

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

September 8, 2026

6:00 P.M.

PRESENT: Marty Barington, Shaun Davis, Tim Goldammer, Jason Greenway,
Kevin McCardle, Dan Sabers, Ken Schlimgen, Jeffrey Smith

ABSENT:

PRESIDING: Mayor Jordan Hanson

AGENDA:

Mayor Hanson added an Executive Session as permitted by SDCL 1-25-2(3) Consulting with Legal Counsel and SDCL 19-19-502 Lawyer-Client Communications.

Moved by Schlimgen, seconded by McCardle, to approve the following items on the consent agenda:

- a. City Council Minutes
 1. City Council August 17, 2026
 2. Special City Council August 24, 2026
 3. Special City Council August 31, 2026
- b. Committee Reports
 1. Planning Commission August 10, 2026 (signed)
 2. Planning Commission August 24, 2026 (unsigned)
- c. Raffle Permits
 1. Mitchell Skating & Hockey Association with the drawings to be held throughout hockey season
 2. Trinity Lutheran Church with the drawing to be held September 20, 2026
 3. LB Williams PTO with the drawing to be held October 23, 2026
- d. Business Associate Agreement between Palace Transit and Avera Health
- e. Special Event Permit Application for Friday Night Lights with DWU Hoops on Friday, September 18, 2026
- f. Special Event Permit Application for Raise 'Em Rank Bull Riding Series Finals on October 2-3, 2026
- g. Change Order #4 increasing the contract amount by \$25,134.75 for East 5th-Burr to Foster Project #2024-02 to Halme Construction, adjust contract amount to \$2,344,516.02
- h. Change Order #1 increasing the contract amount by \$72,450.00 for Rock Salt Project #2024-34 to Black Strap Inc., adjust contract amount to \$123,165.00
- i. Change Order #3 increasing the contract amount by \$21,016.10 for North Ohlman-23rd to Kemper Project #2025-01 to BX Civil & Construction adjust contract amount to \$3,395,979.90
- j. Change Order #2 increasing the contract amount by \$26,440.00 for 13th Avenue Construction

- Project #2025-08 to Menning Excavating, adjust contract amount to \$1,340,568.17
- k. Change Order #1 increasing the contract amount by \$13,553.52 for 200-500 Blocks of East 6th Avenue Construction Project #2026-03 to Metro Construction, adjust contract amount to \$662,194.42
- l. Set date for September 21, 2026 for hearing and action on the application to transfer RW-7571 Retail (on-off sale) Wine and Cider License from Hohn Partnership LLC dba Platinum Players Club III, 719 North Sanborn Blvd Ste #3 to Hohn Partnership LLC dba Platinum Players Club 4, 719 North Sanborn Blvd Ste #4
- m. Set date for public hearing on September 21, 2026 at 6:00 PM for Collection of Special Assessment Rolls for 2025 Construction Projects and 2025 Nuisance Abatements
- n. Set date 1:30 PM, September 29, 2026 for Bid Opening:
1. Airport Farm Ground Lease #2027-05
 2. Airport Pasture Lease #2027-06
- o. Approval of Gas and Fuel Quotations

Vollan Oil	<u>Requested Gallons</u>	<u>Bid Gallons</u>	<u>Price per Product</u>	<u>Total Bid</u>
Unleaded Gas-10% Ethanol	7,500	7,500	\$3.33	\$24,975.00
Total Bid:				\$24,975.00

- p. Pay Estimates September 8, 2026
- Pay Estimate #71 in the amount of \$1,004.13 for Above Ground Storage Tank #2020-20 contracted to Infrastructure Design Group
- Pay Estimate #43 in the amount of \$65,758.05 for Wastewater Treatment Plant Improvements-Phase II #2022-01 contracted to HDR Engineering
- Pay Estimate #21 in the amount of \$2,290.00 for Wastewater Treatment Plant Improvements-Phase II #2022-01 contracted to GeoTek Engineering
- Pay Estimate #20 in the amount of \$72,460.00 for East 5th-Burr to Foster #2024-02 contracted to Brosz Engineering
- Pay Estimate #4 in the amount of \$379,330.46 for East 5th-Burr to Foster #2024-02 contracted to Halme Inc.
- Pay Estimate #3 in the amount of \$340,826.34 for North Ohlman-23rd to Kemper #2025-01 contracted to BX Civil & Construction
- Pay Estimate #19 in the amount of \$55,572.40 for North Ohlman-23rd to Kemper #2025-01 contracted to SPN & Associates
- Pay Estimate #20 in the amount of \$30,820.00 for North Ohlman-23rd to Kemper #2025-01 contracted to SPN & Associates
- Pay Estimate #3 in the amount of \$443,948.48 for 13th Avenue Construction #2025-08 contracted to Menning Excavating
- Pay Estimate #6 in the amount of \$1,433.00 for Water Department Maintenance Facility #2026-01 contracted to Ciavarella Design
- Pay Estimate #2 in the amount of \$515,029.51 for 200-500 Blocks of East 6th Avenue Construction #2026-03 contracted to Metro Construction

Pay Estimate #7 in the amount of \$6,480.00 for Fire Station #2026-08 contracted to designArc Group

Pay Estimate #3 in the amount of \$9,040.30 for 13th Avenue Lift Station #2026-14 contracted to SPN & Associates

Pay Estimate #1 in the amount of \$29,664.00 for Dump Truck #2026-19 contracted to Sanitation Products

Pay Estimate #1-A in the amount of \$45,565.00 for Dump Truck #2026-19 contracted to Sanitation Products

Pay Estimate #6 in the amount of \$6,286.13 for Wastewater Study #2026-27 contracted to SPN & Associates

Pay Estimate #18 in the amount of \$540.75 for Water Distribution System Model #2026-37 contracted to AE2S

Pay Estimate #3 in the amount of \$3,675.00 for Northeast Storm Water Study #2026-39 contracted to HDR Engineering

Pay Estimate #2 in the amount of \$3,000.00 for Water Tank Demolition & Removal #2026-46 contracted to SPN & Associates

Pay Estimate #3 in the amount of \$3,500.00 for Water Tank Demolition & Removal #2026-46 contracted to SPN & Associates

Pay Estimate #23 in the amount of \$3,395.63 for AIP '33 Hangar Construction contracted to Helms & Associates

q. 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 2, 2026 – AUGUST 15, 2026: City Council \$3,847.36, Mayor \$1,663.00, City Administrator \$7,180.12, Administrative Boards \$2,566.25, Attorney \$5,885.34, Finance \$15,547.79, Human Resources \$4,834.27, Municipal Building \$5,794.81, Information Technology \$4,509.80, Police \$89,703.88, Traffic \$6,737.19, Fire \$45,211.17, Street \$35,454.26 Public Works \$27,862.00 Cemetery \$8,239.64, Library \$17,938.79, Recreation & Aquatics \$28,620.17, Recreation Center \$16,019.91, Sports Complexes \$31,424.01, Ballpark Concessions \$419.07, Parks \$27,178.03, Supervision \$4,641.65, E911 \$27,956.69, Palace Transit \$29,047.58, JVCC \$2,168.79, Nutrition \$4,693.89, Airport \$3,289.19, Water Distribution \$17,857.05, Sewer \$15,113.44, Recycling Program \$8,902.16, Waste Collection \$9,289.36, Landfill \$12,601.65, Corn Palace \$29,422.30, Golf Course \$12,074.26, Campground \$2,563.68, Emergency Medical Services \$61,296.91

PAYROLL AUGUST 16, 2026 – AUGUST 29, 2026: City Council \$3,847.36, Mayor \$1,663.00, City Administrator \$7,030.12, Administrative Boards \$2,566.25, Attorney \$5,885.34, Finance \$16,012.27, Human Resources \$4,834.27, Municipal Building \$6,373.55, Information Technology \$3,627.80, Police \$93,452.86, Traffic \$5,703.87, Fire \$41,456.53, Street \$34,882.62 Public Works \$28,193.78 Cemetery \$7,587.06, Library \$17,868.46, Recreation & Aquatics \$7,428.99, Recreation Center \$18,164.67, Sports Complexes \$20,858.47, Ballpark Concessions \$228.01, Parks \$23,505.17, Supervision \$4,641.65, E911 \$27,455.72, Palace Transit \$29,283.60, JVCC \$2,139.22, Nutrition \$4,556.92, Airport \$2,804.44, Water Distribution \$17,492.59, Sewer \$15,476.52, Recycling Program \$8,857.00, Waste Collection \$8,260.08, Landfill \$12,755.64, Corn Palace \$24,596.79, Golf Course \$7,332.73, Campground \$2,563.68, Emergency Medical Services \$58,298.21

NEW HIRES:

CADWELL CONCESSIONS: Sydney Love-\$15.27

CORN PALACE: Mason Nespor-\$11.85

POLICE: Hayden Medicine Horn-\$30.525

RECREATION & AQUATICS: Logan Heidinger-\$14.11

RECREATION CENTER: Matteah Graves-\$16.18, Ayda Gulledge-\$16.18, Jennifer Krause-\$20.00, Reese Rozell-\$11.85, Kaelynn Swanstrom-\$12.56

SALARY ADJUSTMENTS:

CEMETERY: Aaron Willis-\$36.848

E-911: Cierra Dailey-\$24.323

EMS: Tristian Johnson-\$26.199

FIRE: Daniel Pollreisz-\$35.948, Chad Cody-\$30.697, Abigail Pearson-\$26.199

LANDFILL: Clayton Moore-\$35.081

MUNICIPAL BUILDINGS: Melissa Hobaugh-\$20.770

PARKS: Brady Andera-\$26.855

POLICE: Andrew Becker-\$39.094, Wyatt Hunt-\$32.394, Justin Stoltenburg-\$37.567

STREET: Steven Anderson-\$42.732, Jim Cranny-\$24.810, Gavyn Degen-\$24.810, Randall Hanten-\$35.782, Spencer James-\$29.061, Pamela Punt-\$30.243

WASTE COLLECTION: Walter Davis-\$25.812

WASTE WATER: Carson Berg-\$25.554

TERMINATIONS:

GOLF: Bailey Berg, Alex Dagen, Mason Kempf, Noah Pudwill

IT: Maxwell Johnson

PALACE TRANSIT: Jay Whitley

PARKS: Lukas Bennett, Noah Bennett, Karsten Herges, Greyce Northeup

RECREATION & AQUATICS: Zoe Barrett, Elise Foster

STREET: Caydon Bailey, Hudson Haley

WARRANTS: A&B Business Solutions, Contract Payment-\$4,936.49; A-Ox Welding Supply, Supplies-\$143.75; AAA Collections, Collection Fees-\$340.06; Access Elevator & Lifts, Repairs-\$5,178.32; Advance Auto Parts, Supplies-\$30.38; Advanced Engineering and Environmental Services, 2026-37 P.E. #18-\$540.75; Affordable Geothermal, Deposit-\$2,000.00; AFLAC, Aflac Withholding-\$8,550.38; AFSCME Council 65, Union Dues-\$910.52; Amazon Capital Services, Supplies-\$3,983.23; American Engineering Testing, Improvements-\$575.00; Aqua-Pure, Supplies-\$5,752.50; Arms Unlimited, Equipment-\$96.17; ASCA, Licensing Fee-\$466.67; AT&T Mobility Palace Transit, Utilities-\$561.36; AT&T Mobility Police Department, Utilities-\$1,235.55; Audrianna Vargas, Entertainment-\$2,500.00; Auto Value Mitchell, Supplies-\$2,218.10; Automatic Building Control, Fire Alarm Monitoring-\$300.00; Avera Patient Financial Services, Screening-\$2,514.40; Beacon Athletics, Supplies-\$2,563.33; Bender Sewer & Drain, Repair-\$1,820.00; Big Daddy D's, Contract Services-\$5,265.00; Blackstone Publishing, Audiobooks-\$92.71; Blackstrap, Supplies-\$3,845.29; Brett & Nicole Sinkie, Purchase Easement-\$2,232.56; Brosz Engineering, 2024-2 P.E. #20-\$72,460.00; Bx Civil and Construction, 2025-1 P.E. #3-\$340,826.34; C&B Operations, Supplies-\$3,191.55; Carquest Auto Parts, Supplies-\$142.75; Central Electric, Utilities-\$17,015.30; Chesterman, Supplies-\$425.80; CHR Solutions, Advertising-\$4,318.09; CHS, Repair-\$20,257.43; Ciavarella Design, 2026-1 P.E. #6-\$1,433.00; City of Mitchell, Collection-\$844.95; City of Mitchell, Golf Course Deductions-\$1,733.99; City of Mitchell, Recreation Deductions-\$2,317.88; City of Mitchell, Rental-\$890.00; Column Software, Advertising-\$723.60; Commercial Asphalt, Supplies-\$2,811.96; Confluence, Community Project-\$12,500.08; Core & Main, Supplies-\$26,093.75; Core-Mark US, Supplies-\$5,759.63; Corn Palace, Supplies-\$7,495.00; Craig Stucky, Supplies-\$1,280.00; Crane Realty, Repair-\$192.00; Creekside Veterinary Clinic, Maintenance-\$65.98; Cutler Law Firm, Jim River Ridge Farms Easement-\$1,392.50; Dakota Pump, Maintenance-\$11,148.72; Darrington Water Conditioning, Rental-\$39.00; Davison County Register of Deeds, Warranty Deed-\$30.00; Davison Rural Water Systems, Water Usage-\$71.15; Degen Stump Removal, Maintenance-\$4,937.50; Delta Dental Plan of South Dakota, Dental Insurance-\$17,455.46; Designarc Group, 2026-8 P.E. #7-\$6,480.00; Dicks Towing, Towing-\$420.00; Doll Distributing, Supplies-\$2,569.95; Dakota Wesleyan University Digital Media, Contract Services-\$4,000.00; Dakota Wesleyan University Football, Programming Services-\$750.00; Dakota Wesleyan University Men's Soccer, Pre-Sturgis Party-\$500.00; Elfstrand's Ace Hardware, Supplies-\$462.47; Environmental Systems Research Institute, Annual Subscript, \$2,450.00; Eric Hieb, Contract Services-\$11,088.97; Evident, Supplies-\$716.90; FedEx, Mailing-\$19.50; First National Bank Omaha, Supplies-\$11,817.26; Fisher Scientific, Supplies-\$245.51; Floortec, Maintenance-\$145.00; Galls, Supplies-\$124.32; Gavyn Degen, Reimbursement-\$217.83; Gaylen's Gourmet Popcorn, Supplies-\$1,992.45; Geotek Engineering & Testing, Earthwork Tests-\$2,690.00; Guardian Alliance Technology, Software-\$240.00; Guardrail Enterprises, Deposit Refund-\$2,000.00; H&R Salvage, Professional Services-\$330.60; Halme, 2024-2 P.E. #4-\$379,330.46; Hampton Inn, Pree-Sturgis Party-\$1,031.00; Hawkins, Supplies-\$2,699.22; HDR Engineering, 2022-1 P.E. #43-\$69,433.05; Healthequity, Admin Fees-\$345.00; Helms and Associates, AIP '33 Airport P.E. #23-\$3,395.63; Henry Schein, Supplies-

\$645.43; ICan, Advertising-\$500.00; Infrastructure Design, 2020-20 P.E. #71-\$1,004.13; Ingram Library Services, Books-\$1,344.37; Interstate Glass & Door, Repair-\$294.97; Interstate Office Products, Supplies-\$269.45; JABR Trucking, Towing-\$285.00; James Valley Landscape Solutions, Supplies-\$48.99; JCL Solutions, Supplies-\$610.46; Jebro, Supplies-\$107,583.71; Jodi Dee, Purchase Easement-\$4,175.60; Johnson Bros of South Dakota, Supplies-\$1,755.79; Johnson Controls Building, Repair-\$3,031.34; Jones Supplies, Supplies-\$2,443.53; Kamden & Samantha Miller, Purchase Easement-\$6,926.04; Kone, Maintenance-\$1,066.53; Krohmer Plumbing, Repair-\$505.95; Ladder Soul Touring, Entertainment-\$85,000.00; Lawson Products, Supplies-\$64.16; Layton Eide, Entertainment-\$2,000.00; Lewis Family Drug, Supplies-\$102.54; Lish This, Entertainment-\$200,000.00; Logan Culhane, Entertainment-\$1,500.00; Lookout Books, Books-\$232.66; Loren Van Overschelde, Riparian Payment #5-\$6,185.00; Lucas & Amy Norden, Purchase Easement-\$3,961.76; Lynn Peavey, Supplies-\$248.85; M&T Fire and Safety, Supplies-\$12,953.14; Mark Jenniges, Planners Conference-\$66.00; McLeod's Printing, Supplies-\$1,307.80; Menards, Supplies-\$4,310.65; Menning Excavating, 2025-8 P.E. #3-\$443,948.48; Metro Construction, 2026-3 P.E. #2-\$515,029.51; Microsoft Corporation, Subscription-\$916.00; Midcontinent Communication, Maintenance-\$277.28; Midway Service dba Vollan Oil, Supplies-\$24,988.32; Midwest Fire & Safety, Extinguisher Service-\$3,633.73; Midwest Turf & Irrigation, Supplies-\$222.99; Millennium Recycling, Single Stream Fee-\$1,893.91; Mitchell Area Arts, Art Programming Service-\$1,120.00; Mitchell Area Chamber of Commerce, Advertising-\$150.00; Mitchell Concrete Product, Supplies-\$427.50; Mitchell High School, Sports Authority Promo-\$1,000.00; Mitchell Iron & Supply, Repair-\$284.03; Mitchell Kiwanis Club, Sports Authority Promo-\$750.00; Mitchell Marlins Boys Vars, Community Projects-\$5,000.00; Mitchell Music Boosters, 2025 Friend De Coup Festival-\$4,290.75; Mitchell Quarry, Maintenance-\$4,289.10; Mitchell School District, Utilities-\$1,921.06; Mitchell Soccer, Sports Authority Promo-\$5,000.00; Mitchell Telecom, Utilities-\$218.85; Mitchell Towing and Recovery, Supplies-\$360.00; Mitchell United Way, United Way Deductions-\$220.00; Mitylite, Supplies-\$5,216.84; Morgan Construction, Maintenance-\$5,306.13; Mueller Lumber, Supplies-\$68.75; Muth Electric, Maintenance-\$21,224.02; Napa Central, Supplies-\$284.46; Nepstads Flower Shop, Supplies-\$370.00; Newman Signs, Supplies-\$727.72; North Central Seed, Supplies-\$430.00; Northwest Pipe Fittings, Supplies-\$847.64; Northwestern Energy, Utilities-\$61,551.96; Nutrien Ag Solutions, Finance Charge-\$5.54; Odeys, Supplies-\$463.00; One Source The Background, Background Checks-\$163.00; Optilegra, Vision Plan-\$318.44; Overdrive, Ebook-\$1,181.86; Patzer Woodworking, Maintenance-\$15,392.88; Pepsi Cola, Supplies-\$732.81; Pfeifer Implement, Maintenance-\$228.63; Porter Distributing, Supplies-\$339.20; Premier Pest Control, Maintenance-\$615.00; Premier Specialty Vehicles, Repair-\$186.14; Public Health Laboratory, Lab Testing-\$1,086.00; Pye-Barker, Supplies-\$540.00; Qualified Presort Service, Postage-\$343.25; Rexwinkel Concrete, Capital Improvements-\$61,109.00; Rinker Materials, Supplies-\$276.96; Riverside Technologies, Computer Software-\$827.00; Runnings Supply, Supplies-\$3,033.01; Rustic Renovations, Maintenance-\$357.14; Saga Communications of South Dakota, Advertising-\$620.00; Sanitation Products, 2026-19 P.E. #1-\$75,229.00; Sawyer Gibson, Travel-\$91.81; Schoenfelder Portables, Rental-\$1,530.00; Schumacher Elevator, Repair-\$280.00; South Dakota Department of Agriculture, Stormwater Permit-\$250.00; South Dakota Municipal League, Membership-\$85.00; South Dakota Newsmedia, Professional Services-\$94.07; South Dakota Retirement System, Retirement Contributions-\$139,859.74; South Dakota-Supplemental Retirement, Supplemental Retirement-\$7,980.00; South Dakota-Supplemental Roth 457, Roth 457 Contributions-\$4,595.00; South Dakota Library, Conference-\$210.00; South Dakota Parks and Recreation, Conference-

\$2,500.00; Sherwin-Williams, Supplies-\$13,689.38; Sign Pro, Supplies-\$9.00; Sirchie Acquisition, Supplies-\$64.22; Siteone Landscape Supply, Supplies-\$2,212.90; SPN and Associates, 2025-1 P.E. #19-\$108,218.83; Standard Insurance, Life Insurance-\$2,699.20; Standard Insurance, Life Insurance-\$448.10; Staples, Supplies-\$360.65; Stein Sign Display, Advertising-\$2,050.00; Streicher's, Supplies-\$11.99; Subway, Planning Meals-\$54.54; Sun Gold Sports, Supplies-\$630.00; Taylor Concrete, Repair-\$674.44; Teamsters Local No. 120, Union Dues-\$1,856.00; Tessiers Mechanical Contractors, Maintenance-\$12,242.29; Thomas L Price, Screening-\$400.00; Thune True Value & Appliance, Supplies-\$430.38; Titan Machinery, Supplies-\$1,573.27; TK Electric, Supplies-\$270.22; TMA Stores, Maintenance-\$609.13; Transource, Supplies-\$6,054.52; Two Way Solutions, Supplies-\$250.00; Tylor Cassingham, Supplies-\$275.00; United States Department of Treasury, Garnishment-\$763.17; United States Postal Service, Supplies-\$82.00; Van Diest Supply, Supplies-\$807.63; Verizon Wireless, Utilities-\$340.19; Vern Eide Ford, Supplies-\$343.40; Vestis, Maintenance-\$1,016.41; Watertown Wholesale, Supplies-\$324.00; White Cap, Maintenance-\$37,883.46; World Archives, Database Update-\$1,451.00; Your Place, Program Services-\$325.00; Zachary Bridgeman, Repair-\$356.18; South Dakota Department of Revenue, Sales Tax-\$32,779.30; US Bank, Bond Payments-\$676,819.90; Clover, Credit Card-\$4361.09; Global, Credit Card-\$31,262.04; Authorized.net, Credit Card-\$221.32; CSG Forte, Credit Card-\$596.84; US Bank, CW-09 NPS, Interest \$2,409.01

Members present voting aye: Barington, Davis, Goldammer, Greenway, McCardle, Sabers, Schlimgen, Smith. Members present voting nay: none. Motion carried.

PUBLIC COMMENT:

Mitchell Main Street & Beyond's Elizabeth Luczak stated Oktoberfest will be held on September 19th and updated Council on upcoming events in the next few months.

Corn Palace Director Dave Sietsema thanked staff and the numerous volunteers for all of the support during the Corn Palace Festival. Sietsema also stated the Corn Palace will remain busy with several upcoming events.

BOARD OF ADJUSTMENT:

Moved by Goldammer, seconded by Barington, 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 Abby Opp for a conditional use permit for 10-5C-3 family residential daycare located at 1016 West 4th Avenue, legally described as Lot 4, Block 10, E.B. Bracy's Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential District. The Planning Commission recommended approval of said application with the following conditions; the permit is non-transferable, pass a fire inspection, and if the business ceases to operate for six months a new application is required. Moved by Goldammer, seconded by Davis, to approve said application. Motion carried.

Moved by Goldammer, seconded by McCardle, to set date for September 21, 2026 on the following applications:

Jatelyn Beck for a conditional use permit for 10-5C-3 family residential daycare located at 1015 West 5th Avenue, legally described as W ½ of Lot 2 except E 15' and E ½ of Lot 3, Block 10, E.B. Bracy's Addition, City of Mitchell, Davison County, South Dakota and

DCB LLC on behalf of Tom and Sherri Patzer for a 10-6B-5 front yard variance of 24'-6" vs 30' for a 10' covered entry addition located at 501 East Juniper Avenue, legally described as Lot S-3A except E 63' in the replat of Lot S in the NW ¼ of Section 27, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota.

Motion carried.

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

CONSIDER APPROVAL:

Moved by Goldammer, seconded by Smith, to authorize the Mayor to complete the transfer of property at 316 North Rowley and 113 West 4th to First United Methodist Church in the amount of \$1.00. Motion carried.

Moved by Goldammer, seconded by Schlimgen, to approve the Drinking Water State Water Plan application with the SD Department of Agriculture and Natural Resources. Motion carried.

Moved by McCardle, seconded by Davis, to approve the Clean Water State Water Plan application with the SD Department of Agriculture and Natural Resources. Motion carried.

Moved by Goldammer, seconded by Barington, to approve Amendment #1 to Agreement #A2024-43, South Wastewater Treatment Plant-Phase II Testing #2022-01 with GeoTek Engineering in the amount of \$10,750.00. Motion carried.

Moved by Smith, seconded by Davis, to approve Agreement #A2026-51, Fire Station Staking #2026-08 with SPN & Associates in an amount not to exceed \$30,000.00. Motion carried.

Moved by McCardle, seconded by Goldammer, to approve the following Agreements for Permanent Easements for Ohlman-23rd to Kemper Avenue Project #2026-06:

- #A2026-52A: Lucas and Amy Norden, 1535 Augusta Avenue in the amount of \$3,961.76
- #A2026-52B: Jodi Dee, 1531 Augusta Avenue in the amount of \$4,175.60
- #A2026-52C: Kamden and Samantha Miller, 1527 Augusta Avenue in the amount of \$6,926.04
- #A2026-52D: Brett and Nicole Sinkie, 1523 Augusta Avenue in the amount of \$2,232.56

Motion carried.

RESOLUTIONS:

Moved by McCardle, seconded by Goldammer, to approve Resolution #R2026-38, Levying Business Improvement District #3 Special Assessments for 2026-2027, as follows:

RESOLUTION NO. R2026-38

**A RESOLUTION IMPLEMENTING AN OCCUPATIONAL TAX FOR
BUSINESS IMPROVEMENT DISTRICT #3**

WHEREAS a public hearing was held on September 8, 2026 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. That 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, 2026 and the remainder due on or before June 30, 2027. 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.

Motion carried and resolution declared duly adopted. The assessment roll shall be open for public inspection at the Finance Office in City Hall.

ORDINANCES:

Moved by Goldammer, seconded by Davis, to place Ordinance #O2026-10, Updating the Standard Cable Franchise Agreement and Renewing Existing Cable Franchises on second reading. Motion carried. Moved by Goldammer, seconded by Barington, to adopt Ordinance #O2026-10, Updating the Standard Cable Franchise Agreement and Renewing Existing Cable Franchises, as follows:

ORDINANCE #O2026-10

AN ORDINANCE UPDATING THE STANDARD CABLE FRANCHISE FOR THE CITY OF MITCHELL AND RENEWING EXISTING CABLE FRANCHISES.

WHEREAS, the City of Mitchell adopted a standard cable franchise agreement in August of 2016; and

WHEREAS, the term of such franchise was for 5 years with an automatic renewal of 5 years, with agreements approved for both Mitchell Telecom and Midcontinent Communications; and

WHEREAS the City desires to update the standard franchise agreement and renew the existing franchise agreements of both Mitchell Telecom and Midcontinent Communications consistent with the updated standard franchise agreement; now therefore

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

Section 1.

That the franchise granted to ATV Holdings LLC, doing business as Mitchell Telecom pursuant to Mitchell City Code (MCC) Chapter 8-10B, shall remain in place until September 18, 2026 when it is set to expire. The Mitchell Telecom Franchise Agreement will then renew under the same terms and conditions that have been previously established except as such terms may be modified by this ordinance. Such renewal shall be as provided by MCC Section 8-10B-2-4 with a new effective date of September 18, 2026.

Section 2.

In recognition of Section 1 of this ordinance, MCC Section 8-10B-9 shall be AMENDED to read as follows:

“The effective date for this Mitchell Telecom Franchise Agreement is September 18, 2026.”

Section 3.

That the franchise granted to Midcontinent Communications, doing business as Midco, pursuant to MCC Chapter 8-10C, shall remain in place until September 18, 2026 when it is set to expire. The Midco Franchise Agreement will then renew under the same terms and conditions that have been previously established except as such terms may be modified by this ordinance. Such renewal shall be as provided by MCC Section 8-10C-2-4 with a new effective date of September 18, 2026.

Section 4.

In recognition of Section 3 of this ordinance, MCC Section 8-10C-9 shall be AMENDED to read as follows:

“The effective date for this Midco Franchise Agreement is September 18, 2026.”

Section 5.

That the contact information for grantee be updated under MCC Section 8-10C-2-6 to read as follows:

“For grantee:

Midcontinent Communications
Attn: Legal Department
4020 W Cayman St.
Sioux Falls, SD 57107”

Section 6.

That subsection (O) of MCC Sections 8-10A-4, 8-10B-4, and 8-10C-4 each be AMENDED to read as follows:

“Grantee shall, upon request of the city finance officer, provide a schedule setting forth all rates and charges to be made to subscribers for basic cable service, including installation charges.”

Section 7.

That MCC Sections 8-10A-5-5, 8-10B-5-5, and 8-10C-5-5, regarding City Cable Services, are all hereby REPEALED.

Section 8.

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 9.

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, however the amendments to MCC Chapters 8-10A, 8-10B, and 8-10C shall not become effective until September 18, 2026.

Members present voting aye: Barington, Davis, Goldammer, Greenway, McCardle, Sabers, Schlimgen, Smith. Members present voting nay: none. Motion carried and ordinance declared duly adopted.

Moved by Goldammer, seconded by Schlimgen, to place Ordinance #O2026-11, Amending Provisions for City of Mitchell Discretionary Formula Districts on second reading. Motion carried. Moved by Goldammer, seconded by Barington, to adopt Ordinance #O2026-11, Amending Provisions for City of Mitchell Discretionary Formula Districts, as follows:

ORDINANCE #O2026-11

AN ORDINANCE AMENDING PROVISIONS FOR CITY OF MITCHELL DISCRETIONARY FORMULA DISTRICTS

WHEREAS the City of Mitchell has previously adopted provisions relating to the establishment and use of discretionary formula districts under Mitchell City Code Chapter 2-7; and

WHEREAS state laws have been amended regarding discretionary formula districts that require updating the City's provisions relating thereto.

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

Section 1.

That Mitchell City Code Section 2-7-2: Classes of Property Eligible for Discretionary Formula, be AMENDED to read as follows:

2-7-2: CLASSES OF PROPERTY ELIGIBLE FOR DISCRETIONARY FORMULA

The following classes of property are eligible to use the discretionary formula subject to the further provisions of this Chapter:

A. Redevelopment Neighborhoods: Any new residential structure, or addition to or renovation of an existing structure, located within a redevelopment neighborhood, if the new structure, addition, or renovation has a full and true value of five thousand dollars (\$5,000.00) or more. The structure must be located in a redevelopment neighborhood defined under MCC Section 2-7-3 below.

Any other class of property not expressly listed in this section shall not be eligible to use the discretionary formula. If a class is not adopted under this section, but a discretionary formula is established for such class under MCC Section 2-7-5, such discretionary formula shall not be used until such class is adopted by ordinance and expressly included in this section.

Section 2.

That subsection (A) of Mitchell City Code Section 2-7-3: Boundaries of Discretionary Formula Districts, be AMENDED to read as follows:

A. Mitchell Historic Commercial Urban Renewal Area. Repealed.

Section 3.

That subsection (C) of Mitchell City Code Section 2-7-4: Valuation of Eligible Properties, be AMENDED to read as follows:

- C. For properties classified under MCC Section 2-7-2(A):
 - i. During construction, the assessed value of the property may not exceed the assessed value of the property in the year preceding the beginning of construction.
 - ii. For purposes of MCC Section 2-7-5, the percentages used in the discretionary formula are limited to that portion of the assessed value that exceeds the property's assessed value in the year preceding the start of construction.

Section 4.

That subsection (D) of Mitchell City Code Section 2-7-4: Valuation of Eligible Properties, be AMENDED to read as follows:

D. Repealed.

Section 5.

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 6.

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: Barington, Davis, Goldammer, Greenway, McCardle, Sabers, Schlimgen, Smith. Members present voting nay: none. Motion carried and ordinance declared duly adopted.

Moved by McCardle, seconded by Goldammer, to place Ordinance #O2026-12, Providing for Runoff Elections for Mayor and City Council on first reading. Motion carried.

OVERVIEW:

City Administrator Stephanie Ellwein reviewed the 2027 proposed budget.

EXECUTIVE SESSION:

Moved by Goldammer, seconded by Davis, to go into Executive Session as permitted by SDCL 1-25-2(3) Consulting with Legal Counsel and SDCL 19-19-502 Lawyer-Client Communications. Motion carried.

Mayor Hanson declared the board out of executive session at 7:33 p.m. and the City Council to reconvene in regular session at 7:34 p.m.

ADJOURN:

There being no further business to come before the meeting, Mayor Hanson adjourned the meeting.

A handwritten signature in blue ink, reading "Michelle Bathke", is written over a horizontal line.

Michelle Bathke
Finance Officer

Published once at the approximate cost of _____.