

The Clear Lake City Council met in regular session on Monday, May 11, 2020, at 6:30 PM in the Conference Room of the Municipal Building with Mayor Gary Eide presiding. Those present were Alderwomen Kelli Bauman, Aldermen Carey Holt, Harry Mewherter, John Keimig, Jon Klockman, and Dean Christensen. Also present were Christa Bittner, Don Ebbers, Lisa Lundberg, Rose Mills, Ken Reiste, Todd Boyd, Val Lundquist, Marty & Alida Spilde, Patrick Robbins, Laurie Tegantvoort, Cody Eastman, Douglas Feten, Jack Buchholtz, and Kay Giesel. The Pledge of Allegiance was said.

Motion by Holt, seconded by Keimig to approve the agenda with the addition of Kay Giesel's 7:00PM Appointment, after Install City Attorney and Finance Officer. All voted aye. Motion carried.

Motion by Holt, seconded by Klockman to approve the Minutes of the April 6, 2020, Regular Meeting & May 1, 2020 Special Meeting Minutes. All voted aye. Motion carried.

Motion by Klockman, seconded by Mewherter to approve the monthly financial statements for the month ending April 30, 2020. All voted aye. Motion carried.

Motion by Keimig, seconded by Klockman to pay the sales tax subsidy of \$25,457.48 going to Deuel County Memorial Hospital. All voted aye. Motion carried.

Motion by Holt, seconded by Bauman to approve warrants as presented. All voted aye. Motion carried. Warrants Approved: PAYROLL: Council 1065.73; Mayor 457.52; Finance 4672.70; Gen Gov't Bldg 314.73; Highway 5770.79; Snow 1163.91; Rubble Site 938.02; Airport 292.98; Swimming Pool 173.89; Park & Rec 3691.40; Library 3370.94; Community Center 233.54; Water 3499.53; Sewer 5436.46; Aflac 140.01; SDSRP 1625.00; Washington National 81.15; SD Retirement 2379.80; Health Pool of SD 6398.91; Delta Dental of SD 311.10; DNB-FICA/WH 4462.12; WARRANTS American Engineering Testing 1620.80 Water Analysis, Appera 103.86 rugs/towels, AT&T 55.22, Better Homes & Gardens 15.00 library, Bjerke Sanitation 4875.43, Boyd Law 3515.00, Brookings-Deuel RWS 7848.00 water usage, D. Publitz 200. CC Dep. refund, Cengage Learning 53.58 books, CL Library 534.71 reimbursement, City of CL 635.90 water bills, CL Building Center 274.86 supplies, CL Courier 1390.96 publications, Connecting Point 115.00 service/offsite backup, D&L Digging 6125. Sewer lagoon & park sewer, D. Baker-Blastick 74.45 WM Dep Refund, Dakota Pump & Control 55. Float switch, DC Auditor 5338. May Police Cont., DC Motor Supply 239.27, DC Treasurer 93.74 43 snow rem/blading, DCFU Oil 2313.19, DCMH 25457.48 Sales Tax Sub., SD DENR 100.00 application fee, Dollar General 11.90 Cleaning Supplies, Electric Motors & Moore, Inc 684.00 Pool motors, Environmental Toxicity Control 800. water testing, Fastenal 146.55 bin, First Bank & Trust 83.25 Park & Council supplies, HD Elect. Coop 193.19, HD Elect. Coop. 215.15 park light battery, Innovative Office Solutions 161.66 checks, ITC 752.08, Maynard's Food 10.36 supplies, Milbank Winwater Works 166.80 PVC gasket, Northwestern Energy 400.02 nat. gas, Ottetail Power Co 3663.34, Pfeifer's 143.44 airport eq filters, Purchase Power 770.99 postage, Pitney Bowes Rental & Supplies 435.98 postage ink, SD Dept of Health 104. Water samples, R. Friese 85.20 WM Dep Refund, Same Day Express 60. Toxicity freight, SD One Call 8.96 Q1 message fees, SD State Treasurer 448.49 April sales tax, Steve Rhody Services 38. Window washing, G. Stava 13.85 garbage refund, Productivity plus Acct 290.46 blade kit, Trusco Manufacturing Co. 869. Street striper, USDA 6107. May 2020 Loan payment.

Two bids were submitted for paving 6th Ave. Motion by Holt, seconded by Keimig to approve Bituminous Paving, Inc bid for \$33,000. Upon roll-call, all voted aye. Motion carried.

Motion by Klockman, seconded by Christensen to adjourn as 2019-2020 Council. Upon roll-call, all voted aye. Motion carried.

Convened as 2020-2021 Council. Kelli Bauman took her Oath of Office for Alderwoman in Ward II for a 1 year appointment, Rose Mills took her Oath of Office for Alderwoman in Ward I for a 1 year appointment, and Lisa Lundberg took her Oath of Office for Alderwoman in Ward III for a 1 year appointment. Todd Boyd took his Oath of Office for City Attorney and Christa Bittner took her Oath of Office for Finance Officer.

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

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

Motion by Mewherter, seconded by Holt to accept the committee appointments recommended by Gary Eide. All voted aye. Motion carried. City Facilities & Equipment Committee – L. Lundberg, H. Mewherter, & K. Bauman. City Policies Committee – R. Mills, J. Keimig, K. Bauman, D. Ebbers, C. Bittner & appropriate inside staff. City Finance Committee – C. Holt, L. Lundberg, & H. Mewherter. City Services Committee – R. Mills, J. Keimig, C. Holt, D. Ebbers & appropriate outside staff. City Planning Commission – R. Mills, J. Keimig, K. Bauman, V. Lundquist (Bldg Inspector), C. Bittner, & D. Ebbers. City Personnel Committee – C. Holt, H. Mewherter, & L. Lundberg. Library Board – Carol Olson, President, Susan Knight, Rogene Severson, Rebecca Canaan, Jami Martinell & Kelli Bauman, Council Representative. Board of Adjustment – All City Council Members. City Attorney – Todd Boyd. City Finance Officer – Christa Bittner. City Superintendent of Public Works – Don Ebbers. Health Officer – Designee of Deuel County Memorial Hospital. Summer Rec Board – Casey Severson, Ashley Meyer, Alysha Hamann, & Danay Nielsen.

Motion by Keimig, seconded by Holt to approve the consent agenda as follows: Approved: Brandon Lee – 107 6th St W – Wooden fence, Michael Ahlers – 609 Prospect Ave – Chain link dog fence, Debra Bublitz – 606 1st Ave S – Steel roof addition to existing patio, Arnold Krause – 603 3rd St W – Sidewalk & Front Deck, Nathan Sime – 1004 6th St W – Wooden deck, Jordan Bittner – 709 5th Ave S – concrete slab & front steps, Dustin Kreger – 512 3rd Ave S – concrete slab. Denied: Marty & Alida Spilde – 512 5th St W – garage variance, Patrick Robbins & Laurie Tegantvoort – 607 6th Ave S – garage variance, Crystal Springs Feeds – Conditional Use. 5 – Demolition Permits: Thomas Pauli – 608 2nd Ave S – garage, Marty & Alida Spilde – 512 5th St W – fence & garden shed, & Jordan Bittner – 709 5th Ave S – concrete slab & concrete steps. Budget Training, June 30, 2020 – Sioux Falls, SD – Christa attending. Upon roll-call, all voted aye. Motion carried.

No one appeared for public voice.

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

Marty & Alida Spilde asked for approval for their garage variance into the alley set back. Motion by Holt, seconded by Keimig to approve variance. Upon roll-call, all voted aye. Motion carried.

Patrick Robbins & Laurie Tegantvoort asked for approval for their garage variance into the alley set back. Motion by Holt, seconded by Keimig to approve variance. Upon roll-call, all voted aye. Motion carried.

A public hearing was held for Crystal Springs Feed who applied for a conditional use permit for a Corn Processing Plant at the address of 123 Jackrabbit Pl in an industrial zone. Motion by Keimig, seconded by Holt to approve the conditional use permit. Upon roll-call, all voted aye. Motion carried.

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

Bill Wiekamp, representing Deuel County Charities, asked for the Council to discuss the possibility of closing 3rd St W for the Cancer Walk in August. Motion by Holt, seconded by Mills to block off the road, contingent on the event happening, and the construction being finished. Upon roll-call, all voted aye. Motion carried.

Kay Giesel, asked for the approval of the council to widen the approach in front of her house, DOT form needed the blessing of the City. Motion by Keimig, seconded by Holt to allow Gary to sign DOT form, with no objections. Upon roll-call, all voted aye. Motion carried.

Jack Buchholtz came before the Council to discuss his plan with his property on Main St. He stated the equipment has been lined up, all agreed it needs to be torn down by September 1st, 2020. To line up dumpsters and equipment sitting on Main St, it needs to be approved through the state DOT.

Joel Johnson, with C.E.S. Code Enforcement Specialists, LLC, called into the meeting to discuss his proposal for city ordinance enforcing for the City of Clear Lake. He would do a complete inspection of the city and document with photos, reports and files. The Council would also like to hear other proposals from different businesses.

The first reading of Ordinance No. 586, an Ordinance regarding hazardous structures was read. This ordinance will update current restrictions on home and property conditions.

Todd Boyd presented the idea of the city needing a Rural Service Area ordinance for some ag land within city limits. Council believes there is a need for it, Todd will write up an ordinance to have first reading June 8th.

2020 Swimming Pool season was discussed and council agreed that the pool should open once boiler is installed and staff/swimmers must follow CDC guidelines. There will be a new waiver for swimmers to sign once the pool opens. Also, a new power washer, approved for the 2019 budget, will be purchased this year instead.

2020 Summer Rec plans on still holding golf, running club, LEGOS and hold baseball/softball practices locally, and not join Watertown this year.

Motion by Keimig, seconded by Bauman to approve the Automatic Supplemental Budget Request to General Fund for \$5,970.81 – Claims Associates – Lightning Strike; Govt. Bldg (101-419.2-425.00). Upon roll-call, all voted aye. Motion carried.

Acct# 3545.00 contacted the city about hardship due to Covid-19. Motion by Mills, seconded by Lundberg to waive late fee on utility bill. Upon roll-call, all voted aye. Motion carried.

Acct# 1830.01 contacted the city after bill was late, and stated they were not paying penalty fee. Motion by Keimig, seconded by Holt to table this and invite resident to next month's meeting. Upon roll-call, all voted aye. Motion carried.

Motion by Keimig, seconded by Holt to order disc golf baskets for the City Park & use promote city funds to cover remaining expenses. Upon roll-call, all voted aye. Motion carried.

Motion by Keimig, seconded by Holt to table Community Center internet and get more information on it. Upon roll-call, all voted aye. Motion carried.

Discussion was held on the Community Center Events for this summer and what the maximum capacity can be for each event. According to the newest COVID-19 Resolution, buildings can only be at 50% capacity, making 240 the maximum number of guests for events held in the Community Center.

Motion by Keimig, seconded by Mewherter to extend City Curb and Gutter reimbursement for residents another two years until August, 1, 2022. Upon roll-call, all voted aye. Motion carried.

Motion by Holt, seconded by Keimig to approve long term camping fees to \$20/day for full hookup sites and \$18/day for water and electric sites. Updates are needed to the camping form for long term stays stating no attachments, no decks, sheds, etc. Upon roll-call, all voted aye. Motion carried.

Motion by Mewherter, seconded by Holt to hire Eide Bailly to conduct our city audits for a 3 year engagement plan. Upon roll-call, all voted aye. Motion carried.

Motion by Keimig, seconded by Holt to approve hay land bid for 2020-2021 season. Upon roll-call, all voted aye. Motion carried.

Motion by Mewherter, seconded by Holt 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, all voted aye. Motion carried.

Motion by Holt, seconded by Mewherter 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, all voted aye. Motion carried.

Motion by Keimig, seconded by Holt to allow the Finance Officer to approve up to \$200 per event from the Promote City funds. Upon roll-call, all voted aye. Motion carried.

Motion by Bauman, seconded by Holt to set a department supervisor expenditure limit of no more than \$1,000 without Council approval. Exceptions would be costs of daily operation, maintenance and repair. Upon roll-call, all voted aye. Motion carried.

Motion by Mewherter, seconded by Lundberg to designate DNB National Bank as the official depository for the City of Clear Lake for a period of 12 months. Upon roll-call, all voted aye. Motion carried.

Motion by Keimig, seconded by Bauman 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, all voted aye. Motion carried.

Motion by Lundberg, seconded by Mewherter to approve the 2020 swimming pool employees as follows. Lifeguards are contingent on successful completion of certified lifeguard training. Lisa Pederson, Manager - \$13.50/hr.; Billie Jo Giesel, Assistant Manager - \$12.50/hr.; Madysen Brewer - \$11.75/hr.; Kenzie Hamann - \$12.00/hr.; Carter Hoffman - \$11.50/hr.; Mackenzie Kasten - \$12.50/hr.; Brady Knight - 11.25/hr.; Tanner Preheim - \$10.75/hr.; Owen Quail - \$10.75/hr.; Sarah Ronne - \$12.00/hr.; Emma Hamann - \$10.50/hr.; Haley Winter - \$10.50/hr. Upon roll-call, all voted aye. Motion carried.

Motion by Holt, seconded by Keimig to approve part of the 2020 summer rec employees as follows. Golf – Hannah Swenson; Running Club - Alysha Hamann; LEGOS Danay Nielsen and Alysha Hamann. Upon roll-call, all voted aye. Motion carried.

Motion by Mewherter, seconded by Mills to declare the following as surplus property, having no value or value less than \$500.00 and authorize disposal of same: projector screen and green computer chair. Upon roll-call, all voted aye. Motion carried.

Motion by Holt, seconded by Hills to donate lake picture to the library. Upon roll-call, all voted aye. Motion carried.

City Superintendent, Don Ebbers, reported an unexpected hiccup with the 3rd St project, a spring was found underground, to get it fixed it will be around \$6000.

City Finance Officer, Christa Bittner, asked for an alderman to attend hospital board meeting May 13th, notified council that Small Community Plan Grant was canceled due to COVID-19, asked for opinions on peddler's permits this summer. It has been decided not to offer peddler's permit due to COVID-19 this year. Also, a resident has still not paid the contractor for curb and gutter work from October 2019, can the city pay for it? Motion by Keimig, seconded by Holt to pay bill. Upon roll-call, all voted aye. Motion carried. Todd will write a letter to this resident as well.

Motion by Mewherter, seconded by Holt to enter into Executive Session at 9:08 PM for contractual matters. Upon roll-call, all voted aye. Motion carried.

Mayor Eide declared the Council out of Executive session at 9:41 PM.

There being no further business, motion by Mills, seconded by Holt to adjourn at 9:42 PM. All voted aye. Motion carried.

Christa Bittner
Finance Officer

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