

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

**August 6, 2018
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 Rice, seconded by Allen, to approve the following items on the consent agenda:

- a. City Council Minutes
 1. City Council Minutes July 16, 2018.
- b. Committee Meeting Minutes
 1. Planning Commission July 9, 2018, and
 2. Traffic July 16, 2018.
- c. Raffle Permits
 1. James River Valley Chapter-RMEF with the drawing to be held on August 28, 2018,
 2. Corn Palace Shrine Club with the drawing to be held on September 18, 2018,
 3. Mitchell Ducks Unlimited with the drawing to be held on October 4, 2018, and
 4. James River Gobblers-NWTF with the drawing to be held on October 27, 2018.
- d. Appointments to City Committees and Boards
 1. Todd Boyd to the Lake Committee, for a term to run 2018-July 2021,
 2. Kevin Erdmann to the Lake Committee, for a term to run 2018-July 2021,
 3. Reappoint Carolyn Sivik to the Library Board, for a term to run 2018-July 2021,
 4. Reappoint Mary Ellen Jepsen to the Park & Recreation Board, for a term to run 2018-July 2021, and
 5. Reappoint Randy Seppala to the Park & Recreation Board, for a term to run 2018-July 2021.
- e. Set date of 08-20-18 for hearings
 1. On the application of Corn Palace Shrine Club for a Special Event Liquor License located at the Masonic Lodge on August 25, 2018 for a wedding, and
 2. On the application of Corn Palace Shrine Club for a Special Event Liquor License located at the Masonic Lodge on September 18, 2018 for the Sportsman's Classic.

- f. Declare Landfill Dozer as surplus property.
- g. Request to accept DOT Grant Transit Funds.
- h. Declare Surplus 2007 Ford Ambulance.
- i. Set date for bid opening 1:30 P.M., August 27, 2018 for Rock Salt Supply City Project #2018-27.
- j. Approve certificate of Substantial Completion for Sanborn Street Blvd Utility and Street Improvements to BX Civil & Construction.
- k. Set date for hearing 6:00 P.M., August 20, 2018 in City Council Chambers for Proposed Resolution of Necessity for Construction of Base Course, Concrete Paving, Accessories, Engineering Fees and Miscellaneous Expenses for alley in the 400 Block of North Main.
- l. Gas & Fuel Quotations

<u>Country Pride Coop</u>	Requested	Bid	Price per	Total Bid
July 16, 2018	<u>Gallons</u>	<u>Gallons</u>	<u>Product</u>	
On Road Diesel-#2	2,500	2,500	\$2.582	\$ 6,455.00
Unleaded Gas	5,000	5,000	\$2.395	\$11,975.00
-10% Ethanol				
		Total Bid:		\$18,430.00

<u>Howes Oil Company Inc.</u>	Requested	Bid	Price per	Total Bid
	<u>Gallons</u>	<u>Gallons</u>	<u>Product</u>	
On Road Diesel-#2	2,500	2,500	\$2.5965	\$ 6,491.25*
Unleaded Gas	5,000	5,000	\$2.365	\$11,825.00*
-10% Ethanol				
		Total Bid:		\$18,316.25*

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

<u>Country Pride Coop</u>	Requested	Bid	Price per	Total Bid
July 24, 2018	<u>Gallons</u>	<u>Gallons</u>	<u>Product</u>	
Off Road Diesel-#2	6,200	6,200	\$2.29	\$14,198.00
Unleaded Gas	1,300	1,300	\$2.378	\$ 3,091.40
-10% Ethanol				
		Total Bid:		\$17,289.40

<u>Howes Oil Company Inc.</u>	Requested	Bid	Price per	Total Bid
	<u>Gallons</u>	<u>Gallons</u>	<u>Product</u>	
Off Road Diesel-#2	6,200	6,200	\$2.254	\$13,974.80*
Unleaded Gas	1,300	1,300	\$2.3245	\$ 3,021.85*
-10% Ethanol				
		Total Bid:		\$16,996.65*

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

- m. Pay Estimates 08-06-18
Pay Estimate #3 in the amount of \$34,898.00 for Forcemain Pump Station "A" #2017-12 contracted to D.W. Proehl Construction,

Pay Estimate #1 in the amount of \$114,506.40 for East Hanson & S Wallace Watermain #2018-2 contracted to Premier Contracting, LLC,

Pay Estimate #4 in the amount of \$8,789.30 for Sidewalk-Schedule "A" #2018-4 contracted to Top Grade Concrete,

Pay Estimate #2 in the amount of \$1,048.25 for Sidewalk-Schedule "B" #2018-4 contracted to Top Grade Concrete,

Pay Estimate #3 in the amount of \$8,109.48 for Curb & Gutter-Schedule "A" #2018-14 contracted to Colwell Concrete Inc.,

Pay Estimate #27 in the amount of \$16,800.00 for Sanborn Design/Const Street #2018-22 contracted to SPN & Associates,

Pay Estimate #28 in the amount of \$24,718.40 for Sanborn Design/Const Street #2018-22 contracted to SPN & Associates,

Pay Estimate #29 in the amount of \$2,050.00 for Sanborn Design/Const Sewer #2018-22 contracted to SPN & Associates,

Pay Estimate #30 in the amount of \$1,850.00 for Sanborn Design/Const Water #2018-22 contracted to SPN & Associates,

Pay Estimate #31 in the amount of \$2,890.00 for Sanborn Design/Const Street #2018-22 contracted to SPN & Associates, and

Pay Estimate #4 in the amount of \$367,682.00 for Sanborn Street Phase I #2018-22 contracted to BX Civil and Construction.

- 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 JULY 1, 2018 – JULY 14, 2018: City Council \$3,442.95, Mayor \$1,344.60, City Administrator \$4,808.42, Attorney \$3,871.18, Finance \$12,796.00, Human Resources \$3,382.92, Municipal Building \$3,145.66, Information Technology \$2,514.44, Police \$63,047.35, Traffic \$4,914.95, Fire \$44,924.88, Street \$29,656.08, Public Works \$19,942.17, Cemetery \$5,187.06, Animal Control \$1,463.56, Emergency Medical Services \$11,889.10, Library \$12,985.95, Recreation & Aquatics \$24,560.87, Recreation Center \$20,236.32, Sports Complexes \$16,856.42, Parks \$22,271.69, Supervision \$5,093.95, E911 \$21,763.76, RSVP \$5,523.96, Palace Transit \$17,642.83, JVCC \$1,357.88, Nutrition \$855.64, Water Distribution \$9,554.74, Sewer \$13,202.07, Airport \$2,248.63, Waste Collection \$10,107.97, Landfill \$8,289.03, Corn Palace \$28,955.53, Golf Course \$11,163.77, Campground \$1,822.80.

NEW HIRES:

PARK: Shane Taylor-\$18.695.

MAYOR: Bob Everson, Jr.-\$32,630.00.

COUNCIL: Dan Sabers-\$9,802.00.

POLICE: Joel Reinesh-\$25.16.

SANITATION: Brady Bathke-\$11.35.

STREET: Madyson Hinkel-\$9.85.

SALARY ADJUSTMENTS:

POLICE: Cindy Mentele-Titze-\$20.142, Paul Wilson-\$26.770.

TRAFFIC: Joshua Harvey-\$20.648.

FIRE: Dan Pollreisz-\$18.993, Matthew Geidel-\$16.36, Emily Carlson-\$20.64, Joshua Harvey-\$20.64, Maria Koenen-\$20.64.

WATER: Tom Schuman-\$21.958.

INFORMATION TECHNOLOGY: Andrew Schneider-\$29.918.

WARRANTS: A & B Business Solutions, Supplies-\$53.64; A-Ox Welding Supply, Supplies-\$254.90; AAA Collections, Contract Services-\$224.01; AAA Lawn Care and Maintenance, Contract Services-\$165.00; Accounts Management, Garnishment-\$1,267.34; Adam Fosness, Contract Services-\$1,520.00; AFLAC, AFLAC Withholding-\$10,126.78; AFLAC Group, Critical Care-\$1,225.12; AFSCME Council 65, Union Dues-\$1,202.58; Al's Engraving, Supplies-\$30.95; Albertson Engineering, 3rd & Main Building Assessment-\$120.00; Altec Industries, Supplies-\$83.83; American Garage Door, Supplies-\$846.94; American Legion Post 18, Supplies-\$85.00; Ameripride Services, Supplies-\$290.57; Argus Leader, Advertising-\$1,649.00; Automatic Building Control, Repairs-\$507.14; Avera Heart Hospital of South Dakota, Supplies-\$152.00; Avera Occupational Medicine, Contract Service-\$319.50; Bailey Metal Fabricators, Supplies-\$334.53; Baker Bros Electric, Repairs-\$2,356.27; Banner Music, Contract Service-\$600.00; Big Daddy D's, Contract Services-\$6,583.50; Blackstrap, Supplies-\$1,603.98; BNSF Railway, Permit-\$120.00; BNSF Railway, Permit-\$800.00; Bound Tree Medical, Supplies-\$200.29; Brett Lowrie, Contract Services-\$35,000.00; Builders Firstsource, Supplies-\$577.92; BX Civil & Construction, 2018-22 P.E. #4-\$367,682.00; C & B Operations, Repair-\$1,150.81; Campbell Supply, Supplies-\$801.18; Carquest Auto Parts, Supplies-\$49.90; CDW Government, Equipment-

\$330.36; Centennial Carpet, Supplies-\$2,344.00; Central Electric, Utilities-\$11,896.99; Century Link, Utilities-\$1,252.96; Cherrybee's, Supplies-\$17.50; CHR Solutions, June Billing-\$3,001.49; City of Sioux Falls, Repair-\$29.00; Climate Systems, Supplies-\$243.23; Coca Cola Bottling, Supplies-\$1,198.30; Colwell Concrete, 2018-14A P.E. #3-\$8,109.48; Commercial Asphalt/Spencer Quarries, Supplies-\$9,465.02; Core & Main, Supplies-\$10,645.51; Core-Mark Midcontinent, Supplies-\$7,851.82; Corn Palace Concessions, Supplies-\$36.00; Corn Palace Gift Shop, Supplies-\$7.98; Corporate Translation Service, Language Translation-\$22.50; County Fair, Supplies-\$1,798.95; D W Proehl Construction, 2017-12 P.E. #3-\$34,898.00; Dakota Environmental, Repairs-\$1,902.00; Dakota Fluid Power, Supplies-\$246.79; Dakota Green Landscaping, Repairs-\$74.41; Dakota Pump, Repairs-\$663.27; Dakota Retail Technologies, Repairs-\$150.00; Davison County Auditor, Alcohol Task Force-\$72.10; Delta Dental Plan of South Dakota, Dental Insurance-\$13,948.52; Dependable Sanitation, Contract Services-\$23,800.00; Department of Social Services, Child Support-\$2,550.44; Dice Benefits Consulting, June Fees-\$501.00; Dick's Body Shop, Repair-\$70.00; Dick's Towing, Police Tow-\$950.00; Dr. Hilary Rockwell, Contract Payment-\$1,500.00; Eric Hieb, Contract Services-\$7,025.32; Evident, Supplies-\$96.06; Farmers Alliance, Repair-\$2,544.51; Fastenal, Supplies-\$152.40; Ferguson Waterworks #2516, Supplies-\$487.52; First National Bank Omaha, Loan Payment-\$9,990.18; Forterra Pipe & Precast, Supplies-\$161.60; Forum Communications, Advertising-\$4,300.00; Fox Paint & Blinds, Supplies-\$117.47; Framer, Supplies-\$468.65; Frito-Lay, Supplies-\$138.82; Gaylen's Homegrown Popcorn, Supplies-\$5,976.20; GCR Tires & Service, Supplies-\$923.09; Geocomm, Service Contract-\$3,093.75; Golden West Technologies, Repairs-\$152.50; Graham Advertising, Advertising-\$1,500.00; Hannah Willis, Travel-\$67.20; Hawkins, Supplies-\$6,916.63; Heartland Paper, Supplies-\$188.87; Heiman Fire Equipment, Supplies-\$350.70; Henry Schein, Supplies-\$791.98; Honda of Mitchell, Supplies-\$17.37; Howes Oil, Supplies-\$18,316.61; Innovative Office Solution, Supplies-\$699.31; Integrity Transcription, Transcribing Service-\$435.25; Intellipro Security, Supplies-\$495.00; Interior Technicians, Repair-\$360.00; Interstate Office Products, Supplies-\$326.25; Interstate Power Systems, Supplies-\$221.70; Iverson Chrysler Center, Rental-\$49.95; James Valley Nursery, Supplies-\$5,288.30; JCL Solutions, Supplies-\$2,132.59; Jebro, Supplies-\$82,364.43; Jeff Hurt, Reimbursement-\$33.00; Joe Dolezal, Travel-\$513.22; John Hegg, Travel-\$87.50; Johnson Controls, Repairs-\$1,067.18; Karl's, Repairs-\$77.95; Kathy Kaye Foods, Supplies-\$1,920.00; Kimball-Midwest, Supplies-\$407.35; Kone, Maintenance Contract-\$756.72; Kyleena Dumas, Reimbursement-\$49.99; Leisure Interactive, Professional Service-\$260.23; Lodge at Deadwood, Travel-\$531.00; M & T Fire and Safety, Supplies-\$21,989.50; Make It Mine Designs, Repair-\$1,964.74; Master Burn, Supplies-\$187.35; Maximum Promotions, Supplies-\$549.00; MC&R Pools, Supplies-\$428.86; McFarland Supply, Supplies-\$785.85; McLeod's Printing, Supplies-\$118.00; Mebius Nursery & Landscaping, Repairs-\$2,540.00; Menard's, Supplies-\$2,216.73; Meyers Oil, Supplies-\$4,855.94; Michelle Bathke, Travel-\$80.80; Microsoft, July Service-\$901.00; Mid States Audio, Construction-\$34,285.78; Midcontinent

Communication, Advertising-\$480.00; Midwest Laboratories, Supplies-\$912.90; Midwest Turf & Irrigation, Supplies-\$188.37; Minnesota Valley Testing, Lab-\$788.00; Mitchell Area Convention Visitors Bureau, Rental-\$165.00; Mitchell Baseball, Advertising-\$800.00; Mitchell Iron & Supply, Supplies-\$5.90; Mitchell Rotary Club, Dues-\$162.00; Mitchell School District, Utilities-\$1,592.26; Mitchell Telecom, Utilities-\$150.90; Mitchell United Way, United Way Deductions-\$341.34; Mueller Lumber, Supplies-\$253.27; Muth Electric, Supplies-\$5,489.38; Naeir, Supplies-\$46.25; Napa Auto Parts, Supplies-\$966.04; Nedved Media, Advertising-\$902.25; Northwestern Energy & Communications, Utilities-\$30,449.19; Palace Builders, Supplies-\$1,760.00; Palace City Pawn, Supplies-\$85.00; Palace Cleaners, Service-\$27.25; Papa Murphy's Pizza, Pizza-\$96.00; Paulson Air, Supplies-\$79.56; Peace of Mind Counseling, Training-\$90.00; Pepper Entertainment, Advertising-\$3,773.37; Pepsi Cola, Supplies-\$169.22; Petty Cash Corn Palace, Reimbursement-\$140.00; Photography Unlimited, Service-\$166.00; Porta Pros, Rentals-\$250.00; Powerplan-Oib, Supplies-\$433.09; Premier Contracting, 2018-2 P.E. #1-\$114,506.40; Premier Pest Control, Contract Services-\$175.00; Qualified Presort, Contract Services-\$521.86; R & R Products, Supplies-\$107.76; Recreonics, Supplies-\$397.65; Reeves, Supplies-\$27.95; Rehrig Pacific, Supplies-\$23,946.00; Roger Hazuka, Contract Service-\$150.00; S & M Printing, Service-\$301.00; Saga Communications, Advertising-\$576.00; Saga Communications of South Dakota-\$1,674.00; Santel Communications, Professional Service-\$1,543.00; Schmucker Paul & Nohr, 2018-22 P.E. #29-\$48,308.40; Schumacher Elevator, Maintenance-\$195.00; South Dakota Department of Health, Lab-\$800.00; South Dakota Newspaper Services, Advertising-\$5,401.55; South Dakota One Call, Professional Service-\$285.60; South Dakota Public Assurance Alliance, Insurance Coverage-\$5,946.65; South Dakota Retirement System, Retirement Contributions-\$96,598.72; South Dakota-Supplemental Retirement, Supplemental Retirement Contributions-\$6,075.32; South Dakota-Supplemental Roth 457, Roth 457 Contributions-\$850.00; Sherwin-Williams, Supplies-\$1,563.90; Shopko Stores Operating, Supplies-\$165.97; Sign Pro, Supplies-\$80.00; Sioux Falls Two-Way Radio, Supplies-\$612.74; Sirchie Finger Print Labor, Supplies-\$244.66; Siteone Landscape Supply, Supplies-\$36.30; Stan Houston Equipment, Supplies-\$301.45; Standard Insurance Company, Life Insurance-\$2,399.36; Standard Insurance Company, Life Insurance-\$404.11; Sturdevant's Auto Parts, Supplies-\$868.80; Subway, Meals-\$31.45; Sun Gold Sports, Supplies-\$768.55; Sustainable Engineering, Professional Service-\$630.00; Teamsters Local No. 120, Union Dues-\$776.00; Tessier's, Repairs-\$3,821.74; Thomas L Price, Professional Service-\$350.00; Thomson Reuters - West, July Charges-\$203.38; Three-D Specialties, Supplies-\$1,301.95; Thune True Value Hardware, Supplies-\$480.31; Ticketforce, Usage Fees-\$2,566.80; TK Electric, Repairs-\$4,531.13; TMA Stores, Supplies-\$303.34; Top Grade Concrete, 2018-4A P.E. #4-\$9,837.55; Traffic Control, Supplies-\$3,744.00; Transource, Supplies-\$549.98; Trizetto Provider Solution, Service Contract-\$68.77; Turfwerks, Repair-\$20.45; Twisted Wire Design, Construction-\$562.50; Tyler Technologies, Supplies-\$138.00; United States Treasury, Supplies-\$960.78; United Parcel Service Store #4227, Shipping-

\$74.68; US Foods, Supplies-\$126.44; USA Blue Book, Supplies-\$549.74; Verizon Wireless, Utilities-\$641.31; Voice Products, Repairs-\$1,208.34; Walmart, Supplies-\$280.99; West River Beverage, Supplies-\$600.00; Weston M Frank, Contract Services-\$1,000.00; Wheelco Brake & Supply, Supplies-\$61.36; Wholesale Electronics, Supplies-\$72.88; Zimco Supply, Supplies-\$680.00; Puetz Corporation, Construction \$93,868.37.

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

CITIZENS INPUT:

Lori Claussen owner of Lori's Lift spoke to City Council regarding Speedy Taxi, a taxi company authorized to drive in the City of Mitchell. Claussen stated that Speedy Taxi is a danger to the public providing poor service and treatment to the customers.

Robert Phillips a former taxi cab driver stated that he had previous problems regarding Speedy Taxi's customer service.

Council Member Jeffrey Smith told City Attorney Justin Johnson that he would like to see this concern addressed at a future meeting.

COMMITTEE REPORT:

Public Health & Safety:

Public Health & Safety Committee met at 6:00 p.m. on August 6, 2018 with the following requests:

A request was approved for a fireworks permit for the DWU Football Game on August 23, 2018.

A request was approved for a fireworks permit for the Kernel Bowl on August 25, 2018.

Committee Member Steve Rice said that if the City of Mitchell was in a burn ban permits will be further reviewed.

BOARD OF ADJUSTMENT:

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

It was advised that this is the date and time set for hearing on the application of Tammy Müller for a conditional use permit to operate a family residential child care center in her home at 506 W Birch Ave, legally described as Lot 6, Block 12, Railroad Addition, City of Mitchell, Davison County, South Dakota. Notice of hearing has been given according to statute and affidavit of publication is on file. The Planning Commission recommended approval of said application with

the following conditions: the permit is nontransferable and if the operation ceases for a period of six months or longer then a new application would be required. Moved by Tjarks, seconded by Rice, to approve said application with the following conditions: the permit is nontransferable and if the operation ceases for a period of six months or longer then a new application would be required. Motion carried.

Moved by Rice, seconded by McCardle, to table indefinitely the hearing on the application of Boyd Reimnitz for a front yard variance of 20 feet vs 25 feet as required and a back yard variance of 18 feet vs 25 feet as required to construct a single family house on the property legally described as the West 56 feet of Outlot #7A-SW 1/4 of Section 15, T 103 N, R 60 W, City of Mitchell, Davison County, South Dakota (200 Block of W 15th Ave). The property is zoned R2 Single Family Residential District. Motion carried.

It was advised that this is the date and time set for hearing on the application of Dustin & Nichole Sullivan for a conditional use permit to construct a facility to provide outside commercial storage, outside storage, and a self-service storage facility on their property located at 40822 256th St, legally described as Lot 6, Kangas Addition, SW 1/4 Section 33, T 103 N, R 60 W, Davison County, South Dakota. The property is zoned UD Urban Development District. Notice of hearing has been given according to statute and affidavit of publication is on file. The Planning Commission recommended approval of said application with the condition that the drainage be routed to the North. Moved by Tjarks, seconded by Rice, to approve said application with the condition that the drainage be routed to the North. Motion carried.

It was advised that this is the date and time set for hearing on the application of Darlene Buhler for a sideyard variance of 1' vs 3' as required to construct a detached garage at 508 E. 6th Ave, legally described as Lot 9 & E 10 feet of Lot 8, Block 5, 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 according to statute and affidavit of publication is on file. The Planning Commission's motion to recommend approval of the variance lost 3 to 2. Moved by Tjarks, seconded by Allen, to approve said application with the following conditions: gutters be installed and run-off be directed to the alley, a 3 foot maintenance agreement be signed and recorded on the west property, and a firewall or other requirements per building code be required. Motion carried with Rice voting nay.

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

RESOLUTIONS:

Moved by Rice, seconded by Smith, to approve Resolution #R2018-41, Levying Business Improvement District #3 Special Assessments for 2018-2019, as follows:

RESOLUTION NO. R2018-41

A RESOLUTION LEVYING BUSINESS IMPROVEMENT DISTRICT #3 SPECIAL ASSESSMENTS FOR 2018-2019

WHEREAS a public hearing was held on August 6, 2018 by the City Council for the City of Mitchell, South Dakota regarding levying of special assessment for properties included in Business Improvement District #3 (BID #3); and

WHEREAS the City Council following said hearing has determined that the special assessments are proper and reflect the special benefit to each property proposed to be assessed; and

WHEREAS the assessment roll has been reviewed and found to be acceptable;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Mitchell, SD that:

1. As required by Ordinance #O2018-05, a BID #3 assessment “year” is hereby established to begin on July 1st and continue until June 30th of the following year.
2. The special assessments for BID #3 as outlined in the attached assessment roll are hereby levied against the properties listed in the assessment roll.
3. These assessments shall be due and payable in two installments, the first half due on or before December 31, 2018 and the remainder due on or before June 30, 2019. The assessments shall be collected under Ordinance #O2018-05 and Plan Two as provided by SDCL 9-43-102.
4. Such assessments shall be subject to the provisions of Ordinance #O2018-05.

Adopted by the Mitchell, South Dakota City Council in regular session this 6th day of August, 2018, with:

Exhibit A
Table of Properties Included in Proposed Business District #3

Property Owner Name & Address	Property Legal Description	2018-2019 Assessment Amount
Joseph Kiner 1401 Sharpstone Drive Mitchell, SD 57301	LOTS R-1 DEPOT ADDITION N 1/2 SW 1/4 22-103-60 DEPOT ADD'N-SW(22)	\$1,987.88
Shirley Hammrich 322 E 9th Ave Mitchell, SD 57301	LOT R-2 DEPOT ADDN IN N1/2 SW1/4 IN 22-103-60 DEPOT ADD'N-SW(22)	\$120.00
Benjamin & Lori Kalovsky / Arlen Schuh 124 S Main Street Mitchell, SD 57301	LOTS 8 & 9 BLK 19 ORIGINAL MITCHELL-NE&SE(21)	\$738.88

Krohmer Properties LLC PO Box 1264 Mitchell, SD 57301	LOT 10 & S 1.5 OF LOT 11 BLOCK 19 ORIGINAL MITCHELL-NE&SE(21)	\$558.60
Casey's Retail Company PO Box 3001 Ankeny, IA 50021	LOT 16 THRU 20 BLK 19 ORIGINAL MITCHELL- NE&SE(21)	\$1,852.30
Slate Creek Properties 3612 W Teem Drive Sioux Falls, SD 57107	LOT 5 BLK 18 ORIGINAL MITCHELL-NE&SE(21)	\$120.00
Slate Creek Properties 3612 W Teem Drive Sioux Falls, SD 57107	LOT 4 BLK 18 ORIGINAL MITCHELL-NE&SE(21)	\$120.00
Slate Creek Properties 3612 W Teem Drive Sioux Falls, SD 57107	LOT 3 BLK 18 ORIGINAL MITCHELL-NE&SE(21)	\$120.00
Slate Creek Properties 3612 W Teem Drive Sioux Falls, SD 57107	LOTS 1 & 2 BLK 18 ORIGINAL MITCHELL-NE&SE(21)	\$2,743.48
Anisa Deinert 1301 W Birch Ave Mitchell, SD 57301	LOT 7 BLK 12 ORIGINAL MITCHELL-NE&SE(21)	\$449.03
Brandon & Rachel Dykstra 1010 S Miller Street Mitchell, SD 57301	LOT 8 BLK 12 ORIGINAL MITCHELL-NE&SE(21)	\$120.00
Brandon & Rachel Dykstra 1010 S Miller Street Mitchell, SD 57301	LOT 9 BLK 12 ORIGINAL MITCHELL-NE&SE(21)	\$155.58
RISK MANAGEMENT INC % GERALD CAREY PO Box 1105 Mitchell, SD 57301	LOT 10 BLK 12 ORIGINAL MITCHELL-NE&SE(21)	\$231.33
Bates Rentals LLC 112 N Main Street Mitchell, SD 57301	LOT 11 BLK 12 ORIGINAL MITCHELL-NE&SE(21)	\$146.43
Bates Rentals LLC 112 N Main Street Mitchell, SD 57301	LOT 12 BLK 12 ORIGINAL MITCHELL-NE&SE(21)	\$120.00
Bates Rentals LLC 112 N Main Street Mitchell, SD 57301	LOT 13 BLK 12 ORIGINAL MITCHELL-NE&SE(21)	\$266.10

Eric Palmer 105 Andrews Street Mitchell, SD 57301	LOT 14 BLK 12 ORIGINAL MITCHELL-NE&SE(21)	\$205.88
Megan Reimnitz and Tamera Sudbeck 413 E 2nd Ave Mitchell, SD 57301	LOT 15 BLK 12 ORIGINAL MITCHELL-NE&SE(21)	\$229.90
Gordon and Darlene Bailey 118 N Main Street Mitchell, SD 57301	LOT 16 BLK 12 ORIGINAL MITCHELL-NE&SE(21)	\$169.53
Austin & Laretta McPeek 700 N Sanborn Blvd Mitchell, SD 57301	LOT 5 EX W88' BLK 13 ORIGINAL MITCHELL- NE&SE(21)	\$162.15
Austin & Laretta McPeek 700 N Sanborn Blvd Mitchell, SD 57301	LOT 4 BLK 13 ORIGINAL MITCHELL-NE&SE(21)	\$293.63
KL City Properties 119 N Main Street Mitchell, SD 57301	LOTS 2 & 3 BLK 13 ORIGINAL MITCHELL-NE&SE(21)	\$861.23
Larry & Linda Jirsa 123 N Main Street Mitchell, SD 57301	LOT 1 BLK 13 ORIGINAL MITCHELL-NE&SE(21)	\$491.00
Jeff & Linda Logan Living Trust 44 Bay Hill Mitchell, SD 57301	LOT 7 BLK 9 ORIGINAL MITCHELL-NE&SE(21)	\$344.15
Edward and Eileen Anderson 412 Wildwood Ave Mitchell, SD 57301	LOTS 8 & 9 BLK 9 ORIGINAL MITCHELL-NE&SE(21)	\$225.00
Richard and Betty Anderson / CPC Realty 114 Tiger Street Mitchell, SD 57301	LOTS 10 & 11 BLK 9 ORIGINAL MITCHELL-NE&SE(21)	\$527.70
Richard and Betty Anderson / CPC Realty 114 Tiger Street Mitchell, SD 57301	LOT 12 BLK 9 ORIGINAL MITCHELL-NE&SE(21)	\$309.10
Struble Living Trust 400 E 1st Ave Mitchell, SD 57301	LOT 13 BLK 9 ORIGINAL MITCHELL-NE&SE(21)	\$310.80

Clarke Companies LLC 47035 250th Street Baltic, SD 57003	LOT 14 BLK 9 ORIGINAL MITCHELL-NE&SE(21)	\$532.23
William & Doris Jamison 218 N Main Street Mitchell, SD 57301	LOT 15 BLK 9 ORIGINAL MITCHELL-NE&SE(21)	\$396.38
Brad and Donna Jamison / Doris Jamison 1000 W Hurst Ave Mitchell, SD 57301	LOT 16 BLK 9 ORIGINAL MITCHELL-NE&SE(21)	\$363.78
Brad and Donna Jamison / Doris Jamison 218 N Main Street Mitchell, SD 57301	LOTS 17 & 18 BLOCK 9 ORIGINAL MITCHELL- NE&SE(21)	\$120.00
KCM Enterprises LLC 609 W Walnut Parkston, SD 57366	LOT 12 BLK 8 ORIGINAL MITCHELL-NE&SE(21)	\$120.00
KCM Enterprises LLC 609 W Walnut Parkston, SD 57366	LOTS 10 & 11 BLK 8 ORIGINAL MITCHELL-NE&SE(21)	\$658.28
Patty Saker & Tammy Van Dyke 201 W Main Street Pipestone, MN 56164	LOTS 8 & 9 BLK 8 ORIGINAL MITCHELL-NE&SE(21)	\$697.15
Michael's Toggery 211 N Main Street Mitchell, SD 57301	LOT 7 EX N4" BLK 8 ORIGINAL MITCHELL-NE&SE(21)	\$630.25
James Johnston 213 N Main Street Mitchell, SD 57301	LOT 6 & N4" OF LOT 7 BLK 8 ORIGINAL MITCHELL- NE&SE(21)	\$511.80
Sabers Properties LLC 27 Arrowhead Pass Mitchell, SD 57301	LOTS 3 & 4 BLK 8 ORIGINAL MITCHELL-NE&SE(21)	\$569.93
Western on Main LLC 223 N Main Street Mitchell, SD 57301	LOTS 1 & 2 BLK 8 ORIGINAL MITCHELL-NE&SE(21)	\$851.45
Mary & Lonnie Wipf / Slate Creek Properties 24679 Hwy 37 Mitchell, SD 57301	LOTS 7 8 9 & 10 BLK 2 ORIGINAL MITCHELL- NE&SE(21)	\$1,681.18

James Johnston 67 S Harmon Drive Mitchell, SD 57301	SOUTH 24.5' OF LOT 11 BLK 2 ORIGINAL MITCHELL- NE&SE(21)	\$216.13
Dakota Hearing Instruments Inc 310 N Main Street Mitchell, SD 57301	NORTH 6" OF LOT 11 & ALL OF LOT 12 BLK 2 ORIGINAL MITCHELL-NE&SE(21)	\$417.80
Ervin Lambright / Russ & Teresa Quist 406 E 10th Ave Mitchell, SD 57301	LOT 13 BLK 2 ORIGINAL MITCHELL-NE&SE(21)	\$599.15
Gary & Cathy Weber 314 N Main Street Mitchell, SD 57301	LOT 14 BLK 2 ORIGINAL MITCHELL-NE&SE(21)	\$227.93
Connie Henning Revocable Living Trust PO Box 134 Mt. Vernon, SD 57363	S24'-8" OF LOT 15 BLK 2 ORIGINAL MITCHELL- NE&SE(21)	\$534.20
Mark Vanden Hoek 622 E 2nd Ave Mitchell, SD 57301	NORTH 4 INCHES OF LOT 15 & ALL OF LOT 16 BLOCK 2 ORIGINAL MITCHELL- NE&SE(21)	\$803.35
David Finnell / Chad & Carma Popp 303 N Main Street Mitchell, SD 57301	LOT 17 BLK 2 ORIGINAL MITCHELL-NE&SE(21)	\$400.10
Roberta & James Davidson 800 W 2nd Ave Mitchell, SD 57301	LOT 18 BLK 2 ORIGINAL MITCHELL-NE&SE(21)	\$733.28
David Finnell 303 N Main Street Mitchell, SD 57301	LOTS 11 & 12 BLK 3 ORIGINAL MITCHELL-NE&SE(21)	\$254.13
Tom & Diane Moody 40992 241st Street Letcher, SD 57359	LOT 10 BLK 3 ORIGINAL MITCHELL-NE&SE(21)	\$410.30
Tom & Diane Moody 40992 241st Street Letcher, SD 57359	LOT 9 BLK 3 ORIGINAL MITCHELL-NE&SE(21)	\$229.20
Dan Hauser and Brenda Olesen 412 N Main Street Mitchell, SD 57301	LOTS 4 5 & N5 FT OF LOT 6 BLK 3 ORIGINAL MITCHELL- NE&SE(21)	\$1,116.55

Riverfront Broadcasting 3008 Mulligan Drive Yankton, SD 57078	LOTS 2 & 3 EX W 50' BLK 3 ORIGINAL MITCHELL- NE&SE(21)	\$821.68
Kirch Real Estate 323 N Main Street Mitchell, SD 57301	LOT 1 & W50' OF LOTS 2 & 3 IN BLK 3 ORIGINAL MITCHELL-NE&SE(21)	\$452.98
D&J Sabers Properties 1400 Mitchell Blvd Mitchell, SD 57301	LOTS 5 THRU 9 BLK 110 LAWLERS 1ST ADDN-NE(21)	\$2,883.80
Dan Hauser & Brenda Olesen 721 W Hanson Ave Mitchell, SD 57301	LOTS 2A 3 & 4 BLK 110 LAWLERS 1ST ADDN-NE(21)	\$737.73
World of Fabrics Box 450 Wilmar, MN 56201	LOTS 7 & 8 BLK 109 LAWLERS 1ST ADDN-NE(21)	\$777.55
Boyd Reimnitz 407 N Main Street Mitchell, SD 57301	LOTS 5 & 6 BLK 109 LAWLERS 1ST ADDN-NE(21)	\$677.90
Boyd Reimnitz 407 N Main Street Mitchell, SD 57301	LOTS 3 & 4 BLK 109 LAWLERS 1ST ADDN-NE(21)	\$135.38
Boyd Reimnitz Sr. & Boyd Anthony Reimnitz 201 S 2nd Street Emery, SD 57332	LOT 2 BLK 109 LAWLERS 1ST ADDN-NE(21)	\$180.95
Tim & Sherry Hines / RJA Properties LLC 605 W 14th Ave Mitchell, SD 57301	LOT 1 BLK 109 LAWLERS 1ST ADDN-NE(21)	\$192.85
Slate Creek Properties 3612 W Teem Drive Sioux Falls, SD 57107	LOTS 1 2 3 & 4 BLK 13 ROWLEYS 1ST ADDN-NW(22)	\$3,000.00
Mitchell Area Chamber of Commerce PO Box 1026 Mitchell, SD 57301	LOTS 16, 17, AND 18 BLK 11 ROWLEYS 1ST ADDN-NW(22)	\$663.05
Menprop LLC PO Box 456 Mitchell, SD 57301	LOTS 11 AND 12 BLK 12 ROWLEYS 1ST ADDN-NW(22)	\$600.00
Keke Leiferman 509 S West Street Kimball, SD 57355	LOT 10 BLK 12 ROWLEYS 1ST ADDN-NW(22)	\$247.43

Jamison Enterprises 218 N Main Street Mitchell, SD 57301	LOTS 5 THROUGH 9 BLK 12 ROWLEYS 1ST ADDN-NW(22)	\$1,256.15
Arlen & Anne Moke 519 N Main Street Mitchell, SD 57301	LOTS 3 AND 4 BLK 12 ROWLEYS 1ST ADDN-NW(22)	\$690.13
Debra Jones Mitchell, SD 57301 109 W 6th Ave	LOTS 1 AND 2 BLK 12 ROWLEYS 1ST ADDN-NW(22)	\$762.93
Mitchell Area Chamber of Commerce PO Box 1026 Mitchell, SD 57301	LOTS 7 THRU 12 BLK 5 ROWLEYS 1ST ADDN-NW(22)	\$1,264.95
Terry & Gwenda Koch Grandchildrens Trust 1501 Sawgrass Ave Mitchell, SD 57301	LOT 6 BLK 5 ROWLEYS 1ST ADDN-NW(22)	\$310.80
Otinel Cornel & Denisia Iancu 43130 Christopher Lane Banning, CA 92220	LOTS 3 4 AND 5 BLK 5 ROWLEYS 1ST ADDN-NW(22)	\$1,124.98

Motion carried and resolution declared duly adopted.

Moved by Rice, seconded by Allen, to approve Resolution #R2018-42, A Plat of Lot I, A Subdivision of Previously Platted Lot 2 of Maui Farms Second Addition, City of Mitchell, Davison County, South Dakota, as follows:

RESOLUTION #R2018-42

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 23rd day of July, 2018, and

WHEREAS, it appears from an examination of the plat of LOT I, A SUBDIVISION OF PREVIOUSLY PLATTED LOT S OF MAUI FARMS SECOND ADDITION, 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 LOT I, A SUBDIVISION OF PREVIOUSLY PLATTED LOT S OF MAUI FARMS SECOND ADDITION, 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.

Moved by Allen, seconded by Barington, to approve Resolution #R2018-43, A Plat of Lot 4B, Lot 4C & Lot 4D, A Subdivision of Lot 4 of Cabela's First Addition, Located in the South Half of Section 27, Township 103 North, Range 60 West, to the City of Mitchell, Davison County, South Dakota, as follows:

RESOLUTION #R2018-43

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 23rd day of July, 2018, and

WHEREAS, it appears from an examination of the plat of LOT 4B, LOT 4C & LOT 4D, A SUBDIVISION OF LOT 4 OF CABELA'S FIRST ADDITION, LOCATED IN THE SOUTH HALF OF SECTION 27, TOWNSHIP 103 NORTH, RANGE 60 WEST, TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA as prepared by Jason D. Levanen, 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 LOT 4B, LOT 4C, & LOT 4D, A SUBDIVISION OF LOT 4 OF CABELA'S FIRST ADDITION, LOCATED IN THE SOUTH HALF OF SECTION 27, TOWNSHIP 103 N, RANGE 60 WEST, TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, prepared by Jason D. Lavenen, 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.

Moved by Rice, seconded by McCardle, to approve Resolution #R2018-45, Providing for a Surcharge for Improvements to the City of Mitchell Drinking Water System, for Payment of a Borrower Bond and Yearly Review of the Surcharge, as follows:

RESOLUTION #R2018-45

A RESOLUTION PROVIDING FOR A SURCHARGE FOR IMPROVEMENTS TO THE CITY OF MITCHELL DRINKING WATER SYSTEM, FOR PAYMENT OF A BORROWER BOND AND YEARLY REVIEW OF THE SURCHARGE.

1. Surcharge for Bond Issue. There shall be charged a monthly surcharge for the services

provided by the improvement financed by the DWSRF-02 Conservancy District loan. The surcharge for the loan shall be segregated from other revenues of the City and shall be used for the payment of the Borrower Bond DWSRF-02 (the "Borrower Bond"). Provided that such surcharge shall create net income, remaining from time to time after first paying all reasonable and current expenses of maintenance, repairs, replacements and operation, sufficient to fund interest, reserve and debt service fund annual requirements.

2. **Rates and collection.** The City does hereby establish the special charge or surcharge payable by each customer of its system who receives or benefits from the services of the project financed with the Borrower Bond. Such charge or surcharge shall be set at a level which, assuming a 10% delinquency rate, will produce income at the times and in amounts sufficient to pay when due the principal of and interest on the Borrower Bond and the administrative expense surcharges and all other payments as may be required under the loan agreement and Borrower Bond. The collection of the Surcharge will start on the 6th day of August, 2018.
3. **Rate Reduction.** The current water rate applicable to all customers shall be decreased by \$1.78 per user.
4. **Borrower Bond.** The following initial surcharge shall be applicable to all customers served whether in or out of the City or whether retail or sales or resale:

Borrower Bond DWSRF-02 Surcharge: \$1.78 per user.

The surcharge shall remain in effect until such time as the Borrower Bond is paid in full. The surcharge shall be collected at the same time as other charges of the drinking water system. The surcharge is found to be equitable for the services provided by the improvements.

5. **Segregation.** The debt service surcharge shall be segregated from other income of the drinking water system in a separate bookkeeping account and is pledged to the South Dakota Conservancy District for the payment of the loan payments on the Borrower Bond.
6. **Yearly review.** The amount of the surcharge shall be reviewed from year to year and may be modified in order to provide such funds as are set forth herein. The charges shall be reviewed yearly by City personnel and administratively adjusted, upwards or downwards, pursuant to SDCL § 9-40-15 to such amounts as may be necessary to pay principal, interest, administrative surcharge and other charges as may become due and owing under the loan agreement or Borrower Bond.
7. **Billing and Accounting.** The surcharge shall be included in the monthly user water bill. Nothing contained herein requires the surcharge be indicated on the billing, however, the surcharge segregation shall be indicated on the books of the City.
8. **Surcharge not to create constitutional indebtedness.** The charges provided herein are

for the purpose of paying the Borrower Bond of the City which do not constitute indebtedness within the meaning of South Dakota Constitutional Chapter XIII Section 4.

9. **Automatic Repeal.** The surcharge for the Borrower Bond shall be automatically repealed when the Borrower Bond is paid in full.
10. **Partial Invalidity.** If any one or more of the provisions of this Resolution shall be held invalid, illegal, or unenforceable in any respect, by final decree of any court of lawful jurisdiction, such invalidity, illegality, or unenforceability shall not affect any other provision hereof.

Motion carried and resolution declared duly adopted.

DISCUSSION:

Committee Chairman Joe Kippes spoke to the City Council regarding their proposal for the Lake Mitchell Development Project and the Firesteel Watershed Improvements. Kippes explained to City Council that the Lake Committee recommends a three-step process to improve Lake Mitchell that would include In-Lake (Internal Load Control/Dam Drawdown), Near-Lake (Retention Pond, Wetlands, Alum Injection System Funding Pursuits, Hotspot Identification) and the Watershed (Watershed Improvements). The Lake Mitchell total project is estimated to cost \$19,810,693.00.

CONSIDER APPROVAL:

Discussion took place with Mayor Everson, Mitchell City Council, and representatives from Puetz Construction regarding the retainage from the Mitchell Aquatic Center. Mayor Everson explained to Puetz Construction that they would receive payment for the Mitchell Aquatic Center after final inspection is completed. Mayor Everson approved a payment in the amount of \$93,668.37 for work previously done.

Moved by Smith, seconded by McCardle, to approve the payment in the amount of \$93,668.37 for Mitchell Aquatic Center #2016-11 contracted to Puetz Construction. Motion carried.

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 _____.