

# Sidewalk battle building again

By **Evan Hendershot** on Jan 4, 2016 at 9:56 p.m.

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A one-year delay on Mitchell's sidewalk plan couldn't erase the tension between one resident and the city.

Mitchell's sidewalk committee met Monday before the regular City Council meeting at City Hall to review the 2016 sidewalk installation plan that will bring construction to nine streets within city limits. But Roxie Kasten, a resident on the intersection of 11th Avenue and North Langdon Street, still questions why she needs to install what she sees as an unwanted addition to her property.

"\$3,557 is a lot of money for my family to have to put forward for a street that goes nowhere," Kasten said.

According to a public notice published on page B7 of Monday's edition of The Daily Republic, Kasten's property is one of 11 lots along North Langdon Street that will be forced to pay between \$1,797.50 and \$4,941 for the installation of Americans with Disabilities Act-accessible sidewalks on what Kasten said is essentially a dead-end street.

No action was taken at Monday's meeting, but a public hearing will be held during the next City Council meeting on Jan. 18.

Kasten asked the council why sidewalks need to be installed on her street after Mayor Jerry Toomey said the pedestrian traffic on the street was extremely light. Councilman Mel Olson was quick to respond to Kasten's series of questions.

"Whether you're this year or next year or 10 years from now, sidewalk is coming to your area," Olson said.

Kasten's property falls within the first year of a five-year sidewalk plan. Aside from North Langdon Street from Ninth Avenue to 12th Avenue, homeowners on West Ninde Street from South Miller Avenue to West University Boulevard, South Minnesota Street from West McCabe Street to West Ninde Street, South Rowley Street from West Norway Avenue to West Havens Avenue and West Hurst Avenue from South Duff Street to South Rowley Street.

As a resident of a home she said is more than 70 years old, Kasten asked why homeowners in newer residences have not been required to install sidewalks despite a city ordinance requiring homes built after 1992 to build sidewalks. Sidewalk Committee Chairman and Deputy Public Works Director Terry Johnson had already responded to Kasten's concerns.

Johnson included three new areas on the sidewalk plan to enforce the 1992 ordinance, which states any new construction must put in a sidewalk on all sides of a property facing a curbed street.

Among those new areas included to enforce the ordinance are homeowners along a section of East 23rd Avenue, a section of North Davison Street and most of Greenridge Lane will see sidewalks installed this year.

These landowners will have the option to complete the work on their own, they can hire a contractor or allow the city to do the work at the assessed rate. According to the public legal notice, owners will have until March 18 to acquire a free sidewalk permit if they chose to do the work themselves or hire a contractor and the work must be completed by June 1.

With more public input to be held at the next council meeting, residents like Kasten will have a one last chance to state their case why their property is not ready for sidewalk installation.

Last November, one resident was able to urge the council to delay sidewalk installation on North Davison Street between East 11th Avenue and East 12th Avenue due to the street's drainage issues. But Kasten did not receive the same support from the council on Monday.

When Kasten told the council pedestrians rarely use her street, Olson offered her one potential reason why before saying the city should stick with its original plan.

"We get these arguments all the time, 'Well, nobody walks here,'" Olson said in response to Kasten. "(It's) because they have to walk in the street."

## Consent agenda

As part of the consent agenda, the council:

- Approved minutes from the Dec. 21 City Council, Public Health and Safety and Traffic Commission meetings.
- Held a hearing on the application to transfer retail on-sale liquor license RL-5768 from Todd Dikoff, doing business as The Brig, 2700 N. Main St., to X-treme Golf, doing business as Lake House.
- Set date of Jan. 26 to receive and consider bids for the City Hall waste piping replacement project No. 2015-33A. The bids will be considered at 1:30 p.m. in the Council Chambers at City Hall.
- Set The Daily Republic as the official newspaper for the city of Mitchell for 2016.
- Approved raffle requests for the following: the National Wild Turkey Federation with the drawings to be held on Jan. 8 and 9; the Collegiate Entrepreneur Organization with the drawing to be held on Jan. 20; the James River Gobblers/NWTF Chapter with the drawing to be held on Feb. 6; the James River Valley Chapter/Rocky Mt. Elk Foundation with the drawing to be held on March 25; Pheasants Forever with the drawing to be held on Oct. 14.
- Approved gas and diesel fuel competitive quotations.
- Approved pay estimates.
- Approved bills, payroll, salary adjustments, new employee hires and authorize payment of recurring and other expenses in advance as approved by the finance officer.

## Other business

In other business, the council:

- Called meeting to order, conducted the Pledge of Allegiance, conducted roll call and heard citizen input.
- Set officials depositories for the city of Mitchell for 2016.
- Approved the Sidewalk Committee report.
- Held second reading and adopted of Ordinance No. 2527 to amend Title Ten of the Mitchell Zoning Regulations.
- Approved of a \$160,000 design contract for Sanborn Boulevard with SPN & Associates.
- Approved a right-of-way agreement with the South Dakota Department of Transportation for Highway 37 and Spruce Street.
- Tabled a \$23,780 contract with Stockwell Engineering to develop a comprehensive parks master plan for Mitchell and evaluate the city's existing facilities and identify gaps in current service areas. The city budgeted \$25,000 for the item. The \$23,780 contract does not include excise tax.
- Approved the 2015 Personnel Policy Manual, which was tabled from the Nov. 2 City Council meeting.
- Approved the city's Drug and Alcohol Manual.
- Approved a \$32,500 compensations and classification study for city employees. Along with the \$25,000 budgeted, if approved, \$7,500 would be designated from the contingency fund.

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