

The Clear Lake City Council met in regular session on Monday, June 7, 2021, 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 Mack, Aldermen Carey Holt, Harry Mewherter, & John Keimig. Also present were Christa Bittner, Don Ebbers, Brandon Collins, Ken Reiste, Todd Boyd, Andrew Braam, Joe Uckert, Larry & Mary Bachman & John Knight. The Pledge of Allegiance was said.

Motion by Holt, seconded by Mack 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 May 10, 2021; Monthly Financial Statements for the Month Ending May 31, 2021; Sales Tax Subsidy of \$11,086.51 going to Deuel County Memorial Hospital; Building Permits: Approved: Kendall Schake – 705 8th St W – concrete slab, Karen Sinning – 605 8th Ave S – wood fence, Melvin Maass – 603 6th St W – concrete driveway and Bruce DeBaere – 509 1st Ave S – concrete driveway & patio; Demolition Permits: Mark Law – 502 3rd Ave S – wood deck; Delinquent Water Bills; Approval of Warrants; Approve Temporary Liquor License Applications: Pederberg's: Wedding Dance on Saturday, July 24, 2021. Approvals of permits are subject to the condition that they are in accordance with all building codes and ordinances of the City. 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. All voted aye. Motion carried.

Warrants Approved: PAYROLL Council 801.92; Mayor 277.05; Finance Officer 1735.67; Gen Gov't Building 149.17; Highway 4954.70; Rubble Site 908.15; Airport 31.66; Summer Rec 54.54; Swimming Pool 1565.04; Park & Rec 3287.29; Library 2028.55; Community Center 167.22; Water 2063.03; Sewer 2280.73; Aflac 140.01 Supp Ins; SDSRP 1625.00 Supp Rtrmt; Washington National 81.15 Cancer Ins; SD Retirement 2873.62; Health Pool of SD 8522.89; Delta Dental of SD 416.20; DNB-FICA/WH 5461.52; EXPENSES: A. Anderson 147.82 Water Mtr Dep Refund, Aesoph Auction 200.00 Comm Center Deposit Refund, Allied 100 LLC 198.00 AED replacements, Appeara 110.12 mops & towels, AT&T 63.98 May cell phone, B. Scheller 95.06 Mtr Dep Refund, Bjerke Sanitation 5817.66 May Garbage fees, Boyd Law Firm 1243.00 May legal fees, BDRWS 11831.60 May purchased water, CL City Library 354.44 Books, City of CL 1470.39 May water use, CL Building Center 836.56 Park, pool & str supp, CL Courier 494.25 May publications, Connecting Point 134.00 Offsite backup & upgrade, Core & Main 604.24 Water Repair parts, D. Bleeker 92.27 Water Mtr Dep Refund, DC Auditor 5415.15 June Police Contract, DC Motor Supply 80.70 May supplies, DCFU Oil 168.64 Street & Parks Supplies, DCMH 11086.51 May sales tax sub, DCN Insurance 300.00 Ambulance Insurance, Deuel School District 130.00 For Sale Sign, First Bank & Trust 359.12 Pool, CC, FO supp, Fritz Chevy 38.90 Truck filters/oil, HD Electric Coop 494.45 May Electric, Hawkins Inc 2512.50 Pool Chemicals, In the Swim 345.99 Pool Chairs, ITC 784.63 May phones & internet, J King 200.00 CC Dep. Refund, J. Froiland 34.27 Water Mtr Dep Refund, Mas Media Inc. 300.00 Qtrly website maint fee, Maynard's Food 14.04 Park Supp, Michael Todd & Co. 746.63 Street Supp, Milbank Winwater Works 295.71 Water supp, Northwestern Energy 265.73 May Nat gas, Ottetail Power Co 3068.23 May Power, Pomp's Tire Service 250.25 Tire Repair, Postmaster 76.00 PO box payment, SD Dept. of Health 74.00 Water/Sewer samples, S. Lapenckas 69.70 Water Mtr Dep Refund, SD State Treasurer 1072.94 May Sales Tax, SoDak Gardens 163.50 Flowers, Steve Rhody Services 38.00 Window Washing, Taste of Home 9.98 Mag. subscription, The Lifeguard Store Inc. 406.43 Lifeguard suits & rescue tubes, Productivity Plus Acct (Titan) 3107.78 Truck Repair, US Bank 6837.30 Water loan payment, USDA 6107.00 USDA loan payment, & Winsupply Commercial Charge 24.47 Park Supplies.

No one appeared for public voice.

The Second Reading of Ordinance No. 602, an Ordinance Amending Spiking Permits was completed. Motion by Mewherter, seconded by Keimig to approve Ordinance No. 602. Upon roll-call vote; all voted aye. Motion carried.

City Attorney, Todd Boyd mentioned a resident's water bill that should no longer be charged since the water is turned off and the property is for sale. He also mentioned that ordinance #8-2-20 states the city has the right to turn off resident's water if they do not give access to city employees to fix the water equipment.

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

A public hearing was held for Larry & Mary Bachman who applied for a variance to replace their front steps, placing them over the required setbacks. Motion by Holt, seconded by Mewherter to approve the variance. Upon roll call vote, all voted aye. Motion carried.

John Knight was present to explain his 5-acre plat in the Lake Shore Acres Addition. He mentioned there is about 18 acres that could still be sold for development. Motion by Keimig, seconded by Bauman to approve the new plat. Upon roll call vote, all voted aye. Motion carried.

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

Joe Uckert was present to discuss plans for the economic development park at the former airport ground. He advised the council to accept the timeline and bid from Banner Engineering to get the ball rolling on the new industrial park.

Robert Olheiser did not attend the meeting.

Motion by Mewherter, seconded by Keimig to declare the following items surplus property, having no value or a value less than \$500.00 and authorize for disposal: a Nesco roaster oven from the community center and a 2000-pound lift gate that was sold at the May 29th consignment auction. Upon roll-call, all voted aye. Motion carried.

Col. Pete St (4th Ave S) was discussed about possibly changing the street name back to 4th Ave S due to issues with residents not receiving their packages on 4th Avenue because delivery services do not recognize Col. Pete St as a street on Google. Motion by Mack, seconded by Mewherter to reinstate the street name to "4th Avenue S". Upon roll call vote, all voted aye. Motion carried.

Resolution 2021-4 was read regarding John Knight's 5-acre plat in Lake Shore Acres. Motion by Lundberg, seconded by Holt to approve Resolution 2021-4 accepting the Lake Shore Acres Additions plat. Upon roll-call vote; all voted aye. Motion carried.

A renter of the city municipal room in May left a mess after their event. The council decided the renter will forfeit their full rental deposit due to the extra time it took to clean up after their party. It was also approved for the Finance Officer, along with the cleaner, to make the call on deposit refunds if damage does occur while renting the city buildings.

An amendment to the ag land zoning area was discussed and whether any farm animals would ever be allowed within city limits. Ultimately the council was in agreement to continue to ban all farm animals within city limits. A first reading of this ordinance will be at the July council meeting.

Since the Economic Development Board is not finalized, the project will run through the city of Clear Lake for the time being. Motion by Lundberg, seconded by Mewherter to accept the Banner

timeline and proposed \$86,200 design plan for the 40 acres in the southeast quarter of the airport land. Upon roll call vote; the following votes were cast; Holt-abstain, Lundberg-yes, Bauman-yes, Keimig-yes, Mack-yes, Mewherter-yes. Motion carried.

City Superintendent, Don Ebbers, commented on the wading pool needing major repair on the broken water line underneath the concrete, plumbers will examine and see if there is another way to fix it without tearing out the concrete this summer. We are also getting a replacement heater for the large pool, which is still under warranty and will not cost the city any additional funds. Burchatz Construction will be in town soon to install curb and gutter and sidewalks at a few properties.

Attorney, Todd Boyd, gave an update on the summer rec employee, unfortunately still no word from the State's Attorney on the progress of the case. He also mentioned the ongoing marijuana questions with SDML. Boyd stated some cities have large maps of zones, wards, sewer and water lines and thought that Clear Lake should ask Banner Engineering to look into ordering them for the city.

City Finance Officer, Christa Bittner, informed the council that HB 1143 will be going into effect July 1st and Clear Lake will need to pass an ordinance stating the guidelines for economic development and what amount of municipality taxes will be credited. She also mentioned that the city office would be closing at 1:00 PM on June 11th. An update was given on the code enforcer's packet of violations.

Mayor, Gary Eide, thought the east side fence out at the former airport land should be removed and also mentioned there is free firewood in the city park that needs to be removed if anyone wanted to chop it.

Motion by Keimig, seconded by Bauman to enter into Executive Session at 8:09 PM for personnel and legal counsel for contractual matters.

Mayor Eide declared the Council out of Executive session at 8:22 PM.

There being no further business, motion by Holt, seconded by Mack to adjourn at 8:22 PM. All voted aye. Motion carried.

Christa Bittner
Finance Officer

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