

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

**October 1, 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 Tjarks, seconded by Allen, to approve the following items on the consent agenda:

- a. City Council Minutes
  1. City Council Minutes September 17, 2018.
- b. Committee Meeting Minutes
  1. Planning Commission September 10, 2018, and
  2. Traffic September 17, 2018.
- c. Raffle Permits
  1. DWU/C.E.O. Club with the drawing to be held on November 20, 2018,
  2. Mitchell Area Safehouse/Holiday Spirit with the drawing to be held on November 30, 2018, and
  3. Mitchell Area Networking Association with the drawing to be held on January 10, 2019.
- d. Set date of 10-15-18 for hearing on the application to transfer Retail (On-Sale) Liquor License RL-5765 ACT Booking Services LLC dba Moonlight Bar & Lounge, 511 North Main Street, Mitchell, South Dakota to V.V. Inc., dba The Hideout, 510 E Havens St. Suite #2, Mitchell, South Dakota.
- e. Set date for bid opening 1:30 PM, October 22, 2018 for Cemetery Hayland - 3 year lease 2019-2021 City Project #2019-5.
- f. Automatic Supplement to the Park Fund-Parks Department in the amount of \$15,433.00 for mosquito spraying truck replacement from a grant.
- g. Authorize Contingency request in the amount of \$9,356.00 to install LED Lights in the armory gym above City Hall.
- h. Request to authorize application for Land & Water Conservation Fund (LWCF) Grant.
- i. **Country Pride Coop**

	Requested <u>Gallons</u>	Bid <u>Gallons</u>	Price per <u>Product</u>	Total Bid
On Road Diesel-#2	1,800	1,800	\$2.77	\$ 4,986.00
Unleaded Gas -10% Ethanol	5,700	5,700	\$2.53	\$14,421.00

Total Bid: \$19,407.00

<u>Howes Oil Company Inc.</u>	<u>Requested</u>	<u>Bid</u>	<u>Price per</u>	<u>Total Bid</u>
	<u>Gallons</u>	<u>Gallons</u>	<u>Product</u>	
On Road Diesel-#2	1,800	1,800	\$2.7435	\$ 4,938.30*
Unleaded Gas	5,700	5,700	\$2.492	\$14,204.40*
-10% Ethanol				

**Total Bid: \$19,142.70\***

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

- j. Pay Estimates 10-01-18  
Pay Estimate #2-Final in the amount of \$1,050.00 for Forcemain Pump Station "C" #2017-12 contracted to D.W. Proehl Construction, and

Pay Estimate #6 in the amount of \$13,922.25 for Sanborn Street Phase I #2018-22 contracted to BX Civil and Construction.

- k. 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 AUGUST 26, 2018 – SEPTEMBER 8, 2018:** City Council \$3,016.00, Mayor \$1,255.00, City Administrator \$4,808.42, Attorney \$3,871.18, Finance \$13,067.03, Human Resources \$3,382.92, Municipal Building \$3,522.32, Information Technology \$2,393.44, Police \$65,892.72, Traffic \$4,444.92, Fire \$52,411.67, Street \$28,509.79, Public Works \$19,302.70, Cemetery \$4,675.51, Animal Control \$1,423.52, Emergency Medical Services \$19,797.79, Library \$13,453.31, Recreation & Aquatics \$6,552.64, Recreation Center \$12,873.78, Sports Complexes \$10,197.75, Parks \$13,813.43, Supervision \$5,010.23, E911 \$23,178.33, RSVP \$5,523.96, Palace Transit \$19,239.95, JVCC \$1,530.00, Nutrition \$917.89, Water Distribution \$9,488.59, Sewer \$11,270.71, Airport \$2,248.63, Waste Collection \$11,578.73, Landfill \$8,407.43, Corn Palace \$21,970.64, Golf Course \$7,954.10, Campground \$1,822.80.

**NEW HIRES:**

REC CENTER: Darrell Grebin-\$9.85, Ashley Miedema-\$9.35, Gabriel Suchor-\$9.85, Teah Serr-\$9.85.

REC & ACQUATICS: Jim Larson-\$25.00, Tim Moon-\$20.00, Jessica Kolar-\$10.35.

PALACE TRANSIT: Alfred Jacklin-16.936.

**SALARY ADJUSTMENTS:**

FIRE: Shannon Sandoval-\$27.753.

POLICE: Kyle Mclaughlin-\$24.237.

LIBRARY: LaJeane Jons-\$22.232.

WATER DISTRIBUTION: Kerry Plooster-\$25.173.

WASTEWATER: Jon Rehfeldt-\$19.887.

**WARRANTS:** A & B Business Solutions, Contract Services-\$3,719.88; A-OX Welding Supply, Supplies-\$82.62; AAA Collections, Contract Service-\$1,785.56; AAA Lawn Care and Maintenance, Lawn Mowing-\$495.00; Accounts Management, Garnishment-\$353.46; Adam Fosness, Contract Services-\$1,300.00; Aflac, Aflac Withholding-\$9,943.58; Aflac Group, Aflac Critical Care-\$1,194.60; AFSCME Council 65, Union Dues-\$589.50; Ag Systems, Supplies-\$28.17; AM Distributing, Supplies-\$116.32; Ameripride Services, Supplies-\$113.08; Anderson Nurseries, Supplies-\$2,800.00; Auto Body Specialties, Supplies-\$2.09; Avera Occupational Medicine, Contract Service-\$1,122.55; B & L Communications, Equipment-\$687.46; Bailey Metal Fabricators, Supplies-\$190.37; Becker Arena Products, Supplies-\$2,855.67; Big Daddy D's, Contract Services-\$4,373.25; Break Time Portables, Rental-\$285.00; Brian Daughters, Travel-\$49.00; Brock White Company, Supplies-\$1,918.25; Builders Firstsource, Supplies-\$104.93; Butler Machinery, Supplies-\$1,030.74; BX Civil & Construction, 2018-22 P.E. #6-\$13,922.25; Campbell Supply, Supplies-\$625.48; Carquest Auto Parts, Supplies-\$61.92; Central Electric, Utilities-\$12,149.06; Century Link, Utilities-\$1,279.41; Certified Laboratories, Supplies-\$213.28; Cherrybee's, Arrangement-\$81.00; CHR Solutions, Contract Service-\$2,980.66; City of Mitchell, Utilities-\$63,572.35; Clayton Moore, Travel-\$43.00; Coca Cola Bottling, Supplies-\$1,279.20; Combined Pool Spa, Deposit-\$1,500.00; Core & Main, Supplies-\$19,082.58; Core-Mark Midcontinent, Supplies-\$2,976.26; Corporate Translation Service, Translation Service-\$45.20; County Fair, Supplies-\$20.86; D. W. Proehl Construction, 2017-12 P.E. #2 Final-\$1,050.00; Dakota Counseling, 2018 Allocation-\$12,500.00; Dakota Pump, Supplies-\$49,086.27; Dakota Supply Group, Supplies-\$41.43; Darrington Water Conditioning, Supplies-\$189.58; Delta Dental Plan of South Dakota, Delta Dental Plan of South Dakota-\$13,992.70; Department of Social Services, Child Support-\$1,275.22; Detco, Supplies-\$228.61; Eric Hieb, Contract Services-\$5,623.99; Farmers Alliance, Supplies-\$2,348.70; Fastenal, Supplies-\$140.88; Ferguson Waterworks #2516, Supplies-\$335.88; First National Bank Omaha, Loan Payment-\$9,979.03; Fisher Scientific, Supplies-\$1,174.88; Floor Tec, Professional Service-\$160.00; Forum Communications, Advertising-\$4,448.91; Gaylen's Homegrown Popcorn, Supplies-\$1,682.00; GCR Tires & Service, Supplies-\$2,039.82; Geotek Engineering, Supplies-\$2,440.00; Graham Tire, Supplies-\$689.81; Harve's Sport Shop, Supplies-\$76.95; Hawkins, Supplies-\$3,041.96; Heiman Fire Equipment, Supplies-\$62.50; Henke Tractor Repair Shop, Supplies-\$458.04; Henry Schein, Supplies-\$171.99; Honda of Mitchell, Supplies-\$323.00; Hoop City Basketball Club, Sports Authority Promotion-

\$6,000.00; Ingram Library Services, Book-\$19.99; Innovative Office Solution, Supplies-\$229.98; Integrity Transcription, Transcribing Service-\$502.20; Interstate Office Products, Supplies-\$310.05; James Valley Landscape Solutions, Repair-\$436.00; Jaylon Tollefson, Travel-\$43.00; JCL Solutions, Supplies-\$1,711.22; JD Concrete Products, Supplies-\$294.25; Jessica Pickett, Travel-\$295.76; Johnson Controls, Repair-\$4,332.24; Jon Vermeulen, Travel-\$49.00; Jones Supplies, Supplies-\$466.75; Justin Adams, Travel-\$252.84; Kevin Roth, Travel-\$43.00; Kiefer USA, Repair-\$2,990.86; Krohmer Plumbing, Maintenance-\$2,623.37; Lakeview Golf, Sports Authority Promotion-\$400.00; Lawson Products, Supplies-\$131.73; Light & Siren, Supplies-\$496.00; Locators and Supplies, Supplies-\$52.53; Loren Skinner, Travel-\$205.00; Make It Mine Designs, Supplies-\$85.00; Marco Technologies, Supplies-\$180.01; MC&R Pools, Supplies-\$15.42; McFarland Supply, Supplies-\$665.52; McLeod's Printing, Supplies-\$31.30; Mebius Nursery & Landscaping, Supplies-\$850.00; Med-Tech Resource, Supplies-\$220.17; Menard's, Supplies-\$1,317.47; Meyers Oil, Supplies-\$1,985.22; Microsoft, Supplies-\$902.00; Midcontinent Communication, Utilities-\$99.39; Midcontinent Communication, Advertising-\$2,474.00; Midland Contracting, Deposit-\$1,500.00; Midwest Fire & Safety, Maintenance-\$337.50; Midwest Laboratories, Lab-\$1,116.60; Midwest Turf & Irrigation, Supplies-\$448.52; Cobb, Karlee Refund-\$54.69; Mitchell Iron & Supply, Supplies-\$116.16; Mitchell School District, Utilities-\$2,898.67; Mitchell Telecom, Utilities-\$164.40; Mitchell United Way, United Way Deductions-\$169.67; Mount Vernon School District, Contract Services-\$23.65; Mueller Lumber, Supplies-\$252.25; Muth Electric, Maintenance-\$224.50; Napa Auto Parts, Supplies-\$575.72; Nedved Media, Advertising-\$1,689.81; Nicholas Jongeling, Supplies-\$18.50; Northwestern Energy & Communications, Utilities-\$25,776.67; Odeys, Supplies-\$586.00; Palace City Lion's Club, Contract Services-\$6,901.60; Paulson Air, Repair-\$4,519.56; Pepsi Cola, Supplies-\$842.80; Pivotal Health Solutions, Supplies-\$22,597.20; Powerplan-Oib, Supplies-\$665.78; Prestige Flag, Supplies-\$406.37; Puetz Corporation, Repair-\$4,725.77; Qualified Presort, Contract Service-\$435.22; Ron's Bicycle and Locksmith, Supplies-\$8.75; Ron's Saw Sales, Supplies-\$162.90; S & M Printing, Supplies-\$1,164.00; Safe Sitter, Supplies-\$600.25; Saga Communications of South Dakota, Publishing-\$811.00; Samantha Pulse, Travel-\$164.00; Santel Communications, Professional Service-\$1,543.00; Schurz Irrigation, Repairs-\$2,419.77; Scott Supply, Supplies-\$102.30; South Dakota Department of Health, Lab-\$861.00; South Dakota Department of Public Safety, Repair-\$120.00; South Dakota Department of Revenue, Supplies-\$21.20; South Dakota Federal Property Agency, Toro Workman Vehicle-\$4,500.00; South Dakota Local Transportation, Registration-\$100.00; South Dakota One Call, Professional Service-\$276.15; South Dakota Parks & Recreation, Registration-\$360.00; South Dakota Retirement System, Retirement Contributions-\$51,535.94; South Dakota Retirement, Roth 457 Contributions-\$425.00; Senior Meals Program, Fundraising-\$80.00; Sherwin-Williams, Supplies-\$891.81; Sign Pro, Supplies-\$112.45; Sioux Falls Two-Way Radio, Supplies-\$2,402.00; Special Olympics South Dakota, Sports Authority Promotion-\$6,000.00; Stan Houston Equipment, Supplies-\$805.88; Standard

Insurance Company, Life Insurance-\$2,374.06; Standard Insurance Company, Standard Insurance Company-\$411.55; Stephanie Ellwein, Travel-\$324.60; Sturdevant's Auto Parts, Supplies-\$2,883.88; Subway, Meals \$38.74; Sun Gold Sports, Supplies-\$123.00; Teamsters Local No. 120, Union Dues-\$776.00; Tessier's, Supplies-\$1,876.85; Thomas L Price, Service-\$350.00; Thomas Schuman, Travel-\$49.00; Three-D Specialties, Supplies-\$666.18; Thune True Value Hardware, Supplies-\$363.42; Tim's Towing & Recovery, Police Tow-\$250.00; TK Electric, Repairs-\$4,642.15; TMA Stores, Repair-\$689.38; Traffic Control, Supplies-\$116.00; Travis Hohrman, Supplies-\$267.90; Tri Air Testing, Service-\$176.40; Trizetto Provider Solution, Service Contract-\$136.69; Tyler Technologies, Supplies-\$2,739.00; United Parcel Service Store #4227, Shipping-\$32.76; Van Diest Supply, Supplies-\$3,714.05; Verizon Wireless, Utilities-\$641.23; Walmart, Supplies-\$69.16; Westwind, Equipment-\$4,699.99; Wheelco Brake & Supply, Supplies-\$32.38; Wholesale Electronics, Supplies-\$130.38; William Lutjen, Travel-\$66.78; Zimco Supply, Supplies-\$1,400.00; Zuercher Technologies, Subscription-\$1,720.00.

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

#### **CITIZENS INPUT:**

Council Member Kevin McCardle asked if the Corn Palace murals would be completed this fall. Mayor Bob Everson said the Corn Palace has been short of workers and is hoping the decorating will be completed by the dedication of the murals on October 26, 2018 recognizing local military members and the USS South Dakota.

Council Member Steve Rice addressed the graffiti painted around town. Chief of Public Safety Lyndon Overweg said that the graffiti was either removed or covered today.

Council Member Dan Sabers commented on how great Lakeview Golf Course looked during the golf tournament this past weekend.

#### **BOARD OF ADJUSTMENT:**

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

#### **HEARING:**

It was advised that this is the date and time set for hearing on the application of Carol Ragle for a conditional use permit/home occupation (homeopathic treatment) located at 820 W 3rd Ave, legally described as Lot 11, Block 101, Lawler's 2nd Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential. 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 Allen, seconded by Tjarks, 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 Barington, seconded by Rice, for the Board of Adjustment to adjourn and the City Council to reconvene in regular session. Motion carried.

**CONSIDER APPROVAL:**

Moved by Smith, seconded by Tjarks, to approve and authorize the Mayor to sign Agreement #A2018-28, McCook County Contract for Traffic services provided by the City of Mitchell's Regional 911 service (E911). Motion carried.

**AWARD BID:**

Bids were opened and read for the South Water Tower Painting City Project #2018-1R on the 20th of September 2018 in the Council Chambers of City Hall. Moved by Allen, seconded by Barington, to award the project, as follows:

**SOUTH WATER TOWER PAINTING  
CITY PROJECT#2018-1R**

Maguire Iron Inc., PO Box 1446, Sioux Falls, South Dakota 57101.

Total Bid Schedule A:	\$173,400.00
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Motion carried.

**RESOLUTIONS:**

Moved by Allen, seconded by Barington, to table Resolution #R2018-53, Authorizing a Quiet Title Action to the October 15, 2018 City Council meeting. Motion carried.

**ORDINANCES:**

Moved by McCardle, seconded by Rice, to Amend Ordinance #O2018-09, 2019 Annual Appropriation Ordinance to change the amount to be certified to the Davison County auditor from \$5,097,569.00 to \$5,175,955.00. Motion carried.

Moved by McCardle, seconded by Sabers, to place Ordinance #O2018-11, Amending MCC 5-4A-3(B) Regarding Alternative Waste Dropoff Sites on second reading. Motion carried. Moved by Allen, seconded by Smith, to adopt Ordinance #O2018-11, as follows:

**ORDINANCE NO. O2018-11**

AN ORDINANCE AMENDING MITCHELL CITY CODE SECTION 5-4A-3(B) REGARDING ALTERNATIVE WASTE DROPOFF SITES.

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

Section 1.

That Mitchell City Code Section 5-4A-3(B) be AMENDED by adding the language below after the sentence “No dumping of garbage or rubbish shall be at any other place than that designated by the city council and approved by the proper city official.”:

“However, the Public Works Department may designate drop off areas where certain types of materials may be dumped. The Public Works Department shall establish and post rules for such drop off areas.

Any person violating said rules shall be subject to the general penalty provision under Section 1-4-1 of this code. In addition to or instead of such general penalty, any person violating said rules shall be responsible for the cost of clean-up for the improper dumping plus an administrative fee in an amount to be set by the City Council by resolution, the total of which shall be assessed against and collected from the violator in like manner as other nuisances.”

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.

Moved by Rice, seconded by Allen, to place Ordinance #O2018-12, Amending MCC Chapter 2-6: Tax Increment Financing on first reading. Motion carried.

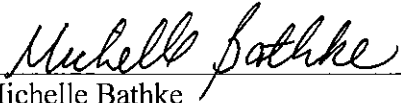
**EXECUTIVE SESSION:**

Moved by Rice, seconded by McCardle, 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. Motion carried.

Mayor Everson declared the board out of executive session at 7:00 p.m. and the City Council to reconvene in regular session at 7:01 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 \_\_\_\_\_.