

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

**June 17, 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:**

Mayor Everson removed Item "g" from the consent agenda to the formal agenda.

Moved by Tjarks, seconded by Allen, to approve the following items on the consent agenda as amended.

- a. City Council Minutes
  1. City Council June 3, 2019.
- b. Committee Meeting Minutes
  1. Planning Commission May 28, 2019.
- c. Department Reports
  1. Finance (May),
  2. Sales Tax Collections (May),
  3. Building Permits (May),
  4. Police (May),
  5. Fire & EMS (May),
  6. Mitchell Public Library (May),
  7. Palace Transit Ridership (May),
  8. Airport (May), and
  9. Water (May).
- d. Set date of 07-01-19 for hearings
  1. On the application of West Coast Tacos for a Retail (On-Off Sale) Malt Beverage License located at 108 North Main Street, Mitchell, South Dakota (Video Lottery is not included),
  2. On the application of Corn Palace Shrine Club for a Special Event Liquor License located at the Masonic Temple for July 28, 2019 for a banquet,
  3. On the application of Corn Palace Shrine Club for a Special Event Liquor License located at the Masonic Temple for August 2, 2019 for a golf banquet, and
  4. On the application to transfer Retail (On-Sale) Liquor License RL-5771 from the American Legion Coacher-Goetsch Post 18, 107 North Main, Mitchell to Mitchell Area Development Corporation, 601 North Main Street, Mitchell.

- e. Appoint Members to Volunteer City Boards and Committees.
  - 1. Appoint Dennis Nath to the Library Board, and
  - 2. Appoint Andy Jerke to the Park & Recreation Board, to fill an unexpired term to run June 2019-July 2021.
- f. Approve Change Order #2-Final for East Havens Water Main Loop Project #2018-25 increasing contract amount by \$490.00 to adjust the final quantities as installed contracted to Menning Backhoe, LLC, adjust contract amount to \$113,461.20.
- h. Request to apply for Section 5311 Grant Funds.
- i. Approve application for additional DOT Section 5311 DOT Funds.
- j. Fuel Quotes

<u>Howes Oil Company</u>	<u>Requested Gallons</u>	<u>Bid Gallons</u>	<u>Price per Product</u>	<u>Total Bid</u>
On Road Diesel-#2	1,500	1,500	\$2.36	\$ 3,540.00*
Unleaded Gas-10% Ethanol	6,000	6,000	\$2.3125	\$13,875.00*
		<b>Total Bid:</b>		\$17,415.00*

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

- k. Pay Estimates 06-17-19
  - Pay Estimate #2 in the amount of \$22,374.00 for South Water Tower #2018-1R contracted to Maquire Iron Inc.,
  - Pay Estimate #10 in the amount of \$1,525.00 for Sanborn Bridge Repair Construction #2018-22B contracted to Brosz Engineering,
  - Pay Estimate #2-Final in the amount of \$14,605.92 for East Havens Watermain Loop #2018-25 contracted to Menning Backhoe, LLC,
  - Pay Estimate #8 in the amount of \$1,940.40 for East Havens Watermain Loop #2018-25 contracted SPN & Associates, and
  - Pay Estimate #1 in the amount of \$5,440.00 for James Valley Community Center Roof #2019-36 contracted to L.L. Jirsa Architect.
- n. 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 MAY 19, 2019 – JUNE 1, 2019:** City Council \$3,106.48, Mayor \$1,292.65, City Administrator \$4,858.15, Attorney \$4,037.15, Finance \$13,604.07, Human Resources \$3,527.96, Municipal Building \$3,432.76, Information Technology \$2,465.28, Police \$68,770.55, Traffic \$4,682.32, Fire \$47,996.28, Street \$29,758.03, Public Works \$24,293.54, Cemetery \$6,440.17, Animal Control \$1,473.11, Emergency Medical Services \$9,272.14, Library \$14,802.32, Recreation & Aquatics \$10,955.35, Recreation Center \$17,198.35, Sports Complexes \$16,044.26, Parks \$21,296.04, Supervision \$5,225.01, E911 \$23,678.57, RSVP \$5,586.88, Palace Transit \$19,747.57, JVCC \$1,484.00, Nutrition \$947.39, \$11,823.52, Sewer \$14,081.70, Airport \$2,434.35, Waste Collection \$10,400.77, Landfill \$9,003.14, Corn Palace \$20,528.48, Golf Course \$11,154.33, Camp Ground \$2,074.80.

**NEW HIRES:**

GOLF: Lee A Clark-\$11.35.

RECREATION & AQUATICS: Lucie Anderson-\$11.35, Madison Bohlen-\$10.85, Chelsea Brewster-\$10.85, Natalie Buckley-\$10.35, Joshua Feiner-\$20.00, Christian Fossum-\$12.85, Bailey Kahler-\$9.85, Isaac Kitchens-\$11.35, Shannen Koch-\$11.35, Lauren Larson-\$11.35, Nancy Leach-\$13.35, Joan Lubben-\$10.35, Virginia Mah-\$10.85, Annika Russell-Manke-\$10.85, Allison Mastel-\$9.35, Bruce Mastel-\$11.85, Jared Miller-\$10.35, Hannah Morgan-\$11.85, Moriah Plastow-\$9.85, Sammy Pooley-\$10.35, Brittany Robinson-\$11.35, Lori Schmidt-\$13.35, Maren Smith-\$10.85, Carter Stucky-\$11.35, Tevyn Waddell-\$10.35, Jenna Weich-\$11.35, Sarah Zimmerman-\$9.35.

RECREATION CENTER: Elizabeth Fossum-\$11.35, Annika Vermeulan-\$11.35.

SPORTS COMPLEX: Elijah Pommer-\$10.85.

PARKS: Keagen Schoenfelder-\$7.50, Gracie Moschell-\$9.10.

CORN PALACE: Jake Jarmin-\$11.85, Robert McCardle-\$11.35, Parker Roden-\$11.35, Zachary Ryherd-\$11.35, Mitch Schladweiler-\$11.35, Alivia Siegel-\$9.35, Jared Suelflow-\$11.35, Kevin L Swenson-\$14.85, Ashlyn Weier-\$9.35.

FIRE: Mason Bruns-\$12.85.

PUBLIC WORKS: Joseph Schroeder-\$88,264.00.

WASTE COLLECTION: Brady Bathke-\$14.85.

STREET: Madyson Hinkel-\$13.35.

**SALARY ADJUSTMENTS:**

E-911: Kathy Brink-\$24,088.

SPORTS COMPLEX: William Cambell-\$11.85, Tyler Vetch-\$20,237.

COMMUNITY SERVICES: Jaclyn Larson-\$20,237.

LIBRARY: Luke McCullough-\$21,520.

STREET: Travis Hohrman-\$20,483.

WASTE COLLECTION: Spencer Morgan-\$13.35.

**WARRANTS:** A & G Diesel, Supplies-\$16.96; A-OX Welding Supply, Supplies-\$226.53; Accounts Management, Garnishment-\$473.03; AFLAC, Aflac Withholding-\$10,984.14; Aflac Group, Critical Care-\$1,057.72; AFSCME Council 65, Union Dues-\$590.00; Agronomy Plus, Supplies-\$40.23; AIA, Supplies-\$148.00; Al's Engraving, Supplies-\$1.85; Amazon Capital Services, Supplies-\$135.96; American Garage Door, Rental-\$500.00; Ameripride Services, Supplies-\$237.92; Apple Books, Books-\$687.20; Associated Supply, Supplies-\$590.89; AT&T Mobility, Utilities-\$1,845.01; Automatic Building Control, Maintenance-\$240.00; B & B Upholstery, Repairs-\$90.00; B-Y Water District, May Usage-\$46,042.16; Bailey Metal Fabricators, Repairs-\$42.31; Baker & Taylor, Books-\$936.18; Bender's Sewer Cleaning, Maintenance-\$945.00; Big Daddy D's, Contract Services-\$3,927.00; Blackburn Manufacturing, Supplies-\$292.80; Blackstone Publishing, Supplies-\$65.89; Boyer Trucks Sioux Falls, Supplies-\$1,674.52; Break Time Portables, Rentals-\$190.00; Broad Reach, Books-\$249.98; Brosz Engineering, 2018-22B P.E. #10-\$1,525.00; Buhl's Drycleaning, Service-\$42.00; C & B Operations, Supplies-\$2,357.54; Campbell Supply, Supplies-\$724.49; Carquest Auto Parts, Supplies-\$111.57; Carson Industries, Supplies-\$179.95; Center Point Large Print, Books-\$89.28; Central Electric, Utilities-\$11,229.00; Century Link, Utilities-\$60.91; City of Mitchell, Utilities-\$2,851.85; City of Mitchell, Bid Tax Jan-May-\$385.50; Coborns, Contract Services-\$1,025.00; Coca Cola Bottling, Supplies-\$520.00; Construction Products & Consultants, Maintenance-\$93.50; Core & Main, Supplies-\$5,020.79; Core-Mark Midcontinent, Supplies-\$5,929.05; Cortrust Bank, Bond Principal-\$5,973.59; County Fair, Contract Services-\$660.00; Dakota Caulking, Supplies-\$176.55; Dakota Pump, Supplies-\$1,578.06; Damon Griffith, Travel-\$88.20; Darrington Water Conditioning, Rental-\$42.00; Davison County Auditor, Alcohol Task Force-\$78.96; Davison County Register of Deeds, Copies-\$9.00; Davison Rural Water Systems, June Fees-\$32.25; Delta Dental Plan of South Dakota, Dental Insurance-\$14,366.38; Demco, Supplies-\$472.42; Department of Environment and Natural Resources, State Garbage Fees-\$3,032.78; Department of Social Services, Child Support-\$1,218.86; Dice Benefits Consulting, Administration Fees-\$507.00; Doug Bormann, Contract Services-\$150.00; Dug Out, Contract Services-\$715.75; Ebsco Information Services, Subscription-\$62.14; ELO Prof, Professional Service-\$20,000.00; Farmers Alliance, Supplies-\$94.48; Fastenal, Supplies-\$1,375.48; Fedex, Professional Service-\$14.34; Findaway World, Recorded Books-\$712.80; Foreup Golf Software, Supplies-\$130.00; Forum Communications, Publication-\$4,671.38; Fox Paint & Blinds, Supplies-\$9.43; Gale, Books-\$984.35; Galls, Supplies-\$234.00; Gaylen's Homegrown Popcorn, Supplies-\$1,478.40; GCR Tires & Service, Supplies-\$472.59; Graham Tire, Supplies-\$323.20; Great Western Tire, Repairs-\$1,520.96; Grey House Publishing, Book-\$1,265.15; Gumdrop Books, Books-\$460.61; Harlow's Bus Sales, Supplies-\$110.57; Harve's Sport Shop, Supplies-\$71.60; Hawkins, Supplies-\$2,865.86; Henry Schein, Supplies-\$90.61; Hohn's Services, Contract Services-\$715.00; Howes Oil, Supplies-\$17,417.19; ICAN, Publishing-\$1,150.00; Identisys, Supplies-\$350.00; Ingram Library Services, Books-\$30.16; Innovative Office Solution, Supplies-\$386.80; Integrity Transcription,

Transcribing Service-\$459.00; Interstate Office Products, Supplies-\$233.36; Jessica Pickett, Travel-\$184.00; Jones Supplies, Supplies-\$648.55; Joshua D Rempfer, Supplies-\$163.65; Kathy Hanks, Reimbursement-\$45.00; KJRV FM, Advertising-\$700.00; Kyle Croce, Travel-\$29.83; Lakeview Veterinary Clinic, Service Dog Tommy-\$1,306.14; Larry Jirsa, 2019-36 P.E. #1-\$5,440.00; Larry's I-90 Service, Supplies-\$215.24; Lawson Products, Supplies-\$731.77; Lodge at Deadwood, Travel-\$486.00; Lookout Books, Books-\$510.73; Louie Sullivan, Retree Program-\$100.00; Lyle Sutherland, Retree Program-\$171.76; Maguire Iron, 2018-1R P.E. #2-\$22,374.00; Make it Mine Designs, Maintenance-\$160.00; Marilee Johnson-Geary, Training-\$173.06; McLeod's Printing, Supplies-\$35.00; Mega Wash, Repairs-\$8.00; Menard's, Supplies-\$1,639.86; Menning Backhoe, 2018-25 P.E. #2 Final-\$14,605.92; Mettler Implement, Supplies-\$331.96; Meyers Oil, Supplies-\$3,576.32; Midwest Turf & Irrigation, Supplies-\$113.73; Minnesota Valley Testing, Lab-\$3,328.00; Mitchell Area Convention Visitors Bureau, 2019 Funding-June-\$22,750.00; Mitchell Concrete Product, Supplies-\$392.10; Mitchell Iron & Supply, Supplies-\$120.07; Mitchell Power Equipment, Repairs-\$56.80; Mitchell Telecom, Utilities-\$2,704.97; Mitchell United Way, Deductions-\$188.11; Modern Marketing, Supplies-\$191.40; Mount Vernon School District, Contract Services-\$31.35; Mitchell Technical Institute, Corporate Education, Stagehands-2018 Festival-\$5,000.00; Muth Electric, Maintenance-\$1,289.66; Napa Auto Parts, Supplies-\$1,355.51; Nebraska Salt & Grain, Supplies-\$6,542.33; Northern Truck Equipment, Supplies-\$3,373.00; Northwestern Energy & Communications, Utilities-\$40,203.07; Online Computer Library Center, Cataloging-\$341.81; On Sight 24/7, Rental-\$900.00; One Source the Background, Professional Service-\$478.37; Paraclete Press, Supplies-\$185.78; Parkston Boom's Restaurant, Contract Services-\$3,447.75; Penguin Random House, Supplies-131.25; Pepsi Cola, Supplies-\$428.40; Porta Pros, Rental-\$150.00; Porter Distributing, Supplies-\$60.00; Premier Pest Control, Contract Services-\$275.00; Qualified Presort, Contract Services-\$547.67; Ron's Bicycle and Locksmith, Supplies-\$43.00; Ron's Saw Sales, Supplies-\$3,232.22; Rowman & Littlefield Publishing, Book-\$205.00; S & M Printing, Supplies-\$76.00; Saga Communications, Advertising-\$898.50; Santel Communications, Utilities-\$1,649.16; Schmucker Paul & Nohr, 2018-25 P.E. #8-\$1,940.40; Schoenfelder Construction, Maintenance-\$469.39; Scott Kaiser, Reimbursement-\$175.00; Scott Supply, Supplies-\$1,018.33; South Dakota Department of Health, Lab-\$120.00; South Dakota Newspaper Services, Publishing-\$286.80; South Dakota Public Assurance Alliance, Property Coverage-\$1,637.94; South Dakota Retirement System, Retirement Contributions-\$50,333.78; South Dakota-Supplemental Retirement, Supplemental Retirement Contributions-\$2,241.33; South Dakota-Supplemental Roth 457, Roth 457 Contributions-\$425.00; Sebco Books, Books-\$1,695.40; Sherwin-Williams, Supplies-\$370.84; Sign Pro, Supplies-\$59.30; Standard Insurance Company, Life Insurance-\$2,237.06; Staples Advantage, Supplies-\$423.96; Sturdevant's Auto Parts, Supplies-\$1,194.49; Subway, Meals-\$31.45; Sun Gold Sports, Supplies-\$1,019.48; Swiftel Communications, Supplies-\$729.33; Tessier's, Repairs-\$41,865.65; Thomas L Price, Professional Service-\$350.00; Thomson Reuters West, May Charges-779.99; Thune True Value

Hardware, Supplies-\$357.66; Ticketforce, Annual Fee-\$745.50; TK Electric, Repairs-\$971.15; TMA Stores, Repairs-\$19.72; Tractor Supply Credit Plan, Supplies-\$268.33; Transource, Supplies-\$359.09; Two Way Solutions, Supplies-\$1,991.23; United Parcel Service Store #4227, Shipping-\$690.64; US Postal Service, Postage-\$75.33; USA Blue Book, Supplies-\$1,301.97; Verizon Wireless, Utilities-\$1,686.53; Vern Eide Chevrolet Buick, Supplies-\$105.41; Walmart, Supplies-\$535.01; Watertown Wholesale, Supplies-\$69.18; Wes Morgan, Retree Program-\$171.76; Wheelco Brake & Supply, Supplies-\$42.66; Wholesale Electronics, Supplies-\$190.57; Williams Music & Office Equipment, Service-\$60.00; South Dakota State Treasurer, Sales Tax-\$24,104.63; US Bank, Loan Payment-\$9,058.30; Mitchell Public Library, Fines-\$1,902.40; Cortrust Bank, Deposit Books-\$205.63; Wage Works, Flex Expense-\$11,336.19; Wellmark Blue Cross Blue Shield, Medical Expenses-\$275,889.50.

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

### **CITIZENS INPUT:**

Mayor Bob Everson received a letter commending the cemetery on how well it looked over the Memorial Day weekend.

Council Member Dan Allen asked Parks and Recreation Director Nathan Powell about the sun shades at Cadwell Park. Powell stated that a couple of the sun shades were broken and now have been repaired and will be installed this week.

Council Member Steve Rice asked Public Works Director Kyle Croce what the schedule is for the 1<sup>st</sup> and Sanborn project. Croce stated that they are scheduled to close 1<sup>st</sup> & Sanborn next Monday. Croce also stated that they will be changing the one way signs this Friday and will inform the public of the closing.

Parks and Recreation Director Nathan Powell reported that they have fogged once for mosquitos and are currently treating all wet spots. Powell also stated that they are planning to fog for the 4<sup>th</sup> of July weekend.

### **PRESENTATION:**

Millennium Recycling Inc. President Shannon Dwire presented to the City Council a power point explaining their single stream recycling service. Millennium Recycling Inc. is a material recovery facility company that specializes in sorting single stream materials. Recycled items are received from haulers and communities all over South Dakota and are transported to a facility where they are sorted by various items and sold. Dwire explained some of the benefits of single streaming were that it was more cost effective, more convenient with more participation, less litter, decrease in garbage tonnage, and lower collection costs.

### **COMMITTEE REPORTS:**

The Traffic Commission met on June 17, 2019 at 6:00 p.m. The Traffic Commission approved the following requests:

- Street closure for the Ethan American Legion Post 261 "Sweat For Vets" 5K,
- Street closure for the Palace City Kiwanis Half Marathon & Relay, and
- Northeast section of the Public Parking Lot located at 2<sup>nd</sup> and Rowley closed for the VFW ground breaking ceremony for their elevator project.

Moved by Rice, seconded by Sabers, to approve the Traffic Commission report. Motion carried.

### **Public Health and Safety**

The Public Health and Safety Committee met on June 17, 2019 for a presentation from Davison County Emergency Management Administrator Jeff Bathke. Bathke reviewed the local Emergency Management's Overview plan and preparedness plan for a Disaster Declaration for the City of Mitchell. Bathke also updated everyone on the current state's situation for the March and April disaster declaration.

Moved by McCardle, seconded by Allen, to approve the Public Health and Safety report. Motion carried.

### **CONSIDER APPROVAL:**

Moved by Tjarks, seconded by Rice, to approve the application for renewal of a Retail (On-Off Sale) Malt Beverage License for Marco's Pizza. Motion carried.

### **HEARINGS:**

It was advised that this is the date and time set for hearing on the application to transfer Retail (On-Sale) Liquor License RL-19079 from Anisa Deinert dba Potter's Plus Studio, 100 North Main, Mitchell, South Dakota to Jades dba Jades, 107 North Main, Mitchell, South Dakota. 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 the Exchange Club of Mitchell for a Special Event Malt Beverage License located at Cadwell Park, Mitchell for August 7, 2019 through August 18, 2019 for the State Amateur Baseball Tournament. Notice of hearing has been given and affidavit of publication is on file. Moved by McCardle, seconded by Barington, to approve said application. Motion carried.

### **CONSIDER APPROVAL:**

Moved by Rice, seconded by Smith, to approve and authorize the Mayor to sign Agreement #A2019-25, Actuarial Services Agreement with Silverstone Group not to exceed an estimated amount of \$5,500.00. Motion carried.

Moved by Smith, seconded by Allen, to approve and authorize the Mayor to sign Agreements #A2019-26A, Wright Brothers Fixed Base Operator Agreement and #A2019-26B, Hangar Lease Agreement as amended. Motion carried.

**RESOLUTIONS:**

Moved by Rice, seconded by McCardle, to approve Resolution #R2019-43, A Plat of Lot 12 and Meadows Court of Iverson's Addition, located in Lot B of the SE ¼ of Section 33, T 103 N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota, as follows:

**RESOLUTION #R2019-43**

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 June, 2019; and

WHEREAS, it appears from an examination of the plat of LOT 12 AND MEADOWS COURT OF IVERSON'S ADDITION, LOCATED IN LOT B OF THE SE ¼ OF SECTION 33, T 103 N, R 60 W OF THE 5<sup>TH</sup> P.M., DAVISON COUNTY, SOUTH DAKOTA as prepared by Thomas Lynn Week, 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 12 AND MEADOWS COURT OF IVERSON'S ADDITION, LOCATED IN LOT B OF THE SE ¼ OF SECTION 33, T 103 N, R 60 W OF THE 5<sup>TH</sup> P.M., DAVISON COUNTY, SOUTH DAKOTA, prepared by Thomas Lynn Week, 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 Allen, to approve Resolution #R2019-44, A Plat of Lot 6, Block 4 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 5<sup>th</sup> P.M., City of Mitchell, Davison County, South Dakota, as follows:

**RESOLUTION #R2019-44**

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 June, 2019; and

WHEREAS, it appears from an examination of the plat of LOT 6, BLOCK 4 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 5<sup>TH</sup> 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 6, BLOCK 4 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 5<sup>TH</sup> P.M., 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.

Motion carried and resolution declared duly adopted.

Moved by McCardle, seconded by Sabers, to approve Resolution #R2019-45, A Plat of Lot 6, Block 9 of Westwood First Addition, A Subdivision of Block 4 of Westwood First Addition, in the NW ¼ of Section 16, T 103 N, R 60 W of the 5<sup>th</sup> P.M., City of Mitchell, Davison County, South Dakota, as follows:

#### **RESOLUTION #R2019-45**

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 June, 2019; and

WHEREAS, it appears from an examination of the plat of LOT 6, BLOCK 9 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF BLOCK 4 OF WESTWOOD FIRST ADDITION IN THE NW ¼ OF SECTION 16, T 103 N, R 60 W OF THE 5<sup>TH</sup> 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 6, BLOCK 9 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF BLOCK 4 OF WESTWOOD FIRST ADDITION IN THE NW ¼ OF SECTION 16, T 103 N, R 60 W OF THE 5<sup>TH</sup> P.M., 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.

Motion carried and resolution declared duly adopted.

Moved by Rice, seconded by Tjarks, to approve Resolution #R2019-46, A Plat of Lot 65 of Maui Farms Second Addition, A Subdivision of the SE ¼ of Section 31, T 104 N, R 60 W of the 5<sup>th</sup> P.M., City of Mitchell, Davison County, South Dakota, as follows:

**RESOLUTION #R2019-46**

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 June, 2019; and

WHEREAS, it appears from an examination of the plat of LOT 65 OF MAUI FARMS SECOND ADDITION, A SUBDIVISION OF THE SE ¼ OF SECTION 31, T 104 N, R 60 W OF THE 5<sup>TH</sup> 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 65 OF MAUI FARMS SECOND ADDITION, A SUBDIVISION OF THE SE ¼ OF SECTION 31, T 104 N, R 60 W OF THE 5<sup>TH</sup> P.M., 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.

Motion carried and resolution declared duly adopted.

**ORDINANCE:**

Moved by Rice, seconded by Allen, to place Ordinance #O2019-08, Adding a New Section to Chapter 4-7: Pawnbrokers on second reading. Motion carried. Moved by Tjarks, seconded by McCardle, to adopt Ordinance #O2019-08, as follows:

**ORDINANCE #O2019-08**

AN ORDINANCE ADDING A NEW SECTION TO CHAPTER 4-7: PAWNBROKERS.

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

Section 1.

That a NEW SECTION be added to Chapter 4-7: Pawnbrokers to read as follows:

4-7-7: Firearms, Ammunition, & Components Exempt

To the extent prohibited by SDCL 9-19-20, this chapter shall not apply to firearms, ammunition, or their components.

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

**CONSIDER APPROVAL:**

Moved by Tjarks, seconded by Barington, to approve item "g" Purchase of a Backhoe for Wastewater Project #2019-41 off of the Sourcewell Equipment contract. Motion carried.


**EXECUTIVE SESSION:**

Moved by McCardle, seconded by Rice, 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 7:45 p.m. and the City Council to reconvene in regular session at 7:46 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 \_\_\_\_\_.