

The Clear Lake City Council met in regular session on Monday, May 6, 2019, at 6:30 p.m. in the Conference Room of the Municipal Building with Mayor Gary Eide presiding. Those present were Alderwomen Kelli Bauman and Ramona Drake, Aldermen Carey Holt, Harry Mewherter, John Keimig and Tim Hulscher. Also present were Ellen Schmahl, Don Ebbers, Jon Klockman, Ken Reiste, Todd Boyd, Lisa Pederson, Kassie Anderson, Val Lundquist, Matt Stormo, Bill Wiekamp, and Kayla Bucknell. The Pledge of Allegiance was said.

Motion by Holt, seconded by Keimig to approve the agenda with the addition of Council Vacancy Ward I – 1-year term and Resolution 2019-4, a Resolution thanking Tim Hulscher for his Years of Service as an Alderman for the City of Clear Lake, after Install City Attorney and Finance Officer and the removal of Spending Limit Approval. All voted aye. Motion carried.

The Second Reading of Ordinance No. 571, an Ordinance Regarding Snow Removal and Penalty was completed. Motion by Mewherter, seconded by Holt to approve Ordinance No. 571. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes; Mewherter-yes. Motion carried.

The Second Reading of Ordinance No. 572, an Ordinance Regarding Payment of Water Rates was completed. Motion by Keimig, seconded by Drake to approve Ordinance No. 572. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes; Mewherter-yes. Motion carried.

Motion by Mewherter, seconded by Bauman to approve the Minutes of the April 8, 2019, Regular Meeting. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes; Mewherter-yes. Motion carried.

Motion by Keimig, seconded by Hulscher to approve the monthly financial statements for the month ending April 30, 2019. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes; Mewherter-yes. Motion carried.

Motion by Keimig, seconded by Drake to pay the sales tax subsidy of \$16,527.99 going to Deuel County Memorial Hospital. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes; Mewherter-yes. Motion carried.

Motion by Holt, seconded by Keimig to approve warrants as presented. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes; Mewherter-yes. Motion carried. Warrants Approved: Council Payroll 1050.00; Mayor Payroll 290.00; Finance Officer Payroll 3572.80; Gen Gov't Building Payroll 136.08; Highway Payroll 4820.96; Snow Payroll 3516.60; Rubble Site Payroll 485.23; West Nile Payroll 244.20; Swimming Pool Payroll 639.76; Park & Rec Payroll 1104.56; Library Payroll 1861.40; Community Center Payroll 129.60; Water Payroll 3251.96; Sewer Payroll 3392.42; Aflac 146.90 Supplemental Ins; Washington National 81.15 Cancer Ins; SD Retirement 2443.92; Health Pool of SD 4710.62; Delta Dental of SD 206.00; DNB-FICA/WH 5514.92; AT&T Mobility 124.52 Utilities; Banner Associates 444.00 Professional Services; Bjerke Sanitation 5782.61 Utilities; Boyd Law Firm, Prof. L.L.C. 504.00 Attorney Fees; Brookings-Deuel RWS 8929.20 Utilities; Gale/Cengage Learning 57.58 Books; Certified Laboratories 1066.89 Supplies; Clear Lake City Library 1060.21 Books; City of Clear Lake 342.89 Utilities; Clear Lake Building Center 879.20 Supplies; Clear Lake Courier 1186.88 Publications & Supplies; Connecting Point 35.00 Software; D & L Digging 3672.00 Maintenance; Deuel County Auditor 5968.92 Law Enforcement Contract; Deuel Co Motor Supply 255.94 Supplies; Deuel County Farmers Union Oil 3408.97 Supplies; Deuel County Memorial Hospital 16527.99 Sales Tax

Subsidy; Department of Health 415.00 Maintenance; Equipment Blades Inc. 643.67 Supplies; First Bank & Trust 495.11 Supplies & Travel; H-D Electric Coop, Inc 171.09 Utilities; Heiman Fire Equipment Inc 176.25 Maintenance; Hillyard/Sioux Falls 488.63 Supplies; In The Swim 3534.01 Supplies; ITC Telecom 516.17 Utilities; Melissa Kloos 200.00 CC Deposit Refund; Gene May 200.00 CC Deposit Refund; Maynard's Food 26.60 Supplies; Menards 614.02 Supplies; Milbank Winwater Works 1843.45 Supplies; Northern Conn-Agg LLP 1408.71 Supplies; Northwestern Energy 936.92 Utilities; Office Peeps 105.26 Supplies; One Office Solution 160.80 Supplies; Ottertail Power Co 3797.46 Utilities; Norman Ragels 78.75 WM Deposit Refund; Ramkota Hotel - Pierre 112.00 Travel Expense; South Dakota One Call 4.20 One Call's; SD State Treasurer (SD DOR) 899.06 Sales & Use Tax; South Dakota Municipal League 25.00 Training; Steve Rhody Services 38.00 Maintenance; State Flag Account 187.20 Supplies; The Library Store Inc 82.62 Supplies; Productivity Plus Account 290.46 Supplies; United States Dept of Ag 6107.00 Loan Payment; Van Diest Supply Company 1228.40 Supplies; Raymond Van Liere 153.12 Travel Expense; Winsupply Commercial Charge 218.15 Supplies.

Motion by Holt, seconded by Mewherter to adjourn as 2018-2019 Council. All voted aye. Motion carried.

Convened as 2019-2020 Council. John Keimig took his Oath of Office for Alderman in Ward II for a 3 year term, Carey Holt took his Oath of Office for Alderman in Ward I for a 3 year term, Kelli Bauman took her Oath of Office for Alderwoman in Ward II for a 1 year appointment, and Gary Eide took his Oath of Office for Mayor for a 3 year term. Todd Boyd took his Oath of Office for City Attorney and Mary Ellen Schmahl took her Oath of Office for Finance Officer.

Mayor Gary Eide appointed Jon Klockman for the vacancy in Ward I. Motion by Holt, seconded by Mewherter to accept the appointment of Jon Klockman. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Mewherter-yes. Motion carried.

Resolution 2019-4, a Resolution thanking Tim Hulscher for his years of service as an Alderman for the City of Clear Lake was read and presented to Tim. Motion by Holt, seconded by Keimig to approve Resolution 2019-4. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

Holt nominated John Keimig for President. Motion by Mewherter, seconded by Drake that nominations cease and cast a unanimous ballot for John Keimig. All voted aye. Motion carried.

Bauman nominated Harry Mewherter for Vice-President. Motion by Holt, seconded by Drake that nominations cease and cast a unanimous ballot for Harry Mewherter. All voted aye. Motion carried.

Motion by Mewherter, seconded by Klockman to accept the committee appointments recommended by Mary Eide. All voted aye. Motion carried. City Facilities and Equipment Committee – Jon Klockman, Harry Mewherter, and Ramona Drake. City Policies Committee – Jon Klockman, John Keimig, Harry Mewherter, Don Ebbers, Ellen Schmahl and appropriate inside staff. City Finance Committee – Carey Holt, Ramona Drake, and Harry Mewherter. City Services Committee - Kelli Bauman, Jon Klockman, Carey Holt, Don Ebbers and appropriate outside staff. City Planning Commission – Val Lundquist (Building Inspector), Ramona Drake, John Keimig, Kelli Bauman, Don Ebbers and Ellen Schmahl. City Personnel Committee – Carey Holt, John Keimig, and Kelli Bauman. Library Board – Carol Olson, President, Judy Bartling, Clarice Uckert, Lark Kelley, Deanna Anderson and Kelli Bauman, Council Representative. Board of Adjustment – All City Council Members. City Attorney – Todd Boyd. City

Finance Officer – Ellen Schmahl. City Superintendent of Public Works – Don Ebbers. Health Officer – Designee of Deuel County Memorial Hospital. HRC Board – Stuart Almos, Ken Reiste, Nancy Barondeau, Jeanne Timmons and Lisa Lundberg. Summer Rec Board – Mary Schake, Larisa Harmon, Casey Severson, Ashley Meyer, Danielle Haas & Jullie McDermott.

Motion by Holt, seconded by Keimig to approve the consent agenda as follows: Building Permits: Approved: Melissa Carpenter, 106 5th St W – curb & gutter, Julie Newberg, 108 5th St W – curb & gutter, Derek & Vicki Benck, 1008 7th St W – concrete driveway, Arnold Lounsberg, 104 6th St W – steel shed, Denied: Dave Bartling, 811 Golfview Drive – storage shed; Delinquent Water Bills; Budget Training, July 11, 2019, Sioux Falls, SD – Ellen attending. Approvals of permits are subject to the condition that they are in accordance with all building codes and ordinances of the City. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

No one appeared for public voice.

Motion by Holt, seconded by Bauman to convene jointly as the City Council and Planning Commission for a public hearing to recommend Ordinance No. 573. All voted aye. Motion carried. Motion by Drake, seconded by Mewherter to recommend Ordinance No. 573. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried. The First Reading of Ordinance No. 573, an Ordinance Amending Ordinance No. 500, Regarding Permitted Uses in C-2 Highway Commercial District was completed. Motion by Keimig, seconded by Holt to adjourn as the Planning Commission and reconvene as Regular Council. All voted aye. Motion carried.

Motion by Bauman, seconded by Mewherter to convene as the Board of Adjustment. All voted aye. Motion carried.

A public hearing was held for Cassandra Andersen who applied for a conditional use permit for a dog grooming business in her home at 606 4th St. W. Motion by Drake, seconded by Bauman to approve the conditional use permit. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

The Zoning Official, Val Lundquist, met with the Council to discuss the building of a private storage shed at 402 5th St E. The property is currently zoned Ag and will need to be rezoned to R2 in order for a private storage shed to be built.

Motion by Keimig, seconded by Holt to adjourn as the Board of Adjustment and reconvene as Regular Council. All voted aye. Motion carried.

Bill Wiekamp, representing Deuel County Charities, met with the Council and asked to have the fee for the Community Center waived or reduced for the Cancer Walk which will be held August 18, 2019, and also requested to have 3rd Street W blocked off between 3rd Ave S and 2nd Ave S for the cancer survivor walk. Motion by Holt, seconded by Mewherter to waive the Community Center fee for the Cancer Walk. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-no; Klockman-yes; Mewherter-yes. Motion carried. Motion by Mewherter, seconded by Drake to allow 3rd Street W to be blocked off between 3rd Ave S and 2nd Ave S for the cancer survivor walk. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

Mat Stormo, representing the Deuel County Good Samaritan Society, asked to utilize the road from the fair grounds to Ulven Park on Saturday, June 8th from approximately 9:00 a.m. to 11:00 a.m. for their annual run/walk. Motion by Mewherter, seconded by Klockman to allow the Deuel County Good Samaritan Society to utilize the road between the fair grounds and Ulven Park for their walk/run on Saturday, June 8th. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

Kayla Bucknell, representing the Chamber's Thursday's on Third committee, met with the Council with some requests for the Thursday's on Third events to be held June 13, July 11, and August 15, 2019. Main street businesses will be open those evenings until 8:00 p.m. and movies will be shown in the Community Center for the children. Motion by Keimig, seconded by Bauman to allow 2nd Street W to be closed off from 3rd Ave S to 4th Ave S along with the City parking lot on the S side of 2nd Street W for the events. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried. Motion by Holt, seconded by Drake to allow the Municipal Building to be used for restrooms during the events. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried. Motion by Mewherter, seconded by Holt to allow the City picnic tables and barricades to be used for the events. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried. Motion by Holt, seconded by Mewherter to grant a special events license to Pederberg's for June 13, 2019, for the City parking lot and 2nd Street W from 3rd Ave S to 4th Ave S. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried. Temporary One-Day Permits are subject to all paperwork being signed and submitted to the Finance Officer and that the applicants provide the city with proof of liability insurance for the event. Motion by Drake, seconded by Bauman to allow peddler's permits to be purchased for \$5.00 for the three Thursday's on Third events. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

Motion by Mewherter, seconded by Holt to approve the 2019 swimming pool employees as follows. Lifeguards are contingent on successful completion of certified lifeguard training. Lisa Pederson, Manager - \$12.50/hr.; Billie Jo Giesel, Assistant Manager - \$11.50/hr.; Madysen Brewer - \$10.25/hr.; Kenzie Hamann - \$11.00/hr.; Annabelle Hawley - \$10.00/hr.; Carter Hoffman - \$10.50/hr.; Camille Hofland - \$10.25/hr.; Mackenzie Kasten - \$11.50/hr.; Brady Knight - 10.25/hr.; Tanner Preheim - \$10.00/hr.; Owen Quail - \$10.00/hr.; Sarah Ronne - \$10.50/hr. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

Motion by Holt, seconded by Mewherter to approve the 2019 summer rec employees as follows. Art – Alysha Hamann - \$11.10/hr., Larisa Harmon - \$9.10/hr.; Basketball – Jon Peterreins - \$11.10/hr., Tanner Preheim - \$9.10/hr., Gavin Benck - \$9.10/hr.; Flag Football – Kris Ulmer - \$11.10/hr., Gavin Benck - \$9.10/hr.; Golf – Hannah Swenson - \$11.10; Kids Cooking – Emily Krause - \$11.10/hr., Becky Krause - \$9.10/hr.; Kickball/Dodgeball – Kris Ulmer - \$11.10/hr., Gavin Benck - \$9.10/hr.; Sewing – Deb Lessman – Volunteer; Cheer – Kenzie Hamann - \$10.10/hr., Carly Monnier - \$10.10/hr.; Volleyball – Ashley Meyer - \$10.10/hr., Savannah Redlin - \$10.10/hr.; Wood Crafts – Larisa Harmon - \$11.10/hr., Alysha Hamann - \$9.10/hr.; T-Ball – Rachael Baer – Red Team - \$11.10/hr., Hannah Reichling – Black

Team - \$11.10/hr.; College – Kris Ulmer - \$11.10/hr., Blake Hagberg \$9.10/hr.; Minors – Josh Kloos - \$11.10/hr., Blake Hagberg – \$9.10/hr.; Majors – Jon Peterreins - \$11.10/hr., Roger Schmaltz - \$9.10/hr., Kris Ulmer - \$9.10/hr.; 8U Softball – Rachel Baer - \$11.10/hr., Matt Borg - \$9.10/hr., Amber Peterreins - \$9.10/hr.; 10U Softball – Jill Kreger - \$11.10/hr., Jaydyn TeGantvoort - \$9.10/hr.; 12U Softball – Danielle Schiernbeck - \$10.10/hr., Jenny Hourigan - \$10.10/hr.; 14U Softball – Larisa Harmon - \$11.10/hr., Roger Schmaltz - \$9.10/hr., Katie Evenson - \$9.10/hr.; Concession Stand – Emily Krause - \$11.10/hr. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

Lisa Pederson, representing the Clear Lake Chamber of Commerce, met with the Council to request approval of the Rodeo parade route, utilizing a portion of 3rd Avenue (Main Street), for the Rodeo parade on June 29, 2019 and to have a City representative sign the detour application for the South Dakota Department of Transportation. Motion by Mewherter, seconded by Drake to approve the Rodeo parade route and authorize the Mayor to sign the SD DOT detour application. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

Pool Manager Lisa Pederson reported that swimming pool lesson sign-up was held, pool clean up will be May 15th and May 22nd, and 1st Choice Pool and Spa will be in the week of May 20th to get the pool ready.

Motion by Keimig, seconded by Holt to declare the following as surplus property, having no value or value less than \$500.00 and authorize disposal of same: wooden 55 drawer card catalog. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

Motion by Holt, seconded by Mewherter to approve Resolution 2019-3, Plat of Willemssen Addition. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

Motion by Drake, seconded by Mewherter to approve the installation of a well on the Schake Addition property since it is over 3,000 feet from the nearest City water source, provided all state regulations are met. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

Motion by Keimig, seconded by Bauman to authorize the Finance Officer to process payroll and corresponding liabilities on the last day of each month and pay bills in a timely manner to avoid late fees. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

Malt beverage license renewals were discussed and there was a concern about one of the establishments not having someone 21 or over on staff at all times. Motion by Drake, seconded by Klockman to approve the On-Off Sale Malt Beverage and On-Off Sale South Dakota Farm Wines license renewals for the following establishments, contingent upon all state and local licensing requirements being met: Maynard's Food Center of Westbrook, 4 Amigos LLC (Cowboy), Pizza & Burger Shack, LLC, Deuel County Farmers Union (Convenience Store), and Dolgen Midwest (Dollar General). Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

Motion by Mewherter, seconded by Holt to allow the Legion Auxiliary President to have a set of keys to access the Community Center. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-no; Klockman-yes; Mewherter-yes. Motion carried.

Motion by Keimig, seconded by Mewherter to allow the Finance Officer to approve up to \$200 per event from the Promote City funds. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

Motion by Holt, seconded by Keimig to set a department supervisor expenditure limit of no more than \$1,000.00 without Council approval. Exceptions would be costs of daily operation, maintenance and repair. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

Motion by Drake, seconded by Holt to designate DNB National Bank as the official depository for the City of Clear Lake for a period of 12 months. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

Motion by Mewherter, seconded by Klockman to designate the Clear Lake Courier as the official newspaper for the City of Clear Lake for a period of 12 months. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

City Superintendent Don Ebbers reported that the water tower painting project will start by the end of May, the need to replace the water line on 7th Ave S between 2nd Street W and 3rd Street W, the water line at Ulven park has been completed, the bridge is almost done for City Park, the playground equipment at Ulven Park will be installed on Friday, May 10th and Saturday, May 11th, will start on the streets once the frost is out, and submitted costs to FEMA for the 30" snow storm. Don also asked if lunch can be provided for the volunteers helping with the playground equipment at Ulven Park, the Council approved.

Attorney Todd Boyd has gathered information for the complaint on the property at 312 3rd Ave S.

The Mayor and Council Members reported on the status of the building at 309 3rd Ave S, the need to fix the road by 704 6th Ave S due to the sewer line replacement and asked about putting a plan in place to start fixing the streets.

City Finance Officer Ellen Schmahl asked if we can host a retirement party for Pam Taylor and the Council approved, informed the Council about the Welcome Social that the Chamber is sponsoring on May 21st and the possible tax revenue that the City will lose in 2020 due to internet services no longer being able to be taxed effective July 1, 2020.

Motion by Keimig, seconded by Holt to enter into Executive Session at 8:34 p.m. for personnel matters.

Mayor Eide declared the Council out of Executive session at 8:38 p.m.

Motion by Mewherter, seconded by Keimig to accept the recommendation of the Personnel Committee to hire the recommended candidate at the recommended pay for the Librarian position. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

Motion by Mewherter, seconded by Keimig to advertise for the Assistant Librarian position pending the acceptance of the Librarian position. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

There being no further business, motion by Keimig, seconded by Mewherter to adjourn at 8:40 p.m. All voted aye. Motion carried.

Ellen Schmahl
Finance Officer

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