

The Clear Lake City Council met in regular session on Monday, November 9, 2020, at 6:30 PM in the Conference Room of the Municipal Building with Mayor Gary Eide presiding. Those present were Alderwomen Kelli Bauman, Lisa Lundberg, & Rose Mills, Aldermen Carey Holt, Harry Mewherter, & John Keimig. Also present were Christa Bittner, Val Lundquist, Ken Reiste, Todd Boyd, Roberta Giesel, Beth Niemeyer, Nancy Barondeau, Joan Sacrison, Scott Ruby and Emma Ruby. Don Ebbers was absent. The Pledge of Allegiance was said.

Motion by Holt, seconded by Mills to approve the agenda. All voted aye. Motion carried.

Motion by Keimig, seconded by Bauman to approve the consent agenda as follows: Minutes – Regular Meeting October 12, 2020; Monthly Financial Statements for the Month Ending October 31, 2020; Sales Tax Subsidy of \$17,378.38 going to Deuel County Memorial Hospital; Building Permits: Approved: Sam & Wade Solem – 411 3rd Ave S – roof alteration and sign; Delinquent Water Bills and Approval of Warrants. 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, all voted aye. Motion carried.

Warrants Approved: PAYROLL Council 990.00; Mayor 425.00; Finance 3913.31; Gen Gov't Building 225.27; Highway 4458.81; Snow 1120.86; Rubble Site 911.13; Airport 85.76; Park & Rec 2336.28; Library 2492.50; Community Center 74.25; Water 3112.07; Sewer 3252.96; Aflac 140.01; Supplemental Ins; Washington National 81.15 Cancer Ins; SD Retirement 2465.38; Supplemental Retirement 1625.00; Health Pool of SD 6398.91; Delta Dental of SD 311.10; DNB-FICA/WH 4649.70; EXPENSES: 3D Specialties Inc 551.24 Street supplies, Appeara 100.49 mops/towels, AT&T 55.82 cell phone, B. Reaves 60.00 Ulven Camping Refund, DC Treasurer 124.49 Lake Rd Blading, DCN Insurance 65.67 Workers Comp, DCN Insurance 247.02 Workers Comp Cont., Florals and Finds 42.60 flowers, J&P Roofing Systems Inc 1766.57 Comm Center Gutter Repair, Mas Media Inc 265.00 domain name, Maynard's Food 12.64 park supplies, H. Mewherter 1260.00 park spraying, Pheasantland Industries 29.61 '21 Golf Cart Decals, SD Dept. of Health 511.00 Water Samples, R. Kannas Estate 50.00 WM Dep. Refund, SD One Call 81.76 Q3 811 calls, SDML Workers' Compensation Fund 2188.83 2021 Workers Comp, SDML Workers' Compensation Fund 8234.17 2021 WC Cont., SD Water & Wastewater Assn. 20.00 SDWWA Membership renewal, Steve Rhody Services 38.00 Window Washing, State Flag Account 3.62 flag, A. Hagen 25.00 WM Dep Refund, American Engineering Testing 1620.80 water analysis, B. Bekaert 100.00 WM Dep Refund, Bjerke Sanitation 5125.51 Oct Garbage, Boyd Law Firm 2656.00 Oct. legal fees, BDRWS 11295.60 Oct Water, Cengage/Gale Learning 1085.57 books, CL City Library 861.22 Oct Reimbursement, City of CL 673.93 water usage, CL Building Center 112.20 Oct supplies, CL Courier 192.18 Oct publications, Connecting Point 35.00 offsite backup, D&L Digging 4854.25 water leaks/digs, DC County Auditor 16014.00 Sept, Oct, Nov Police Contract, DC Treasurer 31.12 road blading, DC Farmers Union Oil 1198.69 fuel/supplies, DCMH 17,378.38 Oct Sales tax subsidy, Eastside Equipment 15.89 gaskets, First Bank & Trust 57.92 tax docs, HD Electric Coop 820.33 Oct Electric, ITC 592.72 Oct phone/internet, J&J Earthworks 123816.67 Final Comm Access Project Payment, JP Cooke Co 65.35 2021 Pet licenses, K. Reiste 7.65 WM Dep. Refund, M. Johnson 1300.00 100 ft of curb & gutter reimb., Micromarketing LLC 1431.99 books, Northwestern Energy 95.97 Oct Nat Gas, Ottertail Power Co 3673.09 Oct Power, The Penworthy Company 101.73 books, Purchase Power 770.99 Oct postage, Scholastic Inc Education 159.42 books, SD Assn of Code Enforcement 40.00 2021 dues, SD Municipal Street Maint. Assn 35.00 2021 dues, SD State Treasurer (SD DOR) 795.65 Oct Sales Tax, SD Gov't Finance

Officers Assn 40.00 dues, SD Gov't HR Assn. 25.00 dues, SDML 1663.98 2021 Membership dues, USDA 6107.00 Nov Sewer Loan payment, Woman's Day 19.97 subscription.

No one appeared for public voice.

Nancy Barondeau, representing the Chamber of Commerce, stated they are still planning to hold Mini Main Street on December 5th in the Community Center. She was asking for the City to waive rental fee. Motion by Holt, seconded by Mills to waive rental fee for the Chamber. Upon roll call vote, all voted aye. Motion carried.

Casey Crume did not attend the meeting, but penalty fee was discussed. Motion by Lundberg, seconded by Mewherter to require resident to pay fee. Upon roll call vote, all voted aye. Motion carried.

Roberta Giesel discussed the idea of vacating the ends of 2 streets near her property. Council was okay for her to start the process. A new fence she installed was also discussed and tabled for December's meeting.

Motion by Keimig, seconded by Mewherter to Convene as Board of Adjustments. All voted aye. Motion carried.

Emma Ruby was present to discuss the conditional use permit needed to run an in home daycare at 606 7th Ave. Motion by Holt, seconded by Mewherter to approve conditional use permit. All voted aye. Motion carried.

Motion by Mewherter, seconded by Holt to reconvene as regular council and adjourn as board of adjustment. All voted aye. Motion carried.

Beth Niemeyer, of Banner Associates, came in to present the change order and final pay request for the Community Access Street Project. Motion by Keimig, seconded by Holt to approve Change order & pay request. All voted aye, motion carried.

Joan Sacrison, with DADi, gave an update and discussed the need for a housing needs study. There is a grant is available to cover part of the study. All were in favor of authorizing the participation in the Housing Needs Study Program.

Mayor, Gary Eide, discussed the idea of contributing to a community scholarship offered to Clear Lake seniors. Applicants would need to write an essay explaining the importance of shopping locally. This should be labeled as an essay contest and \$500 would be contributed by the City from BBB tax. Motion by Keimig, seconded by Holt to approve \$500 funding to the Chamber for essay contest. All voted aye. Motion carried.

Motion by Keimig, seconded by Holt to approve the Automatic Supplemental Budget Request to General Fund for \$7417.50 & \$3189.24 for CARES ACT into Police (101-421.0-429), Finance Salary (101-414.2-411), Water Salary (602-433.5-411), & Sewer Salary (604-432.5-411). Upon roll-call vote, all voted aye. Motion carried.

Motion by Bauman, seconded by Keimig to approve the Automatic Supplemental Budget Request to General Fund for \$3950 for CARES ACT Humanities Grant into Library Salary (101-455-411), Library FICA (101-455-412), Library Supplies (101-455-426.11), and Library Books (101-455-434.20). Upon roll-call vote, all voted yes. Motion carried.

Motion by Mills, seconded by Bauman, to approve the 2021 Uniform Alcoholic Beverage License Application for Retail Liquor sales and the Alcoholic Beverages Operating Agreement for the Clear Lake Golf Club, subject to all State and local requirements being met and all required documents and

payments being submitted to the City Finance Office prior to January 1, 2021. All voted aye. Motion carried.

Motion by Holt, seconded by Mills, to approve the 2021 Uniform Alcoholic Beverage License Application for Retail Liquor and Package Liquor sales and the Alcoholic Beverages Operating Agreement for Melvee's, subject to all State and local requirements being met and all required documents and payments being submitted to the City Finance Office prior to January 1, 2021. Also subject to Melvee's paying garbage bills on time and keeping up outside appearance of property. All voted aye. Motion carried.

Motion by Keimig, seconded by Holt, to approve the 2021 Uniform Alcoholic Beverage License Application for Retail Liquor and Package Liquor sales and the Alcoholic Beverages Operating Agreement for Pederberg's Bar & Grill, LLC, subject to all State and local requirements being met and all required documents and payments being submitted to the City Finance Office prior to January 1, 2021. All voted aye, with Lundberg abstaining. Motion carried.

Motion by Mills, seconded by Keimig, to approve the 2021 Uniform Alcoholic Beverage License Application for Retail Liquor and Package Liquor sales and the Alcoholic Beverages Operating Agreement for Tail Feathers LLC, subject to all State and local requirements being met and all required documents and payments being submitted to the City Finance Office prior to January 1, 2021. All voted aye. Motion carried.

Motion by Mewherter, seconded by Holt, to approve the 2021 Uniform Alcoholic Beverage License Application for Retail Wine and Cider sales for Dolgen Midwest, LLC, dba Dollar General Store #16254, subject to all State and local requirements being met and all required documents and payments being submitted to the City Finance Office prior to January 1, 2021. All voted aye. Motion carried.

Motion by Bauman, seconded by Keimig, to approve the 2021 Uniform Alcoholic Beverage License Application for Retail Wine and Cider sales for Maynard's Food Center of Westbrook, Inc., dba Maynard's of Clear Lake, subject to all State and local requirements being met and all required documents and payments being submitted to the City Finance Office prior to January 1, 2021. All voted aye. Motion carried.

Motion by Mewherter, seconded by Holt to approve Health Insurance Plan B with the Health Pool of South Dakota, with a 3.3% rate increase, for January 1, 2021 - December 31, 2021, plan year for the 6 full-time employees. All voted aye, motion carried.

Motion by Keimig, seconded by Mills to approve the 2021 dental plan with Delta Dental with no rate increase for January 1, 2021 - December 31, 2021, plan year for the 6 full-time employees. All voted aye, motion carried.

Motion by Mewherter, seconded by Holt to approve Resolution No. 2020-12 – Transfer from Contingency Fund. All voted aye. Motion carried.

The First Reading of Ordinance No. 590, an Ordinance Supplementing Appropriations for the City of Clear Lake for the Year Ending 12/31/2020 was read.

Motion by Keimig, seconded by Lundberg to declare the following as surplus property, having no value or of value less than \$500.00 and authorize disposal of: Airport beacon, north & south wind socks, all airport runway lights and controls, 1 Dell tower, keyboard, wired mouse and monitor. All voted aye. Motion carried.

Motion by Keimig, seconded by Holt to set the year-end Council meeting date for Wednesday, December 30, 2020, at 5:00 PM. All voted aye. Motion carried.

Motion by Holt, seconded by Keimig to give Clear Lake Chamber Cash for Christmas with \$75.00 being given to each full-time employee and \$25.00 given to each regular part-time employee. All voted aye. Motion carried.

Comments by Holt, on behalf of City Superintendent, Ebbers; no asbestos was found in main street buildings to be torn down and a change may be made with new sewer line north of town.

City Attorney Todd Boyd gave updates on recent letters that he had sent out on abatements and ongoing legal cases.

City Finance Officer, Bittner, gave council an update on job openings posted for Library Assistant and Public Works Position. Both openings closing on November 25th.

City Mayor, Eide, updated council on tax meetings he attended.

Motion by Holt, seconded by Lundberg to enter into Executive Session at 7:56 PM for personnel and legal counsel for contractual matters. All voted aye. Motion carried.

Mayor Eide declared the Council out of Executive session at 9:21 PM.

Motion by Mills, seconded by Mewherter to allow Attorney, Todd Boyd, to contact complaint and deny curb and gutter reimbursement. Upon roll-call vote, the following votes were cast; Bauman-yes, Lundberg-yes, Mills-yes, Holt-yes, Mewherter-yes, Keimig-present. Motion carried.

Motion by Keimig, seconded by Holt to allow Attorney, Todd Boyd, to write promissory note for community center repairs. Upon roll-call vote, all voted aye. Motion carried.

Motion by Mewherter, seconded by Keimig to allow Attorney, Todd Boyd, to file small claims court against former resident. Upon roll-call vote, all voted aye. Motion carried.

There being no further business, motion by Holt, seconded by Mewherter to adjourn at 9:23 PM. All voted aye. Motion carried.

Christa Bittner
Finance Officer

“This institution is an equal opportunity provider.”

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