

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

**January 22, 2019
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 Tjarks, seconded by Rice, to approve the following items on the consent agenda:

- a. City Council Minutes
 1. City Council January 7, 2018.
- b. Committee Meeting Minutes
 1. Planning Commission December 10, 2018.
- c. Department Reports
 1. Finance (December),
 2. Sales Tax Collections (December),
 3. Building Permits (December),
 4. 2018 Yearly Building Permits,
 5. Police (December),
 6. Fire (December),
 7. EMS (December),
 8. Fire & EMS Combined (December),
 9. Snow Removal (December),
 10. Nuisance Report (November),
 11. Mitchell Public Library (October),
 12. Mitchell Public Library (November),
 13. Community Services (December),
 14. Community Services (December Special Meeting),
 15. Community Services (January 2019),
 16. Palace Transit Ridership (December),
 17. Airport (December), and
 18. Water (December).
- d. Raffle Permits
 1. Masonic Hall Building Association with the drawing to be held on February 2, 2019.
- e. Set date for 02-04-2019 for hearings

1. On the application to transfer Retail (On-Sale) Liquor License RL-19079 V.V. Inc., DBA SUDZ, 508 & 510 East Havens, Mitchell, SD to Potter's Plus Studio LLC, 100 North Main, Mitchell, SD, and
 2. On the application of V.V. Inc. DBA SUDZ, 508 & 510 East Havens, Mitchell for a new Retail (On-Off Sale) Wine License. (video lottery is excluded).
- f. Approve new 2019 Taxi License Applications
1. Cary Muilenburg,
 2. Robert Buchholz, and
 3. Tom Schaffner.
- g. Fuel Quotes

<u>Country Pride</u>	<u>Requested Gallons</u>	<u>Bid Gallons</u>	<u>Price per Product</u>	<u>Total Bid</u>
On Road Diesel-#2	800	800	\$2.27	\$ 1,816.00
On Road Diesel-#1	800	800	\$2.52	\$ 2,016.00
Off Road Diesel-#2	2,950	2,950	\$1.99	\$ 5,870.50
Off Road Diesel-#1	2,950	2,950	\$2.24	\$ 6,608.00
Total Bid:				\$ 16,310.50

Howes Oil Company	<u>Requested Gallons</u>	<u>Bid Gallons</u>	<u>Price per Product</u>	<u>Total Bid</u>
On Road Diesel-#2	800	800	\$2.2025	\$ 1,762.00*
On Road Diesel-#1	800	800	\$2.5545	\$ 2,043.60*
Off Road Diesel-#2	2,950	2,950	\$1.9275	\$ 5,686.12*
Off Road Diesel-#1	2,950	2,950	\$2.2795	\$ 6,724.52*
Total Bid:				\$ 16,216.24*

Howes Oil was the low quote and was awarded the quote for the items marked with an asterisk.

- h. Pay Estimates for January 22, 2019
- Pay Estimate #31 in the amount of \$10,215.62 for Mitchell Aquatics Center #2016-11 contracted to MSH Architects,
 - Pay Estimate #32 in the amount of \$14,661.00 for Mitchell Aquatics Center #2016-11 contracted to MSH Architects,
 - Pay Estimate #12 in the amount of \$4,000.05 for Burr Street-City Portion #2016-26A contracted to T & R Contracting Inc.,
 - Pay Estimate #4 in the amount of \$585.00 for Rec Center Reroof-Phase II #2018-24 contracted to L.L. Jirsa, Architect,
 - Pay Estimate #2-Final in the amount of \$28,504.00 for Rec Center Reroof-Phase II #2018-24 contracted to Hub City Roofing, Inc.,
 - Pay Estimate #7 in the amount of \$4,380.20 for East Havens Watermain Loop #2018-25 contracted to SPN & Associates,
 - Pay Estimate #3 in the amount of \$7,490.00 for Waste Water Collection Evaluation #2018-34 contracted to SPN & Associates,
 - Pay Estimate #8 in the amount of \$15,300.00 for East Central Drainage-Storm Sewer #2018-39 contracted to SPN & Associates,

Pay Estimate #9 in the amount of \$10,800.00 for East Central Drainage-Water #2018-39 contracted to SPN & Associates,
Pay Estimate #10 in the amount of \$29,280.00 for East Central Drainage - Storm Sewer #2018-39 contracted to SPN & Associates, and
Pay Estimate #3 in the amount of \$660.00 for Sanborn Phases II & III #2019-22 contracted to SPN & Associates.

- j. 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 16, 2018 – DECEMBER 29, 2018: City Council \$3,106.48, Mayor \$1,292.65, City Administrator \$4,858.15, Attorney \$4,037.15, Finance \$13,163.46, Human Resources \$3,527.96, Municipal Building \$3,366.39, Information Technology \$2,393.44, Police \$68,689.46, Traffic \$4,186.16, Fire \$47,731.32, Street \$31,977.62, Public Works \$19,880.66, Cemetery \$3,777.34, Animal Control \$1,561.31, Emergency Medical Services \$10,021.24, Library \$13,572.17, Recreation & Aquatics \$6,410.48, Recreation Center \$12,311.83, Sports Complexes \$12,165.05, Parks \$9,661.13, Supervision \$5,155.09, E911 \$24,067.94, RSVP \$5,658.82, Palace Transit \$18,127.95, JVCC \$1,255.88, Nutrition \$669.52, Water Distribution \$10,238.14, Sewer \$12,951.99, Airport \$3,209.18, Waste Collection \$11,879.40, Landfill \$8,440.37, Corn Palace \$23,015.70, Golf Course \$5,645.50.

NEW HIRES:

CORN PALACE: Rahni Vaughn-\$9.35.

STREET: Daniel London-\$18.69.

SALARY ADJUSTMENTS:

POLICE: Peter Arnold-\$26.762.

FIRE: Joe Dolezal-\$21.741, Mark Eliason-\$18.30.

REC CENTER: Thomas Gullledge-\$25.472.

STREET: Jeffrey Hurt-\$21.161.

WATER DISTRIBUTION: Kevin Sibson-\$21.693.

WARRANTS: A & G Diesel, Supplies-\$8.48; A-Ox Welding Supply, Supplies-\$292.66; AAA Collections, Garnishment-\$333.55; Accounts Management, Garnishment-\$522.89; Advance Auto Parts, Supplies-\$24.99; AFSCME Council 65, Union Dues-\$590.00; Ag Spray Equipment, Supplies-\$79.37; Ag Systems, Supplies-\$4.30; AIA, Supplies-\$391.75; Airfield Guidancesign Manufacturing,

Supplies-\$870.00; Al's Engraving, Supplies-\$27.00; American Fence, Repair-\$4,927.00; American Garage Door, Repairs-\$90.00; American Ramp, Professional Service-\$2,500.00; Ameripride Services, Supplies-\$289.03; Apple Books, Books-\$120.48; Aqua-Pure, Supplies-\$3,125.00; AT&T Mobility, Supplies-\$1,026.16; Avera Heart Hospital of South Dakota, Supplies-\$79.00; Avera Occupational Medicine, Contract Services-\$1,538.05; Avon School District, Corn Palace Games-\$1,108.60; B-Y Water District, December Usage-\$39,745.92; Bailey Metal Fabricators, Supplies-\$191.18; Baker & Taylor, Books-\$5,849.89; Barrier I, Renewal-\$6,100.00; Bev Thompson, Refund-\$30.00; Big Daddy D's, Contract Services-\$5,449.50; Blackstone Publishing, Supplies-\$75.10; Blackstrap, Supplies-\$12,195.00; Broad Reach, Books-\$770.84; Bryce Holter, Corn Palace Games-\$75.00; C & B Operations, Supplies-\$1,659.70; Campbell Supply, Supplies-\$374.22; Carolina Software, Repairs-\$500.00; Carquest Auto Parts, Supplies-\$111.68; CDW Government, Supplies-\$5,633.07; Central Electric, Supplies-\$12,789.69; Century Link, Utilities-\$61.06; City Of Mitchell, Utilities-\$428.20; City Of Mitchell, Utilities-\$754.36; Civicplus, Annual Fee-\$28,639.01; Coborns, Supplies-\$1,680.00; Coca Cola Bottling, Supplies-\$881.20; Connections, Employee Assistance-\$1,539.90; Core & Main, Supplies-\$1,552.75; Core-Mark Midcontinent, Supplies-\$2,478.67; Corn Palace, Corn Palace Games-\$4,613.45; Corn Palace Concessions, Supplies-\$24.00; Corporate Translation Service, Language Translation-\$20.14; County Fair, Contract Services-\$555.00; Dak Tech, Supplies-\$829.00; Dakota Fluid Power, Supplies-\$726.56; Dakota Heartland Development, 2019 Allocation-\$30,000.00; Dakota Pump, Repair-\$5,954.75; Dale's A-1 Transmission, Police Tow-\$375.00; Darrington Water Conditioning, Rental-\$60.10; Davison Rural Water Systems, Utilities-\$70.75; Demco, Supplies-\$1,190.22; Department of Environment and Natural Resources, December Fees-\$1,912.16; Department of Veterans Affairs, Refund-\$1,184.00; Department of Social Services, Child Support-\$1,275.22; Dice Benefits Consulting, December Fees-\$522.00; Dick's Body Shop, Repair-\$111.94; Dick's Towing, Police Tow-\$680.00; Dug Out, Contract Services-\$509.25; Ebsco Information Services, Subscription-\$342.35; Educational Development, Books-\$806.10; Elaine Barta, Reimbursement-\$29.97; Elliott Equipment, Supplies-\$2,022.85; Evident, Supplies-\$447.35; Farmers Alliance, Supplies-\$2,351.77; Fastenal, Supplies-\$984.67; Findaway World, Audio-\$727.05; Fischer, Rounds & Associates, Insurance-\$5,245.00; Forum Communications, Publishing-\$3,410.28; Gale, Books-\$532.28; George Morgan, Supplies-\$29.58; Golden West Technologies, Repairs-\$456.80; Grabtec, Supplies-\$38.75; Great Western Tire, Supplies-\$1,917.28; Hanson School District, Corn Palace Games-\$12,062.25; Harve's Pro Prints, Supplies-\$368.46; Harve's Sport Shop, Supplies-\$499.60; Henry Schein, Supplies-\$896.49; Hub City Roofing, 2018-24 P.E. #2 Final-\$28,504.00; ICAN, Publishing-\$150.00; IDEAG, Deposit-\$1,500.00; Ingram Library Services, Books-\$328.87; Innovative Office Solution, Supplies-\$747.30; Integrity Transcription, Transcribing Service-\$187.45; Intellipro Security, Repair-\$454.08; Interstate Glass & Door, Supplies-\$272.75; Interstate Office Products, Supplies-\$81.84; IPMA, Supplies-\$472.00; Iverson Chrysler Center, Rental-\$99.90; JCL Solutions, Supplies-\$125.03; Jones Supplies, Supplies-\$434.20; Josh

Harvey, Recertification Renewal-\$15.00; Kimball/White Lake School, Corn Palace Games-\$54.35; Kone, Maintenance-\$781.53; Krohmer Plumbing, Supplies-\$281.48; Lakeview Veterinary Clinic, Supplies-\$1,226.14; Larry Jirsa, 2018-24 P.E. #4-\$585.00; Larry's I-90 Service, Supplies-\$41.96; Lawson Products, Supplies-\$2,674.98; Lewis Family Drug, Supplies-\$146.53; Lori Schmidt, Corn Palace Games-\$160.00; M & T Fire and Safety, Supplies-\$545.30; Make It Mine Designs, Supplies-\$474.15; McLeod's Printing, Supplies-\$219.90; Menard's, Supplies-\$1,405.33; Meyers Oil, Supplies-\$4,158.40; Midcontinent Communication, Publishing-\$2,738.33; Lyle Rumbolz, Refund-\$186.21; Mitchell Area Convention Visitors Bureau, Funding Award-\$5,500.00; Mitchell Area Development, 2019 Allocation-\$35,750.00; Mitchell Area Safehouse, 2019 Allocation-\$4,500.00; Mitchell Concrete Product, Supplies-\$57.75; Mitchell Exchange Club, 2019 Allocation-\$10,000.00; Mitchell Figure Skate Club, Sports Authority Promotion-\$5,000.00; Mitchell Iron & Supply, Supplies-\$241.52; Mitchell Main Street and Beyond, 2019 Allocation-\$35,000.00; Mitchell Prehistoric Indian Village, 2019 Allocation-\$13,500.00; Mitchell School District, Utilities-\$1,643.52; Mitchell Soccer Association, Funding Award-\$10,000.00; Mitchell Telecom, Utilities-\$2,511.62; Mitchell United Way, United Way Deductions-\$203.11; MOCIC, 2019 Membership-\$200.00; Modern Marketing, Supplies-\$189.04; MSH Architects, 2016-11 P.E. #31-\$24,876.62; Mount Vernon School District, Contract Services-\$40.15; Mueller Lumber, Supplies-\$15.95; Muth Electric, Supplies-\$3,049.07; Napa Auto Parts, Supplies-\$869.96; Nationjob, Publishing-\$1,700.00; Nedved Media, Publishing-\$260.08; Northwestern Energy & Communications, Utilities-\$44,459.17; OCLC, Cataloging-\$683.62; Parkston Boom's Restaurant, Contract Services-\$2,511.50; Pat Dockendorf, Corn Palace Games-\$25.00; Penguin Random House, Supplies-\$129.00; Penworthy, Books-\$996.52; Pepsi Cola, Supplies-\$455.20; Porter Distributing, Supplies-\$120.00; Praetorian Digital, Subscription-\$2,394.00; Qualified Presort, Contract Service-\$399.17; Recorded Books, Supplies-\$3,383.00; Ron's Bicycle and Locksmith, Maintenance-\$265.00; Rowman and Littlefield Publishing, Book-\$204.55; S & M Printing, Service-\$301.00; Saga Communications of South Dakota, Publishing-\$1,134.00; Santel Communications, Professional Fees-\$1,649.16; Satcom Global, Contract Plan-\$42.75; Schmucker Paul & Nohr, 2018-25 P.E. #7-\$67,910.20; Scott Supply, Supplies-\$76.52; South Dakota Ambulance, Membership-\$75.00; South Dakota Chapter APWA, Registration-\$50.00; South Dakota DCI, Screen Forms-\$43.25; South Dakota Department of Health, Lab-\$707.00; South Dakota Department of Revenue, Title and Plate-\$52.40; South Dakota Firefighters, Membership Dues-\$725.00; South Dakota Governmental Human Resources, Membership-\$25.00; South Dakota Municipal Street Maintenance, Membership Dues-\$35.00; South Dakota One Call, Professional Services-\$37.80; South Dakota Retirement System, Retirement Contributions-\$50,786.51; South Dakota Unemployment Insurance Division, Unemployment-\$16.24; South Dakota-Supplemental Retirement, Retirement Contributions-\$4,013.19; South Dakota-Supplemental Roth 457, Retirement Contributions-\$425.00; South Dakota Rural Waters Conference, Registrations-\$960.00; Select Portfolio Services, Refund-\$50.00;

Sign Pro, Supplies-\$34.40; Sirchie Finger Print Labor, Supplies-\$468.67; Snow Technologies, Supplies-\$18.78; Stacey Ernster, Supplies-\$114.00; Stan Houston Equipment, Supplies-\$566.11; Staples Advantage, Supplies-\$447.94; Sterling Codifiers, Supplement-\$159.00; Sturdevant's Auto Parts, Supplies-\$1,742.83; Subway, Meals-\$31.45; Sun Gold Sports, Supplies-\$914.50; T & R Contracting, 2016-26A P.E. #12-\$4,000.05; Target Solutions, Membership-\$2,728.81; Temple Display, Supplies-\$18,473.60; Tessier's, Repairs-\$409.07; Thomson Reuters – West, December Fees-\$742.54; Thune True Value Hardware, Supplies-\$88.11; Ticketforce, Usage Fees-\$896.00; Tim's Towing & Recovery, Police Tow-\$400.00; TK Electric, Supplies-\$5,215.87; TMA Stores, Supplies-\$1,358.00; Trittech Software Systems, Service Contract-\$2,934.48; Trizetto Provider Solution, Service Contract-\$81.31; Ugate Store, Supplies-\$12,600.00; United Parcel Service Store #4227, Shipping-\$682.97; US Foods, Supplies-\$193.52; United States Postal Service, Postage-\$75.33; Vallen Distribution, Supplies-\$202.94; Verizon Wireless, Utilities-\$1,781.27; Vern Eide Ford Lincoln, Supplies-\$124.17; Walmart, Supplies-\$67.74; Wells Fargo Bank, Paying Agent Fee-\$525.00; Wheelco Brake & Supply, Supplies-\$3,698.15; Wholesale Electronics, Supplies-\$79.87; Wright Brothers Aviation, Airport Admiration December-\$500.00; Youth Athletic Foundation, Corn Palace Games-\$21,784.70; Aflac, Aflac Withholding-\$10,889.82; Aflac Group, Aflac Critical Care-\$1,131.88; Delta Dental Plan of South Dakota, Dental Premiums-\$14,362.16; Standard Life Insurance, Life Insurance Premiums-\$2,410.16; Wellmark of South Dakota, Medical Expenses-\$372,332.82; Wage Works, Flex Expense-\$14,196.52; Mitchell Public Library, Library Fines-\$2,173.09.

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

CITIZENS INPUT:

Mark Vaux, Executive Director of the Mitchell Area Development Corporation and Chamber of Commerce notified the City Council that they have been working on a communication strategy plan and they will provide quarterly reports from their various agencies to the City Council.

LYFT driver Tim Goldammer asked the City Council to reconsider the current taxi ordinance including ride shares in a future City Council meeting.

Sioux Falls LYFT Council Advisor Tom Anez agreed with Tim Goldammer and asked the City Council to consider reviewing the current City ordinance on taxi services.

HEARINGS:

It was advised that this is the date and time set for hearing on the application of Los 3 Amigos, LLC for a Retail (On-Off Sale) Wine License located at 1522 West Havens (video lottery excluded). Notice of hearing has been given and affidavit of publication is on file. Moved by Rice, seconded by Barington, to approve said application. Motion carried.

It was advised that this is the date and time set for hearing on the application of Los 3 Amigos, LLC for a Retail (On-Off Sale) Malt Beverage License located at 1522 West Havens (video lottery excluded). Notice of hearing has been given and affidavit of publication is on file. Moved by Barington, seconded by McCardle, to approve said application. Motion carried.

CONSIDER APPROVAL:

Moved by Tjarks, seconded by Barington, to approve the new taxi license application for Lori's Lift with the condition that if the States Attorney files charges the City Council will review the current taxi license.

Roll Call Vote: Members voting aye: Barington, Doescher, Rice, Sabers, Smith, Tjarks. Members present voting nay: Allen, McCardle. Motion carried.

Moved by Allen, seconded by Rice, to approve and authorize the Mayor to sign Agreement #A2019-01 for cemetery maintenance with the Mitchell South Dakota Serviceman's and Legion Cemeteries in the amount of \$720.00 per acre in 2019 and 2020, plus \$25.00 per lot sale to be billed quarterly of the calendar year. Motion carried.

Moved by Rice, seconded by Tjarks, to approve and authorize the Mayor to sign Agreement #A2019-02, An Agreement with Future IQ to provide a Community Vision and Strategic Action Plan for the Community of Mitchell.

Roll Call Vote: Members voting aye: Allen, Barington, Rice, Sabers, Smith, Tjarks. Members present voting nay: Doescher, McCardle. Motion carried.

Moved by Allen, seconded by Tjarks, to approve and authorize the Mayor to sign Agreement #A2019-03, Animal Shelter with Lakeview Vet Clinic. Motion carried.

RESOLUTIONS:

Moved by McCardle, seconded by Barington, to approve Resolution #R2019-02, Setting Recurring SCF ROW Access Fee Rate, as follows:

RESOLUTION #R2019-02

A RESOLUTION SETTING THE RECURRING ROW ACCESS FEE RATE FOR SMALL CELL FACILITIES

WHEREAS the City of Mitchell did adopt Ordinance #O2018-18 regulating small cell facilities; and

WHEREAS such ordinance provides for the recurring fee rate to be established by the City Council by resolution.

THEREFORE, BE IT RESOLVED by the City Council of the City of Mitchell, SD that the recurring fee rate in relation to the above described ordinance shall be set as follows:

Recurring ROW access fee: \$270 per site per year.

The fee shall go into effect immediately or on the earliest date allowed under South Dakota law. No fees other than the fee listed above are altered by this resolution and such fees shall remain in full force and effect.

Motion carried and resolution declared duly adopted.

Moved by Allen, seconded by Rice, to approve Resolution #R2019-03, A Plat of Tract 1 of Boyd Addition, An Addition in the Northeast Quarter of the Southeast Quarter (NE1/4SE1/4) of Section 2, Township 103 North, Range 61 West of the 5th P.M., Davison County, South Dakota, as follows:

RESOLUTION #R2019-03

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 14th day of January, 2019; and

WHEREAS, It appears from an examination of the plat of Tract 1 of Boyd Addition, an Addition in Northeast Quarter of the Southeast Quarter (NE ¼ SE ¼) of Section 2, Township 103 North, Range 61 West of the 5th 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 Tract 1 of Boyd Addition, an Addition in the Northeast Quarter of the Southeast Quarter (NE ¼ SE ¼) of Section 2, Township 103 N, Range 61 West of the 5th 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.

Moved by Smith, seconded by McCardle, to approve Resolution #R2019-04, A Plat of Tract 1 of Nedved Addition, An Addition in the Northeast Quarter of the Southeast Quarter (NE1/4SE1/4) of Section 8, Township 102 North, Range 60 West of the 5th P.M., Davison County, South Dakota, as follows:

RESOLUTION #R2019-04

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 14th day of January, 2019; and

WHEREAS, It appears from an examination of the plat of Tract 1 of Nedved Addition, an Addition in Northeast Quarter of the Southeast Quarter (NE ¼ SE ¼) of Section 8, Township 102 North, Range 60 West of the 5th 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 Tract 1 of Nedved Addition, an Addition in the Northeast Quarter of the Southeast Quarter (NE ¼ SE ¼) of Section 8, Township 102 North, Range 60 West of the 5th 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.

Moved by Barington, seconded by Allen, to approve Resolution #R2019-05, A Plat of Lot 15, Block 9 of the Woods First Addition, A Subdivision of the East 1/2 of the SW 1/4 of Section 23, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota, as follows:

RESOLUTION #R2019-05

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 14th day of January, 2019; and

WHEREAS, It appears from an examination of the plat of LOT 15, BLOCK 9 OF THE WOODS FIRST ADDITION, A SUBDIVISION OF THE EAST ½ OF THE SW1/4 OF SECTION 23, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA as prepared by Paul J. Reiland, a duly licensed Land Surveyor in and for the State of South Dakota, that said plat is in accordance with the system of streets and alleys set forth in the master plan adopted by the City Planning Commission of the City of Mitchell, South Dakota, and that such plat has been prepared according to law.

THEREFORE, Be it resolved by the City Council of Mitchell, South Dakota that the plat of LOT 15, BLOCK 9 OF THE WOODS FIRST ADDITION, A SUBDIVISION OF THE EAST ½ OF THE SW ¼ OF SECTION 23, T 103 N, R 60 W OF THE 5TH P.M, DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul J. Reiland, be and the same is hereby approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

Motion carried and resolution declared duly adopted.

Moved by Rice, seconded by Tjarks, to approve Resolution #R2019-06, A Plat of Lots 1, 2, 3, and 4 of WTC Addition in the SE 1/4 and the SW 1/4 of the NE 1/4 of Section 5, T 103 N, R 60 W of the 5th P. M., Davison County, South Dakota, as follows:

RESOLUTION #R2019-06

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 14th day of January, 2019; and

WHEREAS, It appears from an examination of the plat of LOTS 1, 2, 3 AND 4 OF WTC ADDITION IN THE SE ¼ AND THE SW ¼ OF THE NE ¼ OF SECTION 5, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA as prepared by Paul J. Reiland, a duly licensed Land Surveyor in and for the State of South Dakota, that said plat is in accordance with the system of streets and alleys set forth in the master plan adopted by the City Planning Commission of the City of Mitchell, South Dakota, and that such plat has been prepared according to law.

THEREFORE, Be it resolved by the City Council of Mitchell, South Dakota that the plat of LOTS 1,2,3 AND 4 OF WTC ADDITION IN THE SE 1/4 AND THE SW ¼ OF THE NE ¼ OF SECTION 5, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, SOUTH DAKOTA, prepared by Paul J. Reiland, be and the same is hereby approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

Motion carried and resolution declared duly adopted.

Moved by Tjarks, seconded by McCardle, to approve Resolution #R2019-07, A Plat of Lot 5 in Tract D, Wild Oak Golf Club Addition, to the City of Mitchell, Davison County, South Dakota, as follows:

RESOLUTION #R2019-07

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 14th day of January, 2019; and

WHEREAS, It appears from an examination of the plat of LOT 5 IN TRACT D, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, 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 LOT 5 IN TRACT D, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA be and the same is hereby approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

Motion carried and resolution declared duly adopted.

Moved by Sabers, seconded by Barington, to approve Resolution #R2019-08, A Resolution Setting Water Rates for 2019, as follows:

RESOLUTION #R2019-08

A RESOLUTION AMENDING CITY OF MITCHELL WATER RATES AND FEES

IT IS RESOLVED by the City Council of the City of Mitchell, SD that effective March 1, 2019 water rates shall be set at \$3.22 per month for the base fee. The remaining unit charges and surcharge shall remain unchanged by this resolution.

2019 City of Mitchell Water Rates:

\$3.22/month Base Fee

\$1.78/month Surcharge

\$3.90/unit (one unit equals 100 cubic feet of water)

Motion carried and resolution declared duly adopted.

Moved by Allen, seconded by Rice, to approve Resolution #R2019-09, A Resolution Amending the 2019 Sewer Rates, as follows:

RESOLUTION #R2019-09

A RESOLUTION AMENDING CITY OF MITCHELL SEWER RATES AND FEES

IT IS RESOLVED by the City Council of the City of Mitchell, SD that effective March 1, 2019 sewer rates shall be set at \$10.75/month surcharge-base fee. The remaining unit charges shall remain unchanged by this resolution.

2019 City of Mitchell Water Rates:

\$10.75/month Surcharge

\$2.95/unit (one unit equals 100 cubic feet of water)

Motion carried and resolution declared duly adopted.

Moved by Sabers, seconded by Barington, to approve Resolution #R2019-10, Cemetery Regulations and Rates, as follows:

RESOLUTION #R2019-10

FEES AND CHARGES

PREAMBLE: The City Council, having re-codified the Municipal Code, and having provided therein for the establishment of fees and costs charged by the City by resolution, now

therefore be it

Resolved that the following fees and costs shall be adopted and that any fees and costs not changed by this resolution or any other fee resolutions passed since the date of re-codification and in effect as of November 17, 2014 shall remain in full force and effect.

LOT PRICE (regular burial)	\$ 600.00
GRAVE OPENING (full size)	\$ 550.00 + Tax
GRAVE THAWING FEE (when in force winter months)	\$ 200.00 + Tax
MINIMUM MONUMENT FEE DOUBLE WIDE	\$ 900.00 + Tax
CREMATION/INFANT	\$ 300.00 + Tax
GRAVE OPENING/CLOSING FEE	
DISINTERMENT	\$1,000.00 + Tax
DISINTERMENT (Into Cemetery)	\$1,550.00 + Tax
SODDING GRAVES (per grave on request)	\$ 75.00 + Tax
HYDRO-SEEDING GRAVE REQUEST	\$ 50.00 + Tax
SATURDAY FUNERAL (Arrives after 1:00 P.M.)	\$ 150.00

The complete list of fees is available in the City Finance Office NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MITCHELL:

Motion carried and resolution declared duly adopted.

ORDINANCES:

Moved by Allen, seconded by Smith, to place Ordinance #O2019-01, Trees and Shrubs Chapter Updates on first reading. Motion carried.

Moved by Barington, seconded by McCardle, to place Ordinance #O2018-02, An Ordinance that Changes the Zoning District Classification of the Real Property legally described as Lot 9, Block 7, Rowley's 1st Addition, City of Mitchell, Davison County, SD from NS Neighborhood Shopping District to R2 Single Family Residential District on first reading. Motion carried.

EXECUTIVE SESSION:

Moved by Rice, seconded by McCardle, 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 8:15 p.m. and the City Council to reconvene in regular session at 8:16 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 _____.