

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

**February 3, 2020
6:00 P.M.**

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

ABSENT: Marty Barington

PRESIDING: Mayor Bob Everson

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 and SDCL 1-25-2(4) Preparing for contract negotiations or negotiating with employees or employee representatives. Motion carried.

Mayor Everson declared the board out of executive session at 6:14 p.m. and the City Council to reconvene in regular session at 6:15 p.m.

AGENDA:

Moved by Tjarks, seconded by McCardle, to approve the following items on the consent agenda.

- a. City Council Minutes
 1. City Council January 21, 2020.
- b. Committee Meeting Minutes
 1. Planning Commission January 13, 2020.
- c. Approve Air Venture Cup Race/Launch and Young Eagles Free Flights-July 18-19, 2020 at the Mitchell Municipal Airport.
- d. Authorization to Apply for the 2020 SDML Grant for Safety Equipment.
- e. Change Order #1 for Corn Palace Plaza Phase II Project #2019-48 increasing contract amount by \$7,921.22 for modifications to the storm sewer and to change the corn graphic to a vinyl graphic to Puetz Construction, adjust contract amount to \$529,385.49.
- f. Raffle Permits
 1. Mitchell Wrestling with the drawing to be held on March 14, 2020,
 2. Mitchell Lions Club with the drawing to be held on April 4, 2020, and
 3. Mitchell Friends of NRA with the drawings to be held on July 1 and September 12, 2020.
- g. Approval of Gas and Fuel Quotations

<u>Howes Oil Company</u>	<u>Requested Gallons</u>	<u>Bid Gallons</u>	<u>Price per Product</u>	<u>Total Bid</u>
January 21, 2020				
Unleaded Gas- 10% Ethanol	6,400	6,400	\$1.9885	\$12,726.40*
		Total Bid:		\$12,726.40*

Howes Oil was the only bidder for items marked with an asterisk. There was no #1 fuel at the pipeline so we accepted unleaded fuel only and chose to rebid the next day for on road and off road diesel.

January 22, 2020				
On Road Diesel-#2	900	900	\$2.175	\$ 1,957.50*
On Road Diesel-#1	900	900	\$2.425	\$ 2,182.50*
Off Road Diesel-#2	2,250	2,250	\$1.900	\$ 4,275.00*
Off Road Diesel-#1	2,250	2,250	\$2.150	\$ 4,837.50*
		Total Bid:		\$13,252.50*

Howes Oil was the only bidder for items marked with an asterisk.

- i. Pay Estimates 02-03-2020
 - Pay Estimate #1 in the amount of \$76,551.25 for Corn Palace Plaza Phase II #2019-48 contracted to Puetz Corporation,
 - Pay Estimate #1 in the amount of \$13,000.00 for Mitchell Airport Snow Removal #2019-53R2 contracted to Quality Cut Lawn and Snow Removal,
 - Pay Estimate #1 in the amount of \$115,988.00 for Recycling Payloader #2020-6E contracted to Butler,
 - Pay Estimate #1 in the amount of \$4,521.00 for Grapple for Recycling Payloader #2020-6F contracted to Butler, and
 - Pay Estimate #1 in the amount of \$218,217.00 for Payloader for Landfill #2020-19 contracted to Butler.
- 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 JANUARY 12, 2020 – JANUARY 25, 2020- City Council \$3,199.68, Mayor \$1,331.42, City Administrator \$5,066.46, Attorney \$4,210.23, Finance \$13,774.99, Human Resources \$3,679.23, Information Technology \$2,603.46, Police \$74,799.82, Traffic \$4,621.06, Fire \$49,235.48, Street \$38,498.04, Public Works \$22,274.44, Cemetery \$3,879.38, Library \$16,873.73, Recreation & Aquatics \$6,272.92, Recreation Center \$17,042.54, Sports Complexes \$11,513.97, Parks \$9,894.47, Supervision \$5,449.04, E911 \$24,330.52, RSVP \$5,563.70, Palace Transit \$22,540.65, JVCC \$1,546.88, Nutrition \$1,213.15, Water Distribution \$10,302.21, Sewer \$13,360.75, Airport \$3,284.05, Recycling Program \$5,767.23, Waste Collection \$7,143.39, Landfill \$8,944.43, Corn Palace \$21,513.49, Golf Course \$5,784.38, Emergency Medical Services \$11,514.20.

NEW HIRES:

CORN PALACE: Kade Clark-\$9.85.

COMMUNITY SERVICES: Dezaræ Tollefson-\$10.35.

RECREATION CENTER: Brian Daughters-\$12.35, Gabe Suchor-\$10.85, Josh Feiner-\$15.00.

SALARY ADJUSTMENTS:

PARKS AND RECREATION: Angel DeWaard-\$22.179.

CORN PALACE: Diane Mutziger-\$20.106, Ashlyn Weier-\$9.85, Jack Vermeulen-\$9.85, Cooper Vermeulen-\$10.35, Rahni Vaughn-\$9.85, Carrie Tobin-\$11.35, Halle Mickelson-\$9.85, Becca Long-\$9.85, Grant London-\$9.85, Keirstyn Krcil-\$9.85, Elliana Kisor-\$9.85, Haley Jonnassen-\$11.85, Mary Johnson-\$11.85, Allie Jenkins-\$11.35, Caleb Jarding-\$9.85, Trina Frey-\$11.85, Berkleigh Eldeen-\$10.85, Mary Clarambeau-\$11.85, Indica Barnhart-\$10.35, Ashley Sanderson-\$9.85, Wyatt Baldauf-\$9.35.

FIRE: Scott Tschetter-\$18.471, Ben VandenHoek-\$25.474.

WARRANTS: A & B Business Solutions, Contract-\$4,071.67; AAA Lawn Care and Maintenance, Snow Removal-\$725.00; Abigail Hofer, Travel-\$94.74; AFSCME Council 65, Union Dues-\$590.00; Alcopro, Supplies-\$147.00; Amazon Capital Services, Supplies-\$33.76; American Garage Door, Repairs-\$337.25; Apple Books, Books-\$42.25; Aqua-Pure, Supplies-\$1,562.50; Avera Occupational Medicine, Contract Service-\$1,273.09; B & L Communications, Equipment-\$85.00; Bailey Metal Fabricators, Repair-\$50.01; Baker & Taylor, Book-\$3.59; Big Daddy D's, Contract Services-\$3,696.00; Blackstone Publishing, Supplies-\$30.95; Boyer Trucks Sioux Falls, Supplies-\$364.02; Butler Machinery, Equipment-\$338,726.00; Carquest Auto Parts, Repair-\$7.59; CDW Government, Supplies-\$154.00; Centennial Carpet, Supplies-\$9,122.00; Center Point Large Print, Books-\$89.28; Century Link, Utilities-\$1,280.25; CHR Solutions, Postage-\$2,895.74; City of Mitchell, 2019 Veteran's Park Utilities-\$4,492.76; Civicplus, Annual Fee-\$9,450.00; Coca Cola Bottling, Supplies-\$3,325.65; Converge One, Renewal-\$3,870.00; Core-Mark Midcontinent, Supplies-\$5,986.38; Corn Palace Concessions, Supplies-\$12.00; Dakota Fluid Power, Supplies-\$150.81; Dakota Supply Group, Supplies-\$163.80; Dakota Transit, Membership Dues-\$240.00; Dakota Transit Providers, Dues-\$194.50; Daktronics, Supplies-\$190.00; Department of Social Services, Child Support-\$1,173.12; Diesel Laptops, Repairs-\$1,690.00; Dobesh Chiropractic, Registration-\$100.00; Dakota Wesleyan University Athletics, Sports Authority Promotion-\$2,000.00; Dakota Wesleyan University Soccer, Sports Authority Promotion-\$4,000.00; Ellwein Brothers,

Supplies-\$128.05; Envision, Supplies-\$295.00; Eric Hieb, Contract Services-\$4,408.26; Evident, Supplies-\$217.50; Farmers Alliance, Supplies-\$1,581.57; Fastenal, Supplies-\$187.01; First National Bank Omaha, Cash Back Redemption-\$10,245.19; Floor Tec, Rental-\$100.00; Gale, Book-\$568.65; Gaylen's Homegrown Popcorn, Supplies-\$625.00; Grainger, Supplies-\$186.33; Great Western Tire, Supplies-\$2,995.36; Hanson School District, Sports Authority Promotion-\$23,315.30; Happy Memories Band, Contract Services-\$150.00; Henry Schein, Supplies-\$6,931.30; Hohn's Services, Lawn Mowing-\$255.00; Howes Oil, Supplies-\$25,984.80; Ice Bumper Cars, Equipment-\$1,187.00; Identisys, Supplies-\$350.00; Innovative Office Solution, Supplies-\$480.83; Integrity Transcription, Transcribing Service-\$94.05; Interstate Glass & Door, Maintenance-\$122.53; JCL Solutions, Supplies-\$31.38; Jeff Hurt, Reimbursement-\$55.00; Jessica Pickett, Travel-\$156.20; Joey Degen, Travel-\$216.96; Jones Supplies, Supplies-\$1,444.92; Joseph F Pekas, Director Fee-\$2,400.00; Kimball-Midwest, Supplies-\$900.95; Krogman Construction, Repair-\$306.12; Krohmer Plumbing, Repair-\$936.94; Larry's I-90 Service, Supplies-\$2,211.41; Lati/Corp Ed, Training-\$1,700.00; Lawson Products, Supplies-\$1,621.05; Leisure Design Systems, Supplies-\$995.00; Librarians' Choice, Books-\$65.54; Make It Mine Designs, Supplies-\$15.00; McLeod's Printing, Supplies-\$4,302.57; Menard's, Supplies-\$2,672.36; Meyers Oil, Supplies-\$1,779.00; Michael Todd & Company, Supplies-\$2,699.77; Microsoft, Software-\$902.00; Midwest Fire & Safety, Maintenance-\$47.50; Midwest Turf & Irrigation, Supplies-\$95.40; Mitchell Animal Rescue, February Payment-\$350.00; Mitchell Municipal Band, Summer Concert Performances-\$7,850.00; Mitchell Plumbing & Heating, Repairs-\$1,639.64; Mitchell Telecom, Utilities-\$155.06; Mitchell United Way, United Way Deductions-\$297.69; Mueller Lumber, Supplies-\$105.34; Muth Electric, Supplies-\$220.76; Napa Auto Parts, Supplies-\$380.00; Nebraska Salt & Grain, Supplies-\$8,565.62; Nicholas Zolnowsky, Refund-\$50.00; Northwestern Energy & Communication, Utilities-\$12,608.02; Overdrive, Supplies-\$54.98; Pepsi Cola, Supplies-\$875.39; Pfeifer Implement, Supplies-\$498.51; Porta Pros, Rental-\$151.00; Porter Distributing, Supplies-\$87.00; Premier Pest Control, Contract Service-\$175.00; Public Health Laboratory, Lab-\$225.00; Puetz, 2019-48 P.E. #1-\$76,551.25; Quality Cut Lawn & Tree, 2019-53R2 P.E. #1-\$18,562.50; Riverside Technologies, Support Coverage-\$18,229.84; Robert B Everson Jr., Travel-\$130.62; Runnings, Supplies-\$1,312.91; S & M Printing, Supplies-\$715.00; Sacred Hoops Basketball, Sports Authority Promotion-\$500.00; Schmucker Paul & Nohr, Research-\$1,250.00; South Dakota Ambulance, Membership-\$75.00; South Dakota Department of Revenue, Plates-\$11.20; South Dakota Firefighters, Membership-\$725.00; South Dakota Retirement System, Retirement Contributions-\$53,767.87; South Dakota Supplemental Retirement, Supplemental Retirement-\$2,539.80; South Dakota Supplemental Roth 457, Roth 457 Contributions-\$425.00; Sherwin Williams, Supplies-\$14.60; Showcases, Supplies-\$311.05; Sioux Falls Area Humane Society, Professional Service-\$542.52; Stahl's Collision Center, Repairs-\$127.50; Standard Insurance Company, Insurance Premiums-\$432.35; Staples, Supplies-

\$224.92; Storey Kenworhty/Matt Parr, Supplies-\$67.00; Sturdevant's Auto Parts, Supplies-\$3,384.72; Subway, Meals-\$51.82; Sun Gold Sports, Supplies-\$188.00; Teamsters Local No. 120, Union Dues-\$950.00; Tessier's, Repairs-\$75.55; Test America Laboratories, Lab-\$1,685.50; Thune True Value Hardware, Supplies-\$85.38; Ticket Envelope Company, Supplies-\$289.21; Tiffany Boehmer, Travel-\$216.96; TMA Stores, Supplies-\$219.96; Tractor Supply Credit Plan, Repairs-\$229.99; Traditions Prepared Meals, Supplies-\$1,636.30; Transource, Supplies-\$4,375.67; Trizetto Provider Solution, Service Contract-\$68.20; USA Blue Book, Supplies-\$1,184.22; Verizon Wireless, Utilities-\$306.09; Vern Eide Chevrolet Buick, Supplies-\$31.18; Walmart, Supplies-\$178.00; Wellmark, Cobra-\$2,972.28; Wheelco Brake & Supply, Supplies-\$843.72; Wholesale Electronics, Supplies-\$54.85; Zach Dalrymple, Reimbursement-\$134.00; Wellmark, Medical Expenses-\$126,488.71; Wage Works, Flex Expense-\$11,868.45.

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

PRESENTATION:

Sonya Moller, director of the Chamber and Convention & Visitors Bureau presented the 2019 fourth quarter report for the Mitchell Area Development Corporation and Chamber of Commerce.

BOARD OF ADJUSTMENT:

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

Moved by Rice, seconded by Sabers, to set date for February 18, 2020 on the application of Brenda Ziegler for a conditional use permit to operate a lodging house located at 520 E 6th Ave, legally described as Lot 12 & E 45' of Lot 11, Block 15, Burr's Addition, City of Mitchell, Davison County, South Dakota. The Property is zoned R2 Single Family Residential District. Motion carried.

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

CONSIDER APPROVAL:

Moved by Smith, seconded by Allen, to approve and authorize the Mayor to sign the SD Land, Water, Conservation Fund Grant in the amount of \$53,000.00 to expand the skate park. The City Council requests this item be brought back to approve the remaining funds before construction begins. Motion carried.

Moved by Smith, seconded by McCardle, to approve and authorize the Mayor to sign Amendment #1 to Agreement #A2018-30, Sanborn Boulevard Reconstruction Phases II & III with SPN and Associates in the amount of \$360,899.75. Motion carried.

Moved by McCardle, seconded by Rice, to approve and authorize the Mayor to sign Amendment #1 to Agreement #A2019-24, East Central Drainage Basin Improvements Phase II with SPN and Associates in the amount of \$206,850.00. Motion carried.

Moved by Allen, seconded by McCardle, to approve and authorize the Mayor and Chief of Public Safety to sign Agreement #A2020-09, JVDTF Multi-Jurisdictional Joint Powers Agreement. Motion carried.

Moved by Tjarks, seconded by Rice, to approve and authorize the Mayor to sign Agreement #A2020-10, Brosz Engineering for Construction Engineering Services for Sanborn Blvd Street Improvement Phases II and III Project #2019-22 in an amount not to exceed \$216,760.00. Motion carried.

RESOLUTION:

Moved by Sabers, seconded by McCardle, to approve Resolution #R2020-08, Setting Parking Ordinance Fees, as follows:

**RESOLUTION #R2020-08
SETTING PARKING ORDINANCE FEES**

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 shall remain in full force and effect.

General:

Parking Fees:

Restricted Zone	\$ 30.00
Private Property	\$ 30.00
Parked Against Flow	\$ 30.00
Parked Over 48 HRS	\$ 30.00
Snow Removal	\$ 50.00
Handicapped Zone	\$ 200.00
Other	\$ 30.00

All Fees will go into effect on March 9th, 2020.

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 Rice, to place Ordinance #O2020-01, Establishing Airport Ramp Regulations on second reading. Motion carried. Moved by Tjarks, seconded by McCardle, to adopt Ordinance #O2020-01, as follows:

ORDINANCE #O2020-01

AN ORDINANCE ESTABLISHING AIRPORT RAMP REGULATIONS.

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

Section 1.

That a NEW SECTION be added to the Mitchell City Code as Section 5-2-3 to read as follows:

“5-2-3: Airport Ramp Regulations:

1. All owners shall see that aircraft are responsibly tied down at all times. No aircraft shall be parked in the ramp tie-down area for over 10 days without being moved.
2. No aircraft other than licensed flyable aircraft shall be allowed to park on the airport ramp area, unless approved by the manager.
3. All aircraft in the ramp tie-down area shall be moved prior to each snow event to facilitate snow removal on the ramp.
4. The City may move, or cause to be moved, any plane using the ramp area at any time if deemed appropriate by the Airport Manager.
5. Any owner using the ramp designates the Fixed Base Operator as his/her agent and delegates to the Fixed Base Operator the authority to move said plane. The Fixed Base Operator may charge the reasonable costs for such plane removal to the plane's owner and the plane's owner shall be responsible for payment of such costs. The Fixed Base Operator is responsible for the billing and collection of service charges arising out of this section. If Fixed Base Operator engages in operations pursuant to this section, Fixed Base

Operator does so as an independent contractor and not as an agent of the City of Mitchell.”

Section 2.

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

Section 3.

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

Moved by Allen, seconded by McCardle, to table Ordinance #O2020-02, An Ordinance Changing the District Classification of the Real Property Currently Owned by Avera Queen of Peace from UD Urban Development District and R4 High Density Residential District to the Ridge View on Foster Planned Development on first reading to a future meeting. Motion carried.

Kathy Wire and Pam Bathke addressed concerns regarding the proposed housing project and the information being provided from local leaders.

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 _____.