

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

April 2, 2018  
6:00 P.M.

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

**ABSENT:**

**PRESIDING** Mayor Jerry Toomey

**AGENDA:**

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

- a. City Council Minutes
  1. City Council Minutes March 19, 2018.
- b. Committee Meeting Minutes
  1. Planning Commission March 12, 2018,
  2. Traffic Commission March 19, 2018, and
  3. Public Health & Safety March 19, 2018.
- c. Raffle Permits
  1. DWU/Mitchell Area Children's Choir with the drawing to be held on April 29, 2018 ,
  2. Helping with Horsepower with the drawing to be held on May 12, 2018,
  3. Big Friend Little Friend with the drawing to be held on August 16, 2018,
  4. Dakota Wesleyan University with the drawing to be held on April 21, 2018, and
  5. Mitchell High School Student Council with the drawing to be held on May 14, 2018.
- d. Approve taxicab licenses
  1. Tim Goldammer dba as LYFT, and
  2. Sadie Kiner dba as LYFT.
- e. Set date of 04-16-18 for hearing
  1. On the application to transfer Retail (On-Sale) Liquor License RL-5756 from Boehnen Corporation dba Ramada Inn, 1525 West Havens Street, Mitchell, South Dakota to Mitchell Hotel LLC dba Ramada Inn, 1525 West Havens Street, Mitchell, South Dakota.
- f. Set date for bid opening 1:30 p.m., April 30, 2018 for Petroleum Products City Project #2018-13.
- g. Gas & Fuel Quotation

<b><u>Howes Oil Company Inc.</u></b>	<b><u>Requested</u></b>	<b><u>Bid</u></b>	<b><u>Price per</u></b>	<b><u>Total Bid</u></b>
	<b><u>Gallons</u></b>	<b><u>Gallons</u></b>	<b><u>Product</u></b>	
Off Road Diesel-#2	1,100	1,100	\$2.030	<b>\$2,233.00*</b>

Off Road Diesel-#1	1,100	1,100	\$2.1445	\$2,358.95*
Unleaded Gas-10% Ethanol	5,300	5,300	\$2.1055	\$11,159.15*
<b>Total Bid:</b>				<b>\$15,751.10*</b>

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

- h. Pay Estimates April 2, 2018  
 Pay Estimate #1 in the amount of \$1,898.00 for Jitters Asbestos Survey #2018-8A contracted to GeoTek Engineering & Testing Services Inc., and  
 Pay Estimate #1 in the amount of \$158,764.50 for Forcemain-Phase III Schedule D #2017-12 contracted to TK Electric.
- 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 FEBRUARY 25, 2018 – MARCH 10, 2018:** City Council \$3,016.00, Mayor \$1,255.00, City Administrator \$4,808.42, Attorney \$3,871.18, Finance \$12,765.25, Human Resources \$3,382.92, Municipal Building \$3,357.47, Information Technology \$2,452.78, Police \$67,085.33, Traffic \$4,233.42, Fire \$46,542.38, Street \$37,379.66, Public Works \$14,962.94, Cemetery \$3,651.41, Animal Control \$1,591.92, Emergency Medical Services \$11,675.20, Library \$13,411.96, Recreation & Aquatics \$7,289.16, Recreation Center \$9,794.54, Sports Complexes \$10,171.43, Parks \$8,820.86, Supervision \$5,010.24, E911 \$21,588.02, RSVP \$5,502.31, Palace Transit \$19,593.42, JVCC \$1,153.88, Nutrition \$1,136.64, Water Distribution \$8,082.96, Sewer \$13,433.70, Airport \$3,062.26, Waste Collection \$12,883.67, Landfill \$8,937.25, Corn Palace \$20,108.89, Golf Course \$5,478.06.

**NEW HIRES:**

RECREATION CENTER: Hannah Sebert-\$8.85, Nancy Voigt-\$9.85.

RECREATION & ACQUATICS: Christina Siemsen-\$10.35.

E-911: Crystal Schlimgen-\$22.253.

WATER: Darin Richey-\$17.148, Scott Geppert-\$17.148.

**SALARY ADJUSTMENTS:**

FIRE: Andrew Shank-\$20.197.

POLICE: Michaela Bolgrean-\$24.237.

**WARRANTS:** A & B Business Solutions, Supplies-\$4,258.10; A-OX Welding Supply, Supplies-\$275.85; AAA Collections, Contract Services-\$5.00; Accounts Management, Garnishment-\$265.66; Adam Fosness, Contract Services-\$1,330.00; AFSCME Council 65, Union Dues-\$495.18; Ameripride Services, Supplies-

\$209.76; Arctic Refrigeration, Repairs-\$506.35; Avera Occupational Medicine, Contract Services-\$1,750.66; Bailey Metal Fabricators, Supplies-\$210.16; Big Daddy D's, Contract Services-\$4,185.00; Brian Andersen, Reimbursement-\$27.88; Brock White, Supplies-\$1,938.16; Brown & Saenger, Supplies-\$1,306.26; Buxton, Professional Services-\$12,500.00; C & B Operations, Supplies-\$684.13; Campbell Supply, Supplies-\$498.08; Carquest Auto Parts, Supplies-\$27.45; CDW Government, Supplies-\$3,616.00; Central Electric, Utilities-\$693.00; Century Link, Utilities-\$ 1,253.44; CHR Solutions, Contract Services-\$3,003.72; City of Mitchell, Utilities-\$5,601.00; Coca Cola Bottling, Supplies-\$1,619.65; Cody Pohlen, Reimbursement-\$89.98; Commercial Asphalt/Spencer Quarries, Supplies-\$843.75; Cook Implement, Supplies-\$88.69; Core-Mark Midcontinent, Supplies-\$4,256.81; Corn Palace Concessions, Supplies-\$9.00; County Fair, Supplies-\$456.62; Dakota Counseling, 2nd 1/4 2018 Allocation-\$12,500.00; Dakota Pump, Supplies-\$2,021.93; Danko Emergency Equipment, Supplies-\$4,368.42; Dell Marketing, Supplies-\$834.99; Dependable Sanitation, Contract Services-\$23,800.00; Department of Social Services, Child Support-\$1,049.68; Dick's Towing, Police Tow-\$135.00; Dogpoopbags, Supplies-\$525.88; Eric Hieb, Contract Services-\$4,229.26; Farmers Alliance, Supplies-\$1,604.54; Fastenal, Supplies-\$208.61; Fedex, Transportation Charges-\$12.54; First National Bank Omaha, Loan Payment-\$9,714.32; Forum Communications, Advertising-\$1,619.26; Frito-Lay, Supplies-\$233.40; Georgiana K Burson, Refund-\$300.00; Geotek Engineering, 2018-8AP.E. #1-\$1,898.00; Glass Doctor of Sioux Falls, Supplies-\$1,001.01; Happy Memories Band, Contract Services-\$150.00; Harlow's Bus Sales, Supplies-\$422.64; Heartland Paper Company, Supplies-\$116.01; Howes Oil, Supplies-\$15,755.06; Integrity Transcription, Transcribing Service-\$253.75; Interstate Glass & Door, Repair-\$131.05; Interstate Office Products, Supplies-\$207.30; Iverson Chrysler Center, Part-\$455.00; JCL Solutions, Supplies-\$385.57; Johnson Golf, Supplies-\$436.00; Kimball-Midwest, Supplies-\$498.99; King Outdoor Enterprises, Supplies-\$3,114.84; KORN/KQRN Radio, Advertising-\$710.70; Kyle Croce, Travel-\$500.00; Larry's I-90 Service, Supplies-\$632.55; Lawson Products, Supplies-\$746.25; Make It Mine Designs, Supplies-\$168.30; Marco Technologies, Supplies-\$206.05; MC&R Pools, Supplies-\$1,221.00; McFarland Supply, Repair-\$480.45; McLeod's Printing, Supplies-\$321.83; Menard's, Supplies-\$1,501.35; Meyers Oil, Supplies-\$3,419.27; Microsoft, Software-\$1,824.00; Midcontinent Communication, Advertising-\$1,184.00; Midwest Playscapes, Supplies-\$97.89; Midwest Turf & Irrigation, Supplies-\$843.74; Mitchell Iron & Supply, Supplies-\$32.73; Mitchell Park & Recreation, Volleyball Program-\$2,030.00; Mitchell School District, Sports Authority Promotion-\$1,400.00; Mitchell Telecom, Utilities-\$165.24; Mitchell United Way, United Way Deductions-\$171.67; Mitchell Wrestling, Corn Palace Games-\$6,290.35; Mueller Lumber, Supplies-\$125.17; Muth Electric, Repair-\$1,753.00; Nagel Painting, Supplies-\$6,500.00; Nami Sioux Falls, Registration-\$240.00; Napa Auto Parts, Supplies-\$554.19; Newman Traffic Signs, Supplies-\$1,570.16; Northwestern Energy & Communications, Utilities-\$25,920.65; Paulson Air, Supplies-\$159.12; Pepsi Cola, Supplies-\$950.14; Peter Arnold, Reimbursement-\$12.98; Premier Pest Control, Contract Services-\$125.00; Qualified Presort, Contract Services-\$499.37; Ron's Saw Sales, Supplies-\$818.62;

S & M Printing, Supplies-\$416.00; Saga Communications of South Dakota, Advertising-\$870.00; Santel Communications, Professional Services-\$1,543.00; Schmit Greteman, Testing-\$36.00; Scott Supply, Supplies-\$379.04; South Dakota Building Officials, Registration-\$150.00; South Dakota Department of Health, Lab-\$285.00; South Dakota Department of Revenue, License Plates-\$1,278.42; South Dakota Retirement System, South Dakota Retirement Systems-\$48,701.81; South Dakota-Supplemental Retirement, Supplemental Retirement-\$3,012.66; South Dakota-Supplemental Roth 457, Roth 457 Contributions-\$400.00; Sherwin-Williams, Supplies-\$632.60; Sign Pro, Supplies-\$81.70; Standard Insurance, Life Insurance-\$413.16; Sturdevant's Auto Parts, Supplies-\$2,020.13; Subway, Meals-\$37.50; Teamsters Local No. 120, Union Dues-\$776.00; Tessier's, Supplies-\$2,998.19; Thune True Value Hardware, Supplies-\$285.27; TK Electric, Repair-\$158,830.39; TMA Stores, Repairs-\$274.88; Transource, Supplies-\$7,339.53; Tyler Technologies, Maintenance-\$1,288.82; US Bank Equipment, Contract Payment-\$64,212.64; USA Blue Book, Supplies-\$350.08; Vern Eide of Mitchell, Supplies-\$214.91; Walmart, Supplies-\$322.13; Wells Fargo Bank, TID #18-Starlite Estates/South-\$36,111.48; Wheelco Brake & Supply, Supplies-\$1,143.07; Wholesale Electronics, Supplies-\$28.38; Karla Kokesh, Refund-\$47.36; Audrey Beukelman, Refund-\$14.44.

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

#### **CITIZENS INPUT:**

Council Member Kevin McCardle inquired about the leaking roof at the Mitchell Activities Center. Sports Complex Supervisor Dan Dobesh told the Council Members and the public that there was a build up of ice and snow that flowed over the flashing creating a leak. Dobesh has contacted Palace Builders to take a look at it.

Oscar Thompson spoke in regards to Lake Mitchell about possible worm farming. Thompson commented that worm farming can slow down the extra run off into the lake, save the nutrients, stop erosion and not disturb the vegetation growth.

#### **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 April 6, 2018 for a banquet. Notice of hearing has been given and affidavit of publication is on file. Moved by Tjarks, 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 April 14, 2018 for a benefit. Notice of hearing has been given and affidavit of publication is on file. Moved by Tjarks, 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 April 28, 2018 for a dinner. 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 Corn Palace Shrine Club for a Special Event Liquor License located at the Masonic Temple on April 14th, 2018 for a dance. Notice of hearing has been given and affidavit of publication is on file. Moved by Allen, 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 Imagine Guild Inc. for a Special Event Liquor/Malt Beverage License located on Main Street by closing the following: South Main Street from 2nd south to the Depot as well as Railroad from 1/2 block west of Main to east of Main to Lawler Street, including both City of Mitchell parking lots south of 1st Street and Railroad Street, also request closing the Alley on the West parking lot and allow to use the adjoining City gravel parking area between the alley and the Public Safety storage building. Also, to obtain a Special Liquor License, Consumption, Noise, and Poker Run permits and discuss the associated costs for the Memorial Weekend in Mitchell and Barbecue Cook-Off on May 26, 2018. Notice of hearing has been given and affidavit of publication is on file. Moved by Tjarks, seconded by Olson, to approve said application. Motion carried.

#### **CONSIDER APPROVAL:**

Discussion took place on the Design Refinement Phase of Lake Mitchell with Mike Sotak of FYRA Engineering, Greg Kipp of Verax Engineering and Mitchell Parks and Recreation Director Nathan Powell. The Technical Memorandum for Lake Mitchell Rehabilitation Project-Phase 1, Lake Mitchell Development Strategy, and Design Refinement Phase fee estimate were presented to Council. Possible solutions discussed were dredging the lake, capping deeper areas and neutralizing to reduce algae blooms. Sotak was unable to give an estimate of cost to complete the project without first analyzing the results of February's core samples.

Moved by Olson, seconded by Barington, to authorize funding an additional amount of \$80,000.00 to continue the project and bring back a better estimate of costs and options. Motion carried with McCardle voting nay.

#### **ORDINANCE:**

Moved by Allen, seconded by Rice, to place Ordinance #O2018-04, Amending and Repealing Certain Liquor Control Provisions on first reading. Motion carried.

#### **CONSIDER APPROVAL:**

Moved by Smith, seconded by Tjarks, to approve Agreement #A2018-14, Corn Palace Service Agreement between the City of Mitchell and the Mitchell Area Chamber of Commerce in the amount of \$120,000.00 per year for four years. Motion carried.

Moved by Allen, seconded by Olson, to deny the purchase of a Restroom Structure for Northridge Park in the amount of \$44,600.00. Motion carried with Barington and Tjarks voting nay.

**RESOLUTION:**

Moved by Rice, seconded by McCardle, to approve Resolution #R2018-16, A Plat of Lots 16-A And 16-B, A Subdivision of Lot 16, Block 2, Indianhead Second Addition to the City of Mitchell, Davison County, South Dakota, as follows:

**RESOLUTION #R2018-16**

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 26th day of March, 2018, and

WHEREAS, it appears from an examination of the plat of LOTS 16-A AND 16-B, A SUBDIVISION OF LOT 16, BLOCK 2, INDIANHEAD SECOND 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 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 prepared according to law;

THEREFORE, be it resolved by the City Council of Mitchell, South Dakota, that the plat of LOTS 16-A AND 16-B, A SUBDIVISION OF LOT 16, BLOCK 2, INDIANHEAD SECOND ADDITION TO THE CITY OF MITCHELL, 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.

The undersigned does hereby certify that the foregoing resolution was passed by the City of Mitchell, South Dakota, at a meeting held on the 2nd day of April, 2018.

Motion carried and resolution declared duly adopted.

**AWARD BIDS:**

Bids were opened and read on the Sidewalk City Project #2018-4 Schedule "A" on the 13th day of March, 2018 at 1:30 p.m. in the Mayor's Office of City Hall. Moved by Olson, seconded by Rice, to award the project as follows:

**SIDEWALK PROJECT "A"  
CITY PROJECT #2018-4**

Top Grade Concrete, LLC, 641 1st Avenue, Emery, South Dakota 57332.

1. Total Bid for Schedule "A" \$80,816.25

Motion carried.

Bids were opened and read on the Sidewalk City Project #2018-4 Schedule "B" on the 13th day of March, 2018 at 1:30 p.m. in the Mayor's Office of City Hall. Moved by Tjarks, seconded by McCardle, to award the project as follows:

**SIDEWALK PROJECT "B"  
CITY PROJECT #2018-4**

Top Grade Concrete, LLC, 641 1st Avenue, Emery, South Dakota 57332.

1. Total Bid for Schedule "B" \$51,895.00

Motion carried.

Bids were opened and read on Paving & Overlay Project #2018-15 on the 26<sup>th</sup> day of March, 2018 in the Council Chambers of City Hall. Moved by Allen, seconded by Barington, to award as follows:

**PAVING & OVERLAY  
CITY PROJECT#2018-15**

Commercial Asphalt, 25254 413<sup>th</sup> Avenue, Mitchell, South Dakota 57301.

Total Bid \$385,529.20

Motion carried.

Bids were opened and read on the Recreation Center Reroof Phase II Project #2018-24 on the 26<sup>th</sup> day of March, 2018 at 1:30 p.m. in the Council Chambers of City Hall. Moved by Smith, seconded by Barington, to award the project as follows:

**RECREATION CENTER REROOF  
PHASE II  
CITY PROJECT#2018-24**

Hub City Roofing Inc., 118 Railroad Avenue, NE, Aberdeen, South Dakota 57401.

Bid Schedule "A" \$29,070.00

Bid Schedule "B" \$35,910.00

Total Bid \$64,980.00

Motion carried.

**CONSIDER APPROVAL:**

Moved by Barington, seconded by Allen, to approve the filing of Petition to Vacate a Portion of 6<sup>th</sup> Avenue. Motion carried.

**ORDINANCE:**

Moved by Olson, seconded by McCardle, to place Ordinance #O2018-03, Supplemental Appropriations on second reading. Motion carried. Moved by Rice, seconded by Olson, to adopt Ordinance #O2018-03 as follows:

**ORDINANCE NO. O2018-03  
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:

**GENERAL FUND**

**MAYOR**

101-41210-43300	Veterans Park	\$5,000.00
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**FINANCE**

101-41420-42900	Fabricators Sales Tax Refund	\$10,000.00
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**INFORMATION TECHNOLOGY**

101-41935-42600	Supplies	\$4,820.00
101-41935-43510	Computer Hardware	\$46,777.00
101-41935-43511	Computer Software	\$19,752.00

**STREET**

101-43100-42620	Asphalt Mix	\$20,000.00
101-43100-42630	Gravel Base	\$10,000.00

**STREET & SIDEWALK**

101-43120-42630	Gravel Base	\$115,000.00
101-43120-43318	6 <sup>th</sup> Street Plaza	\$103,541.00
101-43120-43322	Utility Work	\$96,015.00

**SNOW REMOVAL**



101-43130-42600	Supplies	\$10,000.00
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**STORM DRAINAGE**

101-43150-42200	Professional Fees	\$25,000.00
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The funding will come from the General Fund cash balance.

**SPECIAL REVENUE FUNDS**

**PARK  
SPORTS COMPLEXES**

201-45160-43300	Capital Improvements	\$19,296.00
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**PARKS**

201-45210-42900	Mosquito Program	\$5,000.00
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**SUPERVISION**

201-45220-42200	Professional Services	\$11,781.00
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The funding will come from the Park Fund cash balance.

**ENTERTAINMENT TAX**

211-46311-42965	SEA Local Events	\$5,000.00
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The funding will come from the Entertainment Tax Fund cash balance.

**CAPITAL PROJECT FUNDS**

**INDOOR SWIMMING POOL**

537-46500-43300	Construction	\$3,406,817.53
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The funding will come from the Indoor Swimming Pool Fund cash balance.

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

**CONSIDER APPROVAL:**

Moved by Olson, seconded by Smith, to approve adding \$300,000.00 to assigned cash for the 27<sup>th</sup> payroll. Motion carried.


**CITIZENS INPUT:**

Council Member Smith commended City Attorney Justin Johnson on a great job revising the malt beverage license ordinance in a timely manner.

City Attorney Justin Johnson spoke regarding the building at 3<sup>rd</sup> & Main Street. Johnson said that a structural engineer has been hired to do an evaluation and they will let us know how to move forward with the project.

**ADJOURN:**

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

  
\_\_\_\_\_  
Michelle Bathke  
Finance Officer

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