Second Avenue from west side of Kimball Street to west side of Rowley Street.

Third Avenue from east side of Kimball Street to west side of Rowley Street.

Fourth Avenue from east side of Kimball Street to west side of Rowley Street.

Fifth Avenue from west side of Kimball Street to east side of Duff Street.

Sixth Avenue from east side of Lawler Street to west side of Rowley Street.

Seventh Avenue from west side of Lawler Street to east side of Rowley Street.

Section 2.

That all other parts of Section 7-6-3 not explicitly stated or altered above shall remain in full force and effect.

Section 3.

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 4.

The City Finance Officer shall cause notice of adoption of this ordinance to be published in the official newspaper and twenty (20) days after the completed publication, unless the referendum is invoked, this ordinance shall become effective.

Members present voting aye: Allen, Barington, Doescher, McCardle, Rice, Sabers, Smith, Tjarks. Members present voting nay: none. Motion carried and ordinance declared duly adopted.

Moved by Barington, seconded by Rice, to place Ordinance #O2018-17, Supplemental Appropriations on second reading. Motion carried. Moved by Rice, seconded by Barington, to adopt Ordinance #O2018-17, as follows:

**ORDINANCE NO. O2018-17  
SUPPLEMENTAL APPROPRIATION ORDINANCE  
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 2018 according to statute:

**CAPITAL PROJECT FUND  
INDOOR SWIMMING POOL**

537-46500-43300	Construction	\$284,000.00
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The funding will come from the Capital Project Fund-Indoor Swimming Pool cash balance.

Members present voting aye: Allen, Barington, Doescher, McCardle, Rice, Sabers, Smith, Tjarks. Members present voting nay: none. Motion carried and ordinance declared duly adopted.

Moved by Barington, seconded by Rice, to place Ordinance #O2018-18, Adopting A New Chapter Regulating Small Cell Facilities as amended on first reading. Motion carried.

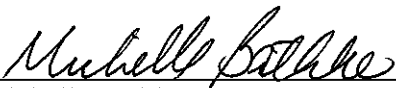
**EXECUTIVE SESSION:**

Moved by Rice, seconded by Allen, to go into Executive Session as permitted by SDCL 1-25-2 (3) Consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters. Motion carried.

Mayor Everson declared the board out of executive session at 8:57 p.m. and the City Council to reconvene in regular session at 8:58 p.m.

**ADJOURN:**

There being no further business to come before the meeting, Mayor Everson adjourned the meeting.

  
Michelle Bathke  
Finance Officer

Published once at the approximate cost of \_\_\_\_\_.