

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

January 2, 2018  
 6:00 P.M.

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

**PRESIDING** Mayor Jerry Toomey

**AGENDA:**

Moved by Olson, seconded by Allen, to approve the following items on the consent agenda:

- a. City Council Minutes
  - 1. Council Minutes December 18, 2017.
- b. Committee Meeting Minutes
  - 1. Historic Preservation Commission October 18, 2017.
- c. Daily Republic as the Official Newspaper for the City of Mitchell 2018.
- d. Raffle Permit
  - VFW with the drawing to be held on January 6<sup>th</sup>, 2018.
- e. Set date of 01-16-18 for hearing
  - 1. On the application of Karmen McCain dba Cafe Teresa, 312 North Main Street, Mitchell for a new Retail (On-Off) Sale Wine License.
- f. Action to approve Project #2018-16 for Replacement of two Patrol Cars
- g. Gas & Fuel Quotation

<b><u>Country Pride Coop</u></b>	Requested <u>Gallons</u>	Bid <u>Gallons</u>	Price per <u>Gallons</u>	Total Bid <u>Per Product</u>
On Road Diesel #2	1,250	1,250	\$2.386	<b>\$ 2,982.50*</b>
On Road Diesel #1	1,250	1,250	\$2.631	<b>\$ 3,288.75*</b>
		<b>Sub Total:</b>		<b>\$ 6,271.25*</b>
Unleaded Gas- 10% Ethanol	3,800	3,800	\$2.047	<b>\$ 7,778.60*</b>
		<b>Total</b>		<b>\$14,049.85*</b>

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

- h. Pay Estimates January 2, 2018
  - Pay Estimate #6 in the amount of \$123,970.03 for Burr Street - City Portion #2016-26A contracted to T & R Contracting Inc.,
  - Pay Estimate #9 in the amount of \$215.80 for Sidewalk-Miscellaneous #2017-4D contracted to Top Grade Concrete,
  - Pay Estimate #2 in the amount of \$194,170.48 for Forcemain-Phase III #2017-12 contracted to Metro Const. Inc.,

Pay Estimate #1-Final in the amount of \$4,723.48 for Water Tower Mixer Installation #2017-36 contracted to T.K. Electric, and

Pay Estimate #3 in the amount of \$377.50 for Snow Removal Equipment AIP '27 contracted to Helms & Associates.

- i. 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 DECEMBER 3, 2017 – DECEMBER 16, 2017:** City Council \$2,935.68, Mayor \$1,221.38, City Administrator \$4,649.67, Attorney \$3,739.25, Finance \$12,649.08, Human Resources \$3,267.64, Municipal Building \$3,056.80, Information Technology \$2,312.00, Police \$66,172.93, Traffic \$3,719.58, Fire \$48,434.66, Street \$28,243.78, Public Works \$17,920.92, Cemetery \$3,504.74, Animal Control \$1,556.80, Emergency Medical Services \$11,860.99, Library \$13,023.39, Recreation & Aquatics \$7,076.28, Recreation Center \$9,990.20, Sports Complexes \$11,412.13, Parks \$8,889.10, Supervision \$4,839.66, E911 \$22,818.15, RSVP \$6,653.26, Palace Transit \$18,722.79, JVCC \$1,415.63, Nutrition \$1,098.63, Water \$5,635.76, Water Distribution \$6,012.65, Sewer \$12,517.84, Airport \$2,639.04, Waste Collection \$10,550.83, Landfill \$7,829.74, Corn Palace \$19,453.47, Golf Course \$5,318.18.

**NEW HIRES:**

COMMUNITY SERVICES: Rodney Bollack-\$16.56.

CORN PALACE: Gage Renken-\$9.15.

E911: Kelsey Braun-\$17.40, Juan'l Garrett-\$17.40.

**SALARY ADJUSTMENTS:**

COMMUNITY SERVICES: Jacque High-\$16.77.

POLICE: Brad Buysse-\$27.48.

FIRE: Glenn Cacaro-\$17.88.

PUBLIC WORKS: Michael Scherschligt-\$27.49.

**JANUARY 1, 2018 SALARIES:**

The following is a listing of the salaries for elected officials and full time employees of the City of Mitchell for the year 2018. Please note that salaries are shown as hourly wages unless the individual fills an exempt position:

**COUNCIL:** Daniel Allen-\$9,802.00, Marty Barington-\$9,802.00, John Doescher-\$9,802.00, Kevin McCardle-\$9,802.00, Maylin Olson-\$9,802.00, Steven Rice-\$9,802.00, Jeffrey Smith-\$9,802.00, Susan Tjarks-\$9,802.00/

**MAYOR:** Jerry Toomey-\$32,630.00.

**ATTORNEY:** Justin Johnson-\$100,650.63.

**CITY ADMINISTRATOR:** Stephanie Ellwein-\$121,119.03.

**FINANCE:** Michelle Bathke-\$88,946.93, Michele DeVries-\$20.406, Sandi Hieb-\$20.906, Marilyn Jansen-\$19.893, Janice Peterson-\$20.648, Cindy Roth-\$65,380.28.

**PUBLIC WORKS:** Joseph Galpin-\$23.351, Deb Hanson-Sudbeck-\$19.905, John Hegg-\$28.108, Terry Johnson-\$82,608.66, Cathy Krall-\$20.141, Wade London-\$22.792, Neil Putnam-\$68,690.15.

**HUMAN RESOURCES:** Billie Kelly-\$87,956.01.

**BUILDING MAINTENANCE:** Dennis Geidel-\$20.393 Glen Grohmann-\$18.928,

**INFORMATION TECHNOLOGY:** Andrew Schneider-\$29.549.

**POLICE DEPARTMENT:** Peter Arnold-\$26.431, Luke Ashton-\$ 23.062, John Badker-\$26.439, Andrew Becker-\$23.062, Michaella Bolgrean-\$23.938, Jackson Brown-\$26.105, Bradley Buysse-\$28.099, Macey Chambers-\$22.778, Logan Crown-\$22.778, Ryan Erickson-\$31.816, Donald Everson-\$74,885.01, Dan Fechner-\$26.762, Polly Huber-\$20.661, Nicholas Jongeling-\$26.113, Dean Knippling-\$30.652, Dan Kopfman-\$26.439, Mike Koster-\$83,641.27, Brian Larson-\$26.105, Kelly Loudenburg-\$26.113, Patrick Marler-\$26.439, Kyle McLaughlin-\$23.938, Patrick Oleson-\$26.770, Lyndon Overweg-\$108,439.30, Joel Reinesch-\$30.274, Terance Reyelts-\$29.166, Sawyer Gibson-\$23.062, Cindy Mentele-Titze-\$19.893, Casey Tegethoff-\$24.847, Paul Wilson-\$26.439.

**ANIMAL CONTROL:** Kevin Yeo-\$19.899.

**TRAFFIC:** Dick Figland-\$27.104, Joshua Harvey-\$20.393.

**FIRE DEPARTMENT:** Justin Adams-\$18.758, Tiffany Boehmer-\$18.061, Glenn Cacaro-\$18.287, Chad Cody-\$19.948, Zach Dalrymple-\$20.197, Joseph Degen-\$27.096, Mark Eliason-\$23.134, Douglas Glover-\$27.096, Marius Laursen-\$29.531, Brandon Manchester-\$16.774, Paul Morris-\$83,641.27, Luke Ruml-\$18.758 Shannon Sandoval-\$18.515, Thomas Schaffner-\$18.993, Eric Schroeder-\$16.774, Andrew Shank-\$19.948, Scott Tschetter-\$16.774, Ben Vanden Hoek-\$23.134, Jordan Werner-\$16.774, Mark White-\$18.758.

**EMS:** Joseph Dolezal-\$20.450, Erika Helleloid-\$20.141, Steve Nedved-\$23.134, Robert Parker-\$20.450, Daniel Pollreisz-\$18.758.

**STREET:** Steve Anderson-\$27.761, Jason Dicus-\$19.165, John Falk-\$19.165, Craig Fuerst-\$23.372, Randy Hanten-\$23.372, Nathan Hegg-\$25.464, Kevin Hughes-\$21.700, Jeff Hurt-\$19.893, Troy Kokesh-\$23.372, David Muck-\$23.372, Travis Platt-\$18.695, Pam Punt-\$19.905, Kevin Roth-\$73,002.89, Dale Star-\$19.887, Jason Tuttle-\$23.084.

**GOLF COURSE:** Bryan Moore-\$27.761, Kevin Thurman-\$84,686.78.

**CEMETERY:** Aaron Willis-\$23.938, Scott Ziebart-\$20.648.

**LIBRARY:** Jacqueline Hess-\$75,774.86, LaJeane Jons-\$21.958, Cynthia Meinen-\$24.237, Jean Patrick-\$23.062, Linda Rishling-\$21.958, Sandra Spanos-\$26.753.

**RECREATION & AQUATICS:** Kevin DeVries-\$68,711.10, Jamie Henkel-\$26.113.

**PARKS:** Chad Cowell-\$19.165, Bradley Gates-\$21.419, Cody Pohlen-\$18.928, Steven Roth-\$62,988.56, Alex Young-\$18.695.

**RECREATION CENTER:** Todd Cavanaugh-\$23.643, Chris Cranny-\$19.659, Thomas Gulledge-\$25.158, Joseph Haiar-\$21.432.

**SPORTS COMPLEXES:** Brian Andersen-\$19.165, Daniel Dobesh-\$57,029.74, Jeremy Nielsen-\$23.076, Roger Prewett II-\$19.165, Tyler Vetch-\$19.165.

**PARKS, RECREATION & FORESTRY SUPERVISION:** Angel DeWaard-\$20.141, Nathan Powell-\$87,848.82.

**MITCHELL VOLUNTEER PROGRAM:** Amy Hurt-\$21.687, Jessica Pickett-\$81,588.80.

**PALACE TRANSIT:** Scott Brookbank-\$17.363, Kent Dicus-\$17.363, Patti Goudy-\$18.247, Kenyon Graves-\$17.799, Wanda Graves-\$19.659, JoLynn Hanson-\$68,711.10, Jacquelyn High-\$17.148, Karol Iburg-\$17.799, Jaclyn Larson-\$19.165, Einar Petersen-\$16.936.

**E-911:** Mary Aronson-\$22.531, Kelsey Braun-\$17.794, Kathy Brink-\$22.812, Kyleena Dumas-\$22.253, Gerald Fradet-\$22.812, Juan'l Garrett-\$17.794, Marlene Haines-\$74,999.25, Dawn Niehoff-\$22.812, Crystal Schlimgen-\$22.253, Ryan Titze-\$22.812, Crystal Vansickle-\$21.978, Debbie Vaughn-\$22.531.

**WATER:** Richard Pollreisz-\$75,774.86, Randall Wittstruck-\$25.488.

**UTILITIES:** Brian Daughters-\$22.792, Kerry Plooster-\$24.862, Jonathan Rehfeldt-\$18.928, Loren Skinner-\$27.778, Jon Vermeulen-\$75,774.86, Eugene Wagaman-\$27.778.

**WATER DISTRIBUTION:** Tylor Peterson-\$27.778, Thomas Schuman-\$21.687, Kevin Sibson-\$21.426.

**AIRPORT:** Michael Scherschligt-\$28.108.

**WASTE COLLECTION:** Scott Dey-\$21.439, Michael Dufek-\$23.084, Lloyd Morrison-\$23.372, Scott Phillips-\$19.653, David Schulte-\$21.439, Troy Sipes-\$20.913.

**LANDFILL:** Megan Davids-\$18.940, Clayton Moore-\$23.084, Jaylon Tollefson-\$26.753, James Zwinger-\$23.664.

**CORN PALACE:** Kathy Hanks-\$16.947, Jeff Hanson-\$20.387 Dan McCloud-\$26.113, Jeri Mickelson-\$60,684.33, Diane Mutziger-\$18.258, Scott Schmidt-\$79,586.70, Gary Walton-\$20.141.

**WARRANTS:**

A & B Business Solutions, Contract-\$4,566.50; Adam Fosness, Contract Services-\$2,291.50; AIA, Supplies-\$297.63; American Garage Door, Repairs-\$56.13; Ameripride Services, Supplies-\$73.58; Area Steel, Deposit-\$1,500.00; Auto Body Specialties, Supplies-\$14.56; Avera Occupational Medicine, Contract Services-\$911.71; Bailey Metal Fabricators, Supplies-\$92.45; Big Daddy D's, Contract Services-\$3,785.00; Blackstrap, Supplies-\$1,602.51; Boyer Trucks Sioux Falls, Vehicle-\$124,530.00; Breit Law Office, Garnishment-\$249.73; Brian Bergeleen, Entertainment-\$75.00; Brown & Saenger, Supplies-\$210.96; BSN Sports, Supplies-\$566.96; California Contractors, Supplies-\$305.40; Campbell Supply, Supplies-\$1,644.20; Casey Tibbs Rodeo Center, Fundraiser-\$184.00; CDW Government, Supplies-\$103.66; Central Electric, Utilities-\$569.00; Century Link, Utilities-\$1,323.11; CHR Solutions, Postage-\$2,986.42; City Of Mitchell, Utilities-\$955.50; City Of Mitchell, Membership-\$4,500.00; Civicplus, Annual Fees-\$9,023.41; Clark Paving, Supplies-\$14,765.52; Coca Cola Bottling, Supplies-\$766.10; Commercial Asphalt/Spencer Quarries, Deposit-\$1,500.00; Core-Mark Midcontinent, Supplies-\$3,250.20; County Fair, Supplies-\$57.92; Craig Fuerst, Reimbursement-\$350.00; Creative Safety Supply, Supplies-\$531.49; Dak Tech, Supplies-\$759.00; Dakota Counseling, 1st 1/4 2018 Allocation-\$12,500.00; Dakota Fluid Power, Repair-\$901.75; Dakota Pump, Repair-\$5,860.42; Dakota Transit Association, Membership-\$210.00; Dale Steffen, CDL-\$90.00; Debbie Vaughn, Reimbursement-\$100.00; Department of Environment and Natural Resources, Renewal-\$126.00; Department of Social Services, Child Support-\$1,147.99; Emergency Education, Training-\$120.00; Eric Hieb, Reimbursement-\$4,240.56;

Farmers Alliance, Supplies-\$137.39; Fastenal, Supplies-\$50.09; Fedex, Transportation-\$13.50; First Dakota National Bank, TID #20-\$21,928.71; First National Bank Omaha, Loan Payment-\$10,420.25; Floor Tec, Professional Service-\$505.00; GCR Tires & Service, Supplies-\$923.09; Gilbert Luis, CDL Renewal-\$83.00; Graham Tire, Supplies-\$30.49; Great Western Bank, TID #5-Iverson-\$66,349.58; Harlow's Bus Sales, Repair-\$92.43; Harve's Pro Prints, Supplies-\$195.96; Heartland Paper, Supplies-\$185.92; Helms and Associates, AIP '27 P.E. #3-\$377.50; ICAN, Contract-\$500.00; ICMA, Membership Renewals-\$968.95; Integrity Transcription, Transcribing Service-\$433.55; International Code Council, Books-\$123.00; Interstate Office Products, Supplies-\$68.36; JCL Solutions, Supplies-\$280.00; Jerry Toomey, Travel-\$250.27; Johnson Controls, Repairs-\$459.62; Kim Burg, Travel-\$41.00; Kimball-Midwest, Supplies-\$177.84; Krohmer Plumbing, Repair-\$386.00; Kyle McLaughlin, Reimbursement-\$100.00; Lakeview Veterinary Clinic, Rent-\$740.79; Larry Jirsa, Professional Service-\$577.50; Lawson Products, Supplies-\$1,495.73; Leads Online, Renewal-\$2,148.00; Make It Mine Designs, Supplies-\$95.40; McGrath/North, Professional Service-\$3,500.59; McLaughlin Imprint and Apparel, Supplies-\$475.00; McLeod's Printing, Supplies-\$46.11; Menard's, Supplies-\$711.38; Metro Construction, 2017-12 P.E. #2-\$194,170.48; Mettler Implement, Supplies-\$462.95; Michael Todd & Company, Supplies-\$254.84; Microsoft, Supplies-\$689.20; Mitchell Lions Club, Contract Services-\$225.56; Mitchell Park & Recreation, Revenue-\$900.00; Mitchell Plumbing & Heating, Supplies-\$35.90; Mitchell School District, Utilities-\$1,504.64; Mitchell Technical Institute, Service-\$70.00; Mitchell Telecom, Utilities-\$67.95; Mitchell United Way, United Way Deductions-\$181.67; Mueller Lumber, Repairs-\$964.78; Muth Electric, Supplies-\$702.03; Napa Auto Parts, Supplies-\$287.58; Nationjob, Subscription-\$1,500.00; Northwestern Energy & Communications, Utilities-\$21,205.87; One Source, Professional Service-\$138.00; Opg3, Renewal-\$6,468.00; Paul's Towing, Police Tow-\$315.00; Paulson Air, Supplies-\$79.56; Pepper Entertainment, Advertising-\$299.83; Pepsi Cola, Supplies-\$498.26; Premier Pest Control, Contract Services-\$175.00; Pros Consulting, Professional Service-\$16,835.60; Qualified Presort, Contract Services-\$423.01; Ramada Mitchell, Travel-\$805.20; Roger Hazuka, Contract Services-\$150.00; S & M Printing, Service-\$344.00; South Dakota Association of Code Enforcement, Dues-\$40.00; South Dakota Department of Environment & Natural Resources, Discharge Permit-\$13,500.00; South Dakota Department of Health, Lab-\$600.00; South Dakota Department of Revenue, Supplies-\$106.00; South Dakota Department of Revenue, Renewal-\$140.00; South Dakota Governmental Finance Officers, Dues-\$70.00; South Dakota Governmental Human Resources, Dues-\$25.00; South Dakota Municipal Attorneys', Dues-\$35.00; South Dakota Municipal League, Dues-\$7,951.42; South Dakota Municipal Street Maintenance, Dues-\$35.00; South Dakota Police Chiefs, Dues-\$232.72; South Dakota Retirement System, South Dakota Retirement Systems-\$48,292.75; South Dakota-Supplemental Roth 457, Contributions-\$400.00; South Dakota Water and Wastewater, Renewal-\$50.00; Senior Meals Program, Supplies-\$80.00; Sherwin-Williams, Supplies-\$264.98; Supplemental Retirement, Contributions-\$2,726.66; Stahl's Collision Center, Repair-\$125.17; State Bar of South Dakota, Dues-

\$365.00; Sterling Codifiers, Annual Fee-\$500.00; Sturdevant's Auto Parts, Supplies-\$755.49; Sun Gold Sports, Supplies-\$443.25; T & R Contracting, 2016-26A P.E. #6-\$123,970.03; Tessier's, Repairs-\$4,335.87; Thomson Reuters – West, Information Charges-\$636.93; Three-D Specialties, Supplies-\$951.78; Thune True Value Hardware, Supplies-\$197.79; TK Electric, 2017-36 P.E. #1 Final-\$4,723.48; TMA Stores, Repair-\$16.46; Top Grade Concrete, 2017-4D P.E. #9-\$215.80; Traditions Meal Solutions, Contract Services-\$2,050.60; Transource, Supplies-\$245.37; Tyler Technologies, Renewal-\$22,418.79; Verizon Wireless, Utilities-\$641.41; Vern Eide Chevrolet Buick, Supplies-\$300.00; Walmart, Supplies-\$18.36; Watertown Wholesale, Supplies-\$236.85; Well Beats, Supplies-\$398.00; Wheelco Brake & Supply, Supplies-\$315.22; First Dakota National Bank, TID #7-\$75,381.39; First Dakota National Bank, TID #19 -\$12,069.38.

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

Council Member Tjarks arrived at 6:04 p.m.

**CITIZENS INPUT:**

Parks and Recreation Director Nathan Powell reminded the City Council and the public that FYRA Engineering will be giving a 45 minute presentation on cleaning up the algae on Lake Mitchell. The presentation will be held on January 9<sup>th</sup>, 2018 at 6:30 p.m. located at Mitchell Technical Institute.

Council Member McCardle congratulated Corn Palace Director Scott Schmidt on a great job with the Mike Miller Classic.

**HEARINGS:**

It was advised that this is the date and time set for hearing on the application of Overtime Steakhouse & Sports Bar for a Special Event Liquor License located at the Overtime Event Center on January 6<sup>th</sup>, 2018 for a Christmas party. Notice of hearing has been given and affidavit of publication is on file. Moved by Rice, seconded by Olson, to approve said application. Motion carried.

It was advised that this is the date and time set for hearing on the application of Overtime Steakhouse & Sports Bar for a Special Event Liquor License located at the Overtime Event Center on January 13<sup>th</sup>, 2018 for a Christmas party. Notice of hearing has been given and affidavit of publication is on file. Moved by Allen, seconded by McCardle, to approve said application. Motion carried.

It was advised that this is the date and time set for hearing on the application of Overtime Steakhouse & Sports Bar for a Special Event Liquor License located at the Overtime Event Center on January 20<sup>th</sup>, 2018 for a dart tournament. Notice of hearing has been given and affidavit of publication is on file. Moved by McCardle, seconded by Rice, to approve said application. Motion carried.

It was advised that this is the date and time set for hearing on the application of Overtime Steakhouse & Sports Bar for a Special Event Liquor License located at the Overtime Event Center on January 27th, 2018 for a wedding. Notice of hearing has been given and affidavit of publication is on file. Moved by Olson, seconded by Rice, to approve said application. Motion carried.

Council Member Barington arrived at 6:08 p.m.

**CONSIDER APPROVAL:**

Moved by Allen, seconded by Rice, to approve the Official Depositories for the City of Mitchell for 2018. Motion carried with Smith abstaining.

**RESOLUTIONS:**

Moved by Olson, seconded by Rice, to approve Resolution #R2018-01, Vacation of Alley Right-Of-Way, that portion of the alley running East and West between the South side of Lots 1 Thru 6 & the North side of Lots 7 thru 12, Block 24, All in the Original Town (Now City) of Mitchell, Davison County, South Dakota, Subject to Existing Utilities, as follows:

**RESOLUTION NO. R2018-01  
ON PETITION FOR VACATION OF PUBLIC RIGHT-OF-WAY**

WHEREAS, The Petition and consent in writing of Davison Motorcars, LLC., a South Dakota limited liability company, owners of Lots 7, 8, 9, 10, and 11, Block 24, all in original Town (now City) of Mitchell, South Dakota; JBB Ventures, LLC, a South Dakota limited liability company, owners of Lots 1, 2, 3, 4, 5, and 6, Block 24, all in the original Town (now City) of Mitchell, Davison County, South Dakota; Determan Family, LLC, a South Dakota limited liability company, owners of the North 55 feet of Lot 12, Block 24, in the original Town (now City) of Mitchell, Davison County, South Dakota respectfully in due and proper form, are requesting the Governing Body of the City of Mitchell to vacate the alley right-of-way, subject to existing utilities, described as set forth below pursuant to the statutes in such cases made, and provided, particularly SDCL 9-45-7, et. Seq. and the petitioners respectfully show and represent the following;

That portion of the Alley running east and west between the south side of Lots 1 through 6 and the north side of Lots 7 through 12, Block 24, all in the original Town (now City), of Mitchell, Davison County, South Dakota.

WHEREAS, This Council did thereupon consider said Petition and did find that said Petition and Consent in writing requesting and consenting to the vacation of said street was signed by all of the owners of the property street sought to be vacated; and

WHEREAS, Notice of Hearing in relation to said Petition was made by publication as required by law providing that such Petition would be heard and considered by the Governing Body of the said City on the 2<sup>nd</sup> day of January, 2018 at 6:00 p.m. in the Chambers of the City Council of the City of Mitchell, South Dakota; and



WHEREAS, Said Council did meet to consider and hear said Petition on the said 2<sup>nd</sup> day of January, 2018 at the time and place specified in said Notice, and that the said Petition was duly heard and considered by this Council, the Petitioners and considerations of those objecting were heard by Council were presented in regards to said Petition, in writing or otherwise.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Mitchell, South Dakota, in a regular meeting, on the 2<sup>nd</sup> day of January, 2018 that, upon proper hearing and consideration of said Petition, this Council finds;

1. That due notice of the hearing of said Petition was given by the City Finance Officer by publication of a Notice thereof in the form as provided by law in the *Mitchell Daily Republic*, a newspaper, printed and published in the City of Mitchell, South Dakota, for two (2) successive weeks, to-wit: December 14 and December 21, 2017.
2. That the Petitioners are the sole owners of all of the property abutting the alley right-of-way requested to be vacated and have requested that the said alley right-of-way, subject to existing utilities, be vacated. Said owners having consented in writing to the vacation of said alley and which consent is made part of the said Petition.

IT IS FURTHER RESOLVED alley right-of-way identified as:

That portion of the Alley running east and west between the south side of Lots 1 through 6 and the north side of Lots 7 through 12, Block 24, all in the original Town (now City), of Mitchell, Davison County, South Dakota.

is hereby vacated subject to existing utilities.

Motion carried and resolution declared duly adopted.

Moved by Olson, seconded by Rice, to approve Resolution #R2018-02, Bridge Improvement Grant for Sanborn Bridge City Project #2018-22 as follows:

**RESOLUTION #R2018-02  
BRIDGE IMPROVEMENT GRANT PROGRAM  
RESOLUTION AUTHORIZING SUBMISSION OF APPLICATIONS**

WHEREAS, the City of Mitchell wishes to submit application/applications for consideration of award for the Bridge Improvement Grant Program:

Structure Number: 18-149-095  
Structure Location: Sanborn Boulevard

and WHEREAS, the City of Mitchell agrees to pay the minimum 20% match on the Bridge Improvements Grant funds or the following percentage 20%.

and WHEREAS, the City of Mitchell hereby authorizes the Bridge Improvement Grant application(s) and any required funding commitments.

NOW THEREFORE BE IT RESOLVED:

That the South Dakota Department of Transportation be and hereby is requested to accept the attached Bridge Improvement Grant Application.

Motion carried and resolution declared duly adopted.

**ORDINANCE:**

Moved by Olson, seconded by Allen, to place Ordinance #O2017-17, Amending Sidewalk Snow and Ice Removal Ordinance on second reading.

Olson withdrew motion.

Moved by Olson, seconded by Rice, to table second reading of Ordinance #O2017-17, Amending Sidewalk Snow and Ice Removal Ordinance to July 2<sup>nd</sup>, 2018.

Roll call vote: Members present voting aye, Doescher, Olson, Rice. Members voting nay: Allen, Barington, McCardle, Smith, Tjarks. Motion failed.

Moved by Smith, seconded by Tjarks, to place Ordinance #O2017-17, Amending Sidewalk Snow and Ice Removal Ordinance on second reading. Motion carried. Moved by Rice, seconded by Barington, to table adoption of Ordinance #O2017-17 to the February 5, 2018 City Council meeting.

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

**ADJOURN:**

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

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Michelle Bathke  
Finance Officer

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