

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

**February 18, 2020  
6:00 P.M.**

**PRESENT:** Dan Allen, Marty Barington, John Doescher, Steve Rice, Jeffrey Smith

**ABSENT:** Kevin McCardle, Dan Sabers, Susan Tjarks

**PRESIDING:** Mayor Bob Everson

**AGENDA:**

Moved by Allen, seconded by Rice, to approve the following items on the consent agenda.

- a. City Council Minutes
  1. City Council February 3, 2020.
- b. Committee Meeting Minutes
  1. Planning Commission January 27, 2020.
- c. Department Reports
  1. Sales Tax Collections (January),
  2. Building Permits (January),
  3. Fire & EMS (January),
  4. Police (January),
  5. Mowing (October),
  6. Snow Removal (November, December, January),
  7. Palace Transit Ridership (January),
  8. Airport (January), and
  9. Water (January).
- d. Raffle Permits
  1. Gertie Belle Rogers School PTA with the drawing to be held on March 28, 2020,
  2. Heartland Quilt Guild with the drawing to be held on October 18, 2020, and
  3. Mitchell Technical Institute Power Sports Program with the drawing to be held on or about December 3, 2020.
- e. Set date for bid opening at 1:30 p.m. on February 28, 2020 for Rock Chips Project #2020-10.
- f. Set date for bid opening at 1:30 p.m. on February 28, 2020 for Petroleum Products Project #2020-13.
- g. Set date for bid opening at 1:30 p.m. on March 11, 2020 for James Valley Community Center Drive-Up Window and Parking Lot Improvement Project #2019-07.

- h. Parade Permit for Dakota Wesleyan for a Homecoming Parade for Blue & White Days on September 26, 2020.
- i. Request to Accept DOT 5339 Transit Funds for Hardware.
- j. Request to Accept DOT 5339 Transit Funds for Software.
- k. Request to Accept DOT 5339 Transit Funds for Surveillance-Security Cameras.
- l. Main Street Closure request from Junior Achievement for March 21, 2020 for Chicken 5K and Fun Run.
- m. Temporary Road Closure for West Harmon from 407<sup>th</sup> to Canal Drive for one day for prescribed burn between March 15<sup>th</sup> and March 28<sup>th</sup>, 2020.
- n. Pay Estimates 02-18-2020
  - Pay Estimate #10 in the amount of \$10,700.00 for Waste Water Collection. Evaluation #2018-34 contracted to SPN & Associates,
  - Pay Estimate #6 in the amount of \$418.75 for Water Supply Needs Study #2018-38 contracted to Infrastructure Design Group,
  - Pay Estimate #4 in the amount of \$7,232.70 for Dry Run Creek Analysis #2019-33 contracted to Infrastructure Design Group,
  - Pay Estimate #19 in the amount of \$4,160.00 for E. Central Drainage-Phase II-WW #2018-39 contracted to SPN & Associates,
  - Pay Estimate #20 in the amount of \$1,280.00 for E. Central Drainage-Phase II-Water #2018-39 contracted to SPN & Associates,
  - Pay Estimate #21 in the amount of \$14,464.00 for E. Central Drainage-Phase II-WW & SS #2018-39 contracted to SPN & Associates,
  - Pay Estimate #4 in the amount of \$3,750.00 for Water Model Design #2019-45 contracted to Infrastructure Design Group,
  - Pay Estimate #5 in the amount of \$3,873.95 for Corn Palace Plaza Phase II #2019-48 contracted to Confluence, Inc., and
  - Pay Estimate #2 in the amount of \$43,013.66 for Corn Palace Plaza Phase II #2019-48 contracted to Puetz Corporation.
- 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 JANUARY 26, 2020 – FEBRUARY 8, 2020-** City Council \$3,199.68, Mayor \$1,331.42, City Administrator \$5,066.46, Attorney \$4,210.23, Finance \$14,138.84, Human Resources \$3,679.23, Municipal Building \$793.32, Information Technology \$2,570.96, Police \$73,581.24, Traffic \$4,376.80, Fire \$46,977.03, Street \$29,494.72, Public Works \$22,274.45, Cemetery \$3,905.07, Library \$16,791.18, Recreation & Aquatics \$6,507.22, Recreation Center \$17,689.25, Sports Complexes \$11,262.24, Parks \$9,416.94, Supervision \$5,449.05, E911 \$22,877.41, RSVP \$5,625.79, Palace Transit \$21,294.66, JVCC \$1,540.00, Nutrition \$1,320.39, Water Distribution \$10,776.81, Sewer \$13,763.59, Airport \$2,934.73, Recycling Program \$5,570.85, Waste Collection \$5,206.48, Landfill \$8,597.11, Corn Palace \$19,542.31, Golf Course \$5,784.37, Emergency Medical Services \$9,542.40.

**NEW HIRES:**

CORN PALACE: Kevin Dykes-\$19.833.

**SALARY ADJUSTMENTS:**

LANDFILL: Stephen Laughlin-\$21.098.

FIRE: Daniel Esh-\$17.796.

LIBRARY: Cynthia Meinen-\$26.690.

E911: Kyleena Dumas-\$24.504.

**WARRANTS:** A-OX Welding Supply, Supplies-\$299.21; AAA Lawn Care and Maintenance, Snow Removal-\$1,165.00; Advance Auto Parts, Maintenance-\$7.69; AFLAC, Aflac Withholding-\$11,682.44; Aflac Group, Critical Care-\$1,025.52; AFSCME Council 65, Union Dues-\$566.40; Alignment X-Perts, Repairs-\$45.00; Amazon Capital Services, Supplies-\$324.11; Ameripride Services, Maintenance-\$351.73; Apple Books, Book-\$17.99; APWA, Renewal-\$700.00; Aqua-Pure, Supplies-\$3,212.50; Arctic Refrigeration, Repairs-\$83.67; AT&T Mobility, Utilities-\$1,134.77; Auto Body Specialties, Supplies-\$67.64; Avera Occupational Medicine, Contract Services-\$819.90; B & B Upholstery, Repairs-\$190.00; B & L Communications, Professional Service-\$507.00; B-Y Water District, Utilities-\$51,658.04; Backdraft Opco, Supplies-\$3,696.00; Bailey Metal Fabricators, Repairs-\$202.27; Baker & Taylor, Book-\$13.59; Big Daddy D's, Contract Services-\$4,131.75; Blackstone Publishing, Supplies-\$61.90; Book Systems, Supplies-\$1,380.00; Brady Lee Hudson, Professional Service-\$225.00; CDW Government, Supplies-\$6,993.16; Central Electric, Utilities-\$11,828.00; Century Link, Utilities-\$61.79; Coborns, Contract Services-\$745.00; Coca Cola Bottling, Supplies-\$1,283.85; Confluence, 2019-48 P.E. #5-\$3,873.95; Converge One, Supplies-\$2,700.00; Core & Main, Supplies-\$3,947.63; Core-Mark Midcontinent, Supplies-\$6,291.00; Corn Palace Concessions, Supplies-\$12.00; County Fair, Supplies-\$61.98; County Fair, Contract Services-\$680.00; Dakota Pump, Supplies-\$4,060.25; Dakota Supply Group, Supplies-\$140.00; Daniel Kopfmann, Supplies-\$262.46; Darrington Water Conditioning, Rentals-\$85.75; David Sarne, Travel-\$115.00; Davison County Register of Deeds, Copies-\$66.00; Davison Rural Water Systems, Utilities-\$32.65; Delta Dental Plan of South Dakota, Dental Premium-\$15,234.15; Department of Environment and Natural Resources, Garbage Fees-\$2,654.58; Dependable Sanitation, Contract Services-\$20,230.00; Department of Social Services, Child Support-\$1,173.12; Dice Benefits Consulting, Administration fees-\$528.00; Dick's Body Shop, Repair-\$75.00; Dick's Towing, Police Tow-\$190.00; Direct Digital Control, Repairs-\$239.75; Don Everson, Supplies-\$90.98; Dug Out, Contract Services-\$665.00; Emergency Education, Training-\$495.00; Farm & Home Publishers, Books-

\$56.00; Farmers Alliance, Repair-\$60.62; Forum Communications, Advertising-\$2,119.98; Fox Paint & Blinds, Supplies-\$12.74; Gale, Books-\$100.45; Gerald Fradet, Reimbursement-\$99.95; Governor's Inn, Travel-\$231.00; Graham Tire, Repair-\$29.96; Grainger, Supplies-\$68.11; Harve's Pro Prints, Supplies-\$103.50; Harve's Sport Shop, Supplies-\$79.87; Heiman Fire Equipment, Repairs-\$630.00; Hohn's Services, Snow Removal-\$4,430.00; Holiday Inn Express, Travel-\$98.00; Honda of Mitchell, Supplies-\$14.99; Ican, Advertising-\$750.00; Infrastructure Design Group, 2018-38 P.E. #6-\$11,401.45; Ingram Library Services, Books-\$600.30; Innovative Office Solution, Supplies-\$708.50; International Municipal Law, Renewal-\$625.00; Interstate Office Products, Supplies-\$70.28; JCL Solutions, Supplies-\$135.69; Joe Dolezal, Travel-\$61.00; Johnson South Dakota, Supplies-\$1,013.32; Jones Supplies, Supplies-\$1,283.85; Karl's, Supplies-\$812.10; Krohmer Plumbing, Repairs-\$5,072.18; Lakeview Veterinary Clinic, Service Dog Tommy-\$1,049.29; Lewis Family Drug, Supplies-\$39.96; Lou's Gloves, Supplies-\$140.00; M & T Fire and Safety, Supplies-\$200.00; McLeod's Printing, Supplies-\$1,036.28; Mega Wash, Maintenance-\$16.00; Meierhenry Sargent, Bond Counsel-\$67,180.00; Menard's, Supplies-\$481.45; Meyers Oil, Supplies-\$1,139.19; Midamerica Books, Books-\$170.55; Midcontinent Communication, Advertising-\$1,647.16; Midwest Alarm Company, Maintenance-\$81.00; Midwest Turf & Irrigation, Supplies-\$943.48; Scott, Daniel Refund-\$106.24; Mitchell Area Safehouse, 2020 Allocation-\$4,500.00; Mitchell Concrete Product, Supplies-\$124.50; Mitchell Convention & Visitors Bureau, 2020 Funding-February-\$22,750.00; Mitchell Firefighters Local 4166, Training-\$650.00; Mitchell Iron & Supply, Repairs-\$615.30; Mitchell Main Street and Beyond, 2020 Allocation-\$35,000.00; Mitchell School District, Utilities-\$1,512.81; Mitchell Telecom, Utilities-\$2,774.30; Mitchell United Way, United Way Deductions-\$255.69; Mociic, 2020 Membership Fees-\$200.00; Mount Vernon School District, Contract Services-\$81.95; Muth Electric, Supplies-\$5,167.52; Napa Auto Parts, Supplies-\$122.91; Nebraska Salt & Grain, Supplies-\$2,143.27; Nedved Media, Advertising-\$5,166.72; Nicholas Jongeling, Travel-\$32.00; Northwestern Energy & Communications, Utilities-\$63,944.81; O'Connor, Supplies-\$88.44; Online Computer Library Center, Cataloging & Metadata-\$354.63; Overdrive, Supplies-\$2,776.12; Parkston Boom's Restaurant, Contract Services-\$2,705.00; Patrick Marler, Travel-\$32.00; Paulson Sheet Metal, Supplies-\$57.36; Pepsi Cola Company, Supplies-\$829.53; Perfect Touch Auto Detailing, Professional Service-\$225.00; Pfeifer Implement, Supplies-\$110.17; Porter Distributing, Supplies-\$40.00; Premier Equipment, Supplies-\$2,186.85; Premier Pest Control, Contract Services-\$175.00; Public Health Laboratory, Lab-\$120.00; Puetz, 2019-48 P.E. #2-\$43,013.66; Qualified Presort, Mailing Service-\$1,072.47; Reader's Den, Books-\$91.09; Recorded Books, Supplies-\$2,059.54; Richard Stuewe, Equipment-\$650.00; Rink-Tec International, Maintenance Agreement 2020-\$7,138.56; Robert B Everson Jr, Travel-\$139.86; Runnings, Supplies-\$434.41; S & M Printing, Supplies-\$216.00; Saga Communications of South Dakota, Advertising-\$738.00; Schmucker Paul & Nohr, Professional Service-\$32,594.40; South Dakota Airports Conference, Registration-\$100.00;

South Dakota Department of Revenue, Special Plates-\$3.00; South Dakota Municipal League, Registration-\$21.00; South Dakota Newspaper Services, Advertising-\$315.48; South Dakota Retailers, 2020 Dues-\$240.00; South Dakota Retirement System, Retirement Contributions-\$51,319.99; South Dakota Supplemental Retirement, Supplemental Retirement-\$2,564.80; South Dakota Supplemental Roth 457, Roth 457 Contributions-\$450.00; South Dakota Municipal League Workers' Compensation, 2020 Renewal-\$235,162.00; Senior Meals Program, Lunch & Learn-\$100.00; Solarwinds, Supplies-\$195.94; Standard Insurance, Life Insurance-\$2,064.44; Staples, Supplies-\$504.17; Stephanie Ellwein, Travel-\$422.08; Stitchtogether, Repairs-\$38.00; Stryker Sales, Equipment-\$1,657.45; Sturdevant's Auto Parts, Supplies-\$188.46; Subway, Meals-\$38.74; Sun Gold Sports, Supplies-\$270.00; Teleflex Funding, Supplies-\$1,315.50; Tessier's, Repairs-\$387.38; Thomson Reuters West, Supplies-\$779.99; Thune True Value Hardware, Supplies-\$296.85; Tim's Towing & Recovery, Police Tow-\$315.00; TMA Stores, Repair-\$19.72; Trizetto Provider Solution, Service Contract-\$69.05; Tyler Technologies, Supplies-\$62.50; United Rotary Brush, Supplies-\$707.07; United Parcel Service Store #4227, Shipping-\$74.80; United States Postal Service, Postage-\$75.33; USA Blue Book, Supplies-\$1,167.31; Verizon Wireless, Utilities-\$802.41; Vern Eide Chevrolet Buick, Repair-\$471.63; Vern Eide Ford Lincoln, Repair-\$17.99; Walmart, Supplies-\$126.86; Watertown Wholesale, Supplies-\$280.93; Wellmark Blue Cross Blue Shield, Processing Fee-\$2,964.00; Wellmark, Cobra-\$2,972.28; Wholesale Electronics, Supplies-\$190.14; World Book, Books-\$999.00; South Dakota State Treasurer, Sales Tax Payment-\$16,878.54; Library, Expense Posting-\$96.09; Ellwein Brothers, Supplies-\$294.95; Wellmark of South Dakota, Prescriptions, Medical-\$131,206.45; Wage Works, Flex Expense-\$10,973.28; US Bank, Loan Payment-\$128,351.49.

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

#### **CITIZENS INPUT:**

Council Member Doescher asked if the 4-way stop at 3<sup>rd</sup> & Main will be replaced with traffic lights. City Administrator Ellwein stated the 4-way stop will remain. The streetscape plan for Main Street suggests 4-way stops at the intersection so instead of placing and then removing, the stop signs will remain.

Council Member Smith noted the KC Hall demolition has began.

#### **DISCUSSION:**

City Attorney Justin Johnson discussed the nuisance property located at 414 South Montana. The property was previously declared a nuisance and authorized to be demolished with costs assessed against the property. The property owner contacted Johnson a day before demolition

was set to begin and claimed to be unaware of the intent to demolish. Johnson will now pursue a civil action for an order of abatement.

**BOARD OF ADJUSTMENT:**

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

Council Member Susan Tjarks is now present by phone.

It was advised that this is the date and time set for hearing on the application of Brenda Ziegler for a conditional use permit to operate a lodging house located at 520 E 6<sup>th</sup> 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. Notice of hearing has been given and affidavit of publication is on file. The Planning Commission recommended approval of said application. Moved by Allen, seconded by Rice, to approve said application. Roll call vote.

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

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

Council Member Susan Tjarks has now left the meeting.

**CONSIDER APPROVAL:**

Moved by Rice, seconded by Allen, to approve the application of Speedy Taxi LLC for a Vehicle for Hire Company with the conditions that Dustin Feistner is not an operator for Speedy Taxi LLC and the vehicle and insurance information is provided with any fees prior to operation. Motion carried.

Moved by Barington, seconded by Smith, to approve the amendment to the Crop Land Lease Agreement with Stehly Farms for the Kelley Property, #A2020-11. Motion carried.

Moved by Allen, seconded by Rice, to award the quote to Trap and Remove Minnows from the Wastewater Treatment Lagoons Project #2020-18 to Skinner Bait and Farm in an amount of \$2,300.00 per year renewable up to 3 years. Motion carried.

**RESOLUTION:**

Moved by Rice, seconded by Barington, to approve Resolution #R2020-09, Plat of Lots 2, 3, 4, 5, and 6, Block 6, MLC Addition, and a portion of West Pine Avenue, a subdivision of Lots 4A and 4B, Block 4, Morningview Addition, as follows:

**RESOLUTION #R2020-09**

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 February, 2020; and

WHEREAS, it appears from an examination of the plat of LOTS 2, 3, 4, 5, AND 6, BLOCK 6, MLC ADDITION, AND A PORTION OF WEST PINE AVENUE, A SUBDIVISION OF LOTS 4A AND 4B, BLOCK 4, MORNINGVIEW ADDITION TO THE 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 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 2, 3, 4, 5 AND 6, BLOCK 6, MLC ADDITION, AND A PORTION OF WEST PINE AVENUE, A SUBDIVISION OF LOTS 4A AND 4B, BLOCK 4, MORNINGVIEW ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul J. Reiland, be and the same is approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

Motion carried and resolution declared duly adopted.

**CONSIDER APPROVAL:**

Mike Vehle, vice-chair, of Friends of Firesteel reviewed the request of matching funds of \$16,000 to partner with Maximizing Excellence to assist in raising funds to restore water quality in Lake Mitchell. Moved by Allen, seconded by Rice, to table action until the May 18, 2020 meeting. Motion carried.

**ADJOURN:**

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

  
Michelle Bathke  
Finance Officer

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