The Clear Lake City Council met in regular session on Monday, August 9, 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, Billie Giesel, Sarah Ronne, Lynn Simon, Andy & Juliet Braam, Marlin Bjerke, Carol Wolfe, Bruce DeBaere, and Joe Uckert. The Pledge of Allegiance was said.

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

Motion by Mewherter, seconded by Mack to approve the consent agenda as follows: Minutes – Regular Meeting July 12, 2021; Monthly Financial Statements for the Month Ending July 31, 2021; Sales Tax Subsidy of $13,527.53 + July’s $6,987.46 going to Deuel County Memorial Hospital; Building Permits: Approved: Monica Lemme – 206 6th Ave S – concrete driveway, Cody Krause – 210 6th Ave S – new apartment sign, DCFU – 204 SD Hwy 22 W – new convenience store, CL United Methodist Church – 711 5th Ave S – curb & gutter; Denied: Bruce DeBaere – 509 1st Ave S – curb & gutter, deck & ramp; Demolition Permits: DCFU – 204 SD Hwy 22 W – convenience store removal; Delinquent Water Bills; Approval of Warrants; Approve Temporary Liquor License Applications: Pederberg’s: Wedding Dance - Saturday, August 28, 2021, Pederberg’s: Wedding Dance – Saturday, September 4, 2021 & Pederberg’s: Wedding Dance – Saturday, September 18, 2021; SDWWA Annual Conference – Sept. 15-17, 2021 – Rapid City, SD – Don Attending; 10 – Special Council Meeting – TIF District – Monday, August 16, 2021 at 6:00 PM; “Meet the District” First District Deuel County Event – Thursday, August 26, 2021 at 6:00 PM. 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. Upon roll-call vote all voted aye. Motion carried.

Warrants Approved: PAYROLL: Council 986.61; Mayor 369.40; Finance 1735.66; Gen Gov’t Building 135.91; Highway 7155.75; Rubble Site 740.34; Airport 25.64; West Nile 165.32; Summer Rec 4734.35; Swimming Pool 9623.64; Park & Rec 1772.96; Library 2369.70; Community Center 72.30; Water 3009.95; Sewer 2210.94; Aflac 140.01 Supplemental Ins; SDRS 1625.00 Supp. Retirement, Washington National 81.15 Cancer Ins; SD Retirement 3019.58; Health Pool of SD 8522.89; Delta Dental of SD 416.20; DNB-FICA/WH 9188.83; EXPENSES: AT&T 55.56 cell phone, Bowes Construction 3908.40 Asphalt, City of CL 200.00 N Greene CC Payment, Clear Lake Baseball Assoc. 122.64 Groomer/cart repair, Connecting Point 330.00 Sonicwall, Core & Main 87.29 7th Ave Chlorine tablets, DC Motor Supply 126.90 June/July Supplies, Duininck Inc. 2847.16 Hot Mix, Eide Bailly LLP 9450.00 Partial Audit Payment, Hawkins Inc 1513.00 Pool Chemicals, T. Homan 236.17 Wtr Mtr Dep Refund, L. Corothers 150.00 Mtr Dep. Refund, M. Severson Park Shelter Dep Refund, Pomp’s Tire Service 342.71 Street tire repair, SD Dept. of Health 75.00 Water Samples, SD One Call 54.88 Q2 One Calls, Signs.com 147.83 Park Signs, Steve Rhody Services 38.00 Window Washing, Appeara 111.31 towels & mops, Banner Associates Inc. 15250.00 Land Surveying, Bjerke Sanitation 5932.20 July garbage, Bowes Construction Inc. 4230.60 Asphalt, Boyd Law Firm 2381.00 July legal fees, BDRWS 13050.40 July water, C. Carlson 150.00 Wtr Mtr Dep Refund, C. Murphy 60.00 Swim lesson refund, CL City Library 500.43 Reimbursement, City of Clear Lake 1851.70 July water use, CL Building Center 32.49 Pool/park supplies, CL Courier 164.55 July publications, Connecting Point 1312.00 Support Contract & Service, Core & Main 354.72 Water Supplies, D&L Digging 3315.00 Water Leaks, D. Murphy 90.00 Swim Lesson Refund, Dakota Portable Toilets Inc. 225.00 Portable Toilet Rental, DC Auditor 5415.15 Police Contract, DC Register of Deeds 30.00 Res 2021-5 affidavit, DCFU Oil 4238.71 July supplies, DCMH 13527.53 Sales Tax Subsidy, First Bank & Trust 263.97 Pool/FO supplies, HD Electric Coop, Inc.539.78 Park/dump electric, HD Elect. Coop, Inc. 1749.25 Softball field lights, In the Swim 88.72 Pool Skmmr bskts, ITC 636.47 Phone/internet, L. Eide 200.00 CC dep refund, M. Haber 60.00 Swim lesson refund, Maynard’s Food 452.59 July pool/park/strt supplies, Milbank Winwater Works 977.62 7th Ave Water Leak Parts, NorthWestern Energy 1120.65 July nat gas, Nosbush Plumbing & Heating 275.10 Pool repairs, Ottertail Power Co. 3926.14 July power, Pomp’s Tire Service Inc. 261.45 tire repair, R. Petrick 3.02 Wtr Mtr Dep Refund, Scholastic Inc. 120.01 Library books, SD State Treasurer (SD DOR) 1033.44 July sales tax, SDARWS 100.00 Leak Tuner Eq., SD Water & Wastewater Assn. 130.00 SDWWA Conf. registration, USDA 6107.00 swr loan pymt, Weathergard Roofing & Crane 850.00 Roof repair.

Marlin Bjerke was present for public voice to give an update on the Salona Global acquisition and stated there may be a need for more employees and housing in Clear Lake.

Carol Wolfe was also present for public voice to argue a letter she received from the code enforcement officer about her property in town. The Council said she can have until May 2022 to take care of the issues identified in the letter.

The Second Reading of Ordinance No. 603, Plat of Economic Development, was completed. Motion by Holt, seconded by Mewherter to approve and adopt Ord. No. 603. Upon roll-call vote all voted aye. Motion carried.

The Second Reading of Ordinance No. 604, Adopting a Municipal Property Tax Rebate program, was completed. Motion by Keimig, seconded by Lundberg to approve and adopt Ord. No. 604. Upon roll-call vote all voted aye. Motion carried.

The Second Reading of Ordinance No. 605, Amending the Ag Land Zoning Ordinance, was completed. Motion by Mack, seconded by Bauman to approve Ord. No. 605. Upon roll-call vote all voted aye. Motion carried.

The Second Reading of Ordinance No. 606, a supplemental budget appropriation for economic development, was completed. Motion by Holt, seconded by Keimig to approve Ord. No. 606. Upon roll-call vote all voted aye. Motion carried.

The Second Reading of Ordinance No. 607, Amending demolition permits, was completed. Motion by Holt, seconded by Mewherter to approve Ord. No. 607. Upon roll-call vote all voted aye. Motion carried.

Lynn Simon was present to discuss renting the community center for a Junior Prom Committee ice cream social after the Homecoming parade on September 17th. Motion by Mewherter, seconded by Holt for the city to donate the fee as a donation to the organization. Upon roll-call vote all voted aye. Motion carried.

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

A public hearing was held for Bruce DeBoere who applied for a variance for putting a deck and ramp over the setbacks, due to having a very small lot. Motion by Holt, seconded by Mewherter to approve the variance. Upon roll-call vote all voted aye. Motion carried.

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

Billie Giesel & Sarah Ronne came in to give a recap of the 2021 pool season. They mentioned they had roughly 230 kids for lessons this year, with only 3 Water Safety Instructors and 7 Lifeguards. The main focus was also on the repairs needed in the wading pool.

Resolution 2021-3 Annexing the former airport land into city limits was read. Motion by Keimig, seconded by Holt to approve Resolution 2021-3. Upon roll-call vote all voted aye. Motion carried.

Resolution 2021-6 Vacating the south end of 1st Avenue was read. Motion by Mewherter, seconded by Mack to approve Resolution 2021-6. Upon roll-call vote all voted aye, with Holt abstaining. Motion carried.

The First Reading of Ordinance No. 608, 2022 Appropriations Ordinance, was completed.

The First Reading of Ordinance No. 609, Cannabis Dispensaries, was completed. Council discussed hours of operations for a potential dispensary.

The First Reading of Ordinance No. 610, Cannabis Licenses, was completed. Council discussed license fees, the revocation process, and days the dispensary cannot be open.

The 2022 Law Enforcement Contract was discussed. A $0.75 per hour increase was approved due to an increase in fuel costs. Motion by Lundberg, seconded by Keimig to approve the 2022 Law Enforcement Contract. Upon roll-call vote all voted aye. Motion carried.

Motion by Holt, seconded by Mewherter to declare as surplus the vacate lot on 707 2nd Avenue S, formerly a private residence. Lot 3, Block 5 of McCraneys Addition will be sold by written bids, with a $4,500 minimum, submitted to Todd Boyd’s office in August/September. Notices will be published in the paper. Upon roll call vote, all voted aye. Motion carried.

Repairs were discussed for the attached buildings of the former R Place Café.

Motion by Holt, seconded by Lundberg to approve the Automatic Supplemental Budget Request to General Fund for $150,562.50 – LIIP Grant funds into Economic Development (101-465.1-429). All voted aye. Motion carried.

Motion by Keimig, seconded by Mewherter to approve the previously denied building permit for Bruce DeBoere’s deck and ramp. Upon roll-call vote all voted aye. Motion carried.

Joe Uckert, representing the new economic development board, asked the council to consider plotting out residential acreages out at the former airport land. He also said he will be meeting with the county on Aug. 16th to discuss funding for the economic development groups.

City Superintendent, Ebbers reported that there is still plenty of funds in the budget for more patching of the streets and that chip sealing will begin soon.

Attorney, Todd Boyd questioned the Register of Deeds bill, stating the applicant of vacating the street should have to cover the fee.

Finance Officer, Bittner, asked the council about the history on the tennis courts by the school and also reminded the council of the special TIF meeting on August 16th and the optional meeting on August 26th.

The Mayor and Council Members did not have anything else to report on.

Motion by Mewherter, seconded by Keimig to enter into Executive Session at 8:08 PM for personnel and legal counsel for contractual matters. Upon roll-call vote all voted aye.

Mayor Eide declared the Council out of Executive session at 8:40 PM.

There being no further business, motion by Mack, seconded by Keimig to adjourn at 8:41 PM. All voted aye. Motion carried.

Christa Bittner

Finance Officer

“This institution is an equal opportunity provider.”

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