

The Clear Lake City Council met in regular session on Monday, March 8, 2021, at 6:30 PM in the Conference Room of the Municipal Building with Mayor Gary Eide presiding. Those present were Alderwoman Kelli Bauman, Lisa Lundberg & Rose Mack, Aldermen Carey Holt, Harry Mewherter & John Keimig. Also present were Christa Bittner, Don Ebbers, Val Lundquist, Todd Boyd, Ken Reiste, Joan Sacrison, Andrew & Tina Braam, Sheila Monnier, Payton Carda, Meghan & Steve Olson family, Jason & Rebecca Toben family, Karen Sinning, Dennis & Jane Evenson, and Jonas Reppe. The Pledge of Allegiance was said.

Motion by Holt, seconded by Keimig to approve the amended agenda, removing the airport land cash rent from the agenda. All voted aye. Motion carried.

Motion by Keimig, seconded by Mack to approve the consent agenda as follows: Minutes – Regular Meeting February 8, 2021; Monthly Financial Statements for the Month Ending February 28, 2021; Sales Tax Subsidy of \$10,622.81 going to Deuel County Memorial Hospital; Building Permits: Approved: Jamie Wiesner; Inspire Learning Solutions – 304 3<sup>rd</sup> Ave S, Ste B – business sign & Amber Peterreins – 304 3<sup>rd</sup> Ave, Ste C – business sign; Delinquent Water Bills; Approval of Warrant; SDARWS WW Training – March 23-25, 2021 – Online & Watertown, SD – AJ & Brandon Attending. Upon roll-call vote, all voted yes. Motion carried.

Warrants Approved: CITY PAYROLL: Council 1042.02; Mayor 461.75; Finance 1735.67; Gen Gov't Building 153.93; Highway 3520.58; Snow 1579.38; Rubble Site 40.08; Airport 47.35; Library 1997.46; Comm. Center 281.03; Water 4179.49; Sewer 2565.73; Aflac 140.01; Supplemental Ins SDRS 1625.00; Washington National 81.15; SD Retirement 2818.14; Health Pool of SD 8522.89; Delta Dental of SD 416.20; DNB-FICA/WH 4995.81; CITY EXPENSES: Avera OCC Medicine 97.55 drug test, Banner Associates Inc 60.50 engineering, C. Schmalz 150.00 Acct#5410.03 Wtr mtr dep refund, Code Enforcement Specialists 1500.00 retainer, D&L Digging 2096.10 Main St water leak, Deuel Co Motor Supply 401.02 Feb Supplies, SD DENR 20.00 B Collins & A Martinmaas WW exam, Deuel Post Prom 200.00 CC Dep Refund, Florals & Finds LLC 45.80 Funeral plant, HD Elect Coop 380.29 Park lights & water leak eq. rental, Innovative Office Solutions 372.45 Utility bill paper, V. Lundquist 19.12 Jan/Feb Mileage, Menards 149.98 Water & sewer shelves, Pheasantland Industries 281.35 High Vis clothing, SD Dept. of Health 30.00 water samples, Radio Time Billing 222.00 Support local radio ad, SD Dept. of Ag 35.00 Mos. Spraying license, SDPAA 27376.48 2021 liability & property insurance, Steve Rhody Services 38.00 Window washing, Appera 106.82 Rugs & towels, AT&T 55.86 cell phone, Better Homes & Gardens 18.00 Mag subscription, Bjerke Sanitation 4578.96 Feb garbage, Boyd Law Firm 1209.00 Feb legal fees, Brookings Credit Bureau 105.00 Collection fees, BDRWS 9707.70 Water usage, CL City Library 422.98 Feb reimbursement, City of CL 331.76 Feb water use, CL Building Center 41.98 Feb Street & snow supplies, CL Courier 1295.09 Feb Publications, Colonial Research 1651.04 sewer supplies, Connecting Point 35.00 offsite backup, D&L Digging 1020.00 9<sup>th</sup> Ave wtr leak, DC Auditor 5415.15 March Police Contract, DCFU Oil 365.67 Sewer, snow & street supplies, DCMH 10622.81 Sales tax subsidy, Demco 78.05 Library supplies, First Bank & Trust 26.05 Water Supplies, HD Electric Coop 147.00 Feb Electric, HD Elect Coop 220.21 Water tower pump & CC light, ITC 490.81 Phone & internet, Mas Media Inc 300.00 Website maintenance, Maynard's Food 38.81 Feb Supplies, Northern Con-Agg LLP 639.77 Pea rock, Northwestern Energy 1088.38 Feb Nat gas, Nosbush Plumbing & Heating 1020.41 Govt bldg. water heater, Ottertail Power Co 4036.77 Feb power, The Penworthy Company 291.70 Library books, Purchase Power 770.99 Feb Postage, SD State Treasurer (SD DOR) 342.14 Feb Sales tax, CL Swimming Pool Petty Cash 100.00

2021 Pool Cash, US Bank 6837.30 Water Loan Payment, USDA 6107.00 sewer loan payment, Watertown Public Opinion 204.91 Newspaper Subscription.

Meghan & Steve Olson were present with their children, for public voice and shared their request to allow chickens in town. The Toben family was also present to show their support for chickens in city limits. Dennis Evenson spoke in public voice about development and planning in place of Craig Evenson, who was unable to attend the council meeting.

Andy Braam was present to discuss information he received on the airport. He would like the city to meet with the county commissioners and consider leaving one runway open.

The Second Reading of Ordinance #596, regarding the sale of marijuana in Clear Lake was completed. Motion by Holt, seconded by Mewherter to approve Ordinance #596. Upon roll-call vote, all voted yes. Motion carried.

The Second Reading of Ordinance #597, amending sewer penalties for the Clear Lake residents was completed. Motion by Keimig, seconded by Lundberg to approve Ordinance #597. Upon roll-call vote, all voted yes. Motion carried.

The three submitted 7<sup>th</sup> Avenue Project bids were opened and read.

Motion by Holt, seconded by Mewherter to recess as Regular Council and convene as the Planning Commission. All voted aye. Motion carried.

The Second Reading of Ordinance #598, rezoning the Maynard's lot was completed. Motion by Mewherter, seconded by Lundberg to approve Ordinance #598. Upon roll-call vote; all voted yes. Motion carried.

The Second Reading of Ordinance #599, amending the R-2L zoning around the lake was completed. Motion by Holt, seconded by Mack to approve Ordinance #599. Upon roll-call vote; all voted yes. Motion carried.

Motion by Keimig, seconded by Bauman to adjourn as the Planning Commission and reconvene as Regular Council. All voted aye. Motion carried.

Payton Carda, of First District, & Shelia Monnier, Emergency Manager, discussed the Pre-Disaster Mitigation Plan with the council. It is updated every five years and a few suggested changes were made to the plan for 2021.

The 7<sup>th</sup> Ave Project bids were reviewed and D&L Digging's bid of \$63,230 was accepted. This includes completing the project to grade; black top is excluded. Motion by Mewherter, seconded by Holt to accept the bid from D&L Digging and allow for prepayment of materials once the materials are on city property before the project is started. Upon roll-call vote, all voted yes. Motion carried.

Karen Sinning was present to discuss the frost-protected shallow foundation she would like her son John to build her new house on. Val Lundquist presented information she researched on the topic as well. Motion by Mewherter, seconded by Keimig to grant approval for this foundation to be used within Clear Lake city limits, with a waiver being signed by the owner and the builder. Upon roll-call vote, all voted yes. Motion carried.

The First Reading of Ordinance #600, regarding cows, goats, horses and sheep in city limits was read.

The need for security cameras at the rubble site were discussed, as there was an incident over the winter. Council agrees it is a necessary expense and quotes will be presented at the next meeting.

The 2020 Drinking Water Report was reviewed.

The council decided to allow city residents to dispose of acceptable items at the rubble site free of charge, with the exception of refrigerant items, on May 4, 6, and 8, 2021, during regular hours and to allow an electronic equipment recycling vendor to come to Clear Lake the same week to accept items. Alternate dates will be selected if weather prevents utilizing the rubble site on the approved dates.

Motion by Holt, seconded by Keimig to give a free pass to the rubble site (with the exception of white goods) to each household, which will expire Saturday, October 30, 2021, to be sent out on the May utility bills. Upon roll-call vote, all voted yes. Motion carried.

Motion by Keimig, seconded by Mack to approve the Deuel County Ambulance EMT's and EVOC Drivers. A copy of the roster is on file in the Finance Office. Upon roll-call vote, all voted yes. Motion carried.

Motion by Mewherter, seconded by Holt to approve the Clear Lake Volunteer Fire Department members. A copy of the roster is on file in the Finance Office. Upon roll-call vote, all voted yes. Motion carried.

Motion by Keimig, seconded by Holt to approve the annual maintenance agreement with the Deuel County Highway Department and authorize Mayor Gary Eide to sign the agreement. Upon roll-call vote, all voted yes. Motion carried.

Motion by Mack, seconded by Keimig to approve the 2021 City Equipment Rate Schedule, removing the lift rental. Upon roll-call vote, all voted yes. Motion carried.

The American Legion would like to place a larger Ulven Park sign on the highway and would like the city's feedback on the sign. Motion by Keimig, seconded by Bauman to approve the sign. Upon roll-call vote, all voted yes. Motion carried.

Motion by Lundberg, seconded by Mewherter to eliminate the following receivables off the records due to inability to collect: Acct#4285.00-\$1024.12, #4298.03-\$1724.26, #4270.03-\$6010.15, and #4298.09-\$1854.57. All voted yes, with Holt abstaining. Motion carried.

City Superintendent, Don Ebbers, stated there were three water leaks in the last month due to deteriorating cooper service lines.

City Attorney, Todd Boyd, stated it is legal to record city council meetings, as long as everyone is aware of it prior to the start. Temporary Liquor Licenses were discussed with weddings, and whether the city should update their ordinance. The Policy Committee will meet to discuss further.

City Finance Officer, Christa Bittner, stated the new code enforcer, Joel Johnson, may email them with any violations they find on the city inspections. She also talked about the ACH forms for direct deposit or utility bills from any bank that is now available. She reminded the council that the District meeting will be held March 16<sup>th</sup> at 5:30 PM.

Mayor, Gary Eide, stated HB 1143 has been passed through the Senate and is awaiting the Governor's signature. This will help with industrial expansion in Clear Lake, reducing the gap between the county and city mil levy. The city tax rebate rates will be set by city ordinance.

Motion by Holt, seconded by Mack to enter into Executive Session per SDCL 1-25-2 for Personnel Matters & Legal Counsel for contractual matters at 7:58 PM. All voted aye. Motion carried. Mayor Gary Eide declared the Council out of Executive Session at 9:08 PM.

Motion by Keimig to amend the chicken ordinance. The motion failed and was not considered due to the lack of second. Chicken ordinance will remain the same; no chickens allowed in city limits.

Motion by Lundberg, seconded by Keimig to pay city election workers on April 13th \$20/hour. Upon roll-call vote, all voted yes. Motion carried.

There being no further business, motion by Mewherter, seconded by Keimig to adjourn at 9:11 PM. All voted aye. Motion carried.

Christa Bittner  
Finance Officer

“This institution is an equal opportunity provider.”

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