

The Clear Lake City Council met in regular session on Monday, May 9, 2022, at 6:30 PM in the Conference Room of the Municipal Building with Mayor Gary Eide presiding. Those present were Alderwomen Kelli Bauman, and Rose Mack, Aldermen Carey Holt, John Keimig and Harry Mewherter. Alderwoman (Mayor Elect) Lisa Lundberg was absent. Also present were Mary Korth, Val Lundquist, Brandon Collins, Aldermen Elect Rod Pauli and Jonas Reppe; Gary Jaeger, Roger Kreutner, Andrew Braam, Patsy Cassels, Thomas Pauli, Ken Reiste, Audie Stoltenburg, Mona Drake, Linda Dailey, Michelle Gross, Darla Toben, Dianne Brandt, Lynne Eide, Carmen Schmalz, and Kerry Hintz. The meeting began with the Pledge of Allegiance and was then called to order by Mayor Gary Eide.

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

Motion by Keimig, seconded by Mack to approve the consent agenda as follows: Minutes – Regular Meeting April 11, 2022 and Special Election Canvass Meeting April 13, 2022; Monthly Financial Statements for the month ending April 30, 2022; Approval of Warrants; Approve Temporary Liquor License Application on behalf of Pederbergs Bar & Grill for wedding 5/7/2022 which was given approval via phone conference prior to the event.

Warrants Approved: CITY PAYROLL: Council 1614.75; Mayor 484.43; Finance Officer 5622.93; Gen Gov't Building 274.62; Highway 9272.59; Snow 353.77; Rubble Site 1059.36; Parks & Rec 326.99; Library 3881.92; Comm. Center 199.02; Water 4561.94; Sewer 7110.75; Aflac 131.30; SD Retirement 2577.92; Health Pool of SD 8110.85; Delta Dental of SD 388.40; DNB-FICA/WH 5104.66; City Vouchers: A&B Business Solutions 4197.10 Copier and Maintenance, Appeara 115.70 Maintenance, Brandon Collins 44.00 Reimbursement, Banner Associates Inc. 12930.00 Professional Services, Barbara Schiefelbein 270.00 Election Pay, Nancy Barondeau 270.00 Election Pay, Bjerke Sanitation 6432.71 Garbage Services, Boyd Law Firm, Prof. L.L.C. 1566.00 Legal Fees, Brian's Glass & Door Inc. 140.00 Comm Center Repair, Brookings-Deuel Rws 6865.40 Water And Tap Fees, Cheryl Denelsbeck 200.00 Community Center Deposit Refund, Clear Lake City Library 720.07 Books And Supplies, City Of Clear Lake 747.05 Utilities, Clear Lake Building Center 20.72, Clear Lake Computer Service 150.00 Service & Repair, Clear Lake Courier 1267.32 Publications, Colonial Research 1040.57 Street Supplies, Connecting Point 37.00 Monthly Backup, D & L Digging 867.00 Repairs, Dakota Pump & Control Inc. 135.00 Sewer Repairs, Deuel County Auditor 5530.87 Police Contract, Deuel Co Motor Supply 487.26 Supplies, Deuel County Farmers Union Oil 1661.70 Fuel And Supplies, DCN Insurance 3327.00 Ambulance Insurance, Farm Service Agency 1835.67 CRP Payments, Fay Buchholtz 270.00 Election Pay, First Bank & Trust 724.92 Credit Card Charges, H-D Electric Coop, Inc 155.16 Utilities Electric, Heiman Fire Equipment Inc 597.00 Fire Extinguisher Maintenance, Innovative Office Solutions 469.61 Supplies, Itc Telecom 646.56 Telephone Utility, Jeremy Schake 64.95 Water Meter Deposit Refund, Josh Streich 10.45 Water Bill Refund, Mack Land Surveying LLC 1135.00 Survey of Dev Land, Mary Korth 43.88 Mileage, Maynard's Food 6.59 Supplies, Midwest Pipe Lining 190.00 Sewer Repairs, Northern Con-Agg Llp 3373.85 Street Supplies, Northwestern Energy 1272.63 Gas Utilities, Office Peeps 190.45 Finance Office Supplies, Ottetail Power Co 3680.00 Electric Utilities, The Penworthy Company Llc 233.56 Library Books, Sd Department Of Health 60.00 Water Testing, Sarah Salzer 20.00 Swimming Lesson Refund, Sd Municipal Street Maint 84.00 Conference Dues, Sd One Call 7.84 Sd One Call 811, Sd State Treasurer (Sd Dor) 647.37 Sales And Use Tax, Sd Govt Finance Officers Assn 75.00 Dues, Sd Govt Human Resource Assoc 50.00 Dues, Steve Rhody Services 38.00 Window Washing, Stan Houston Equipment Co 134.75 Sewer Supplies, Supreme Welding Inc 25.50 Supplies, Transource Truck & Equip Inc 46.68 Supplies, United States Dept Of Ag 6107.00 Loan And Interest, Watertown Lawn & Garden 130.00 Supplies.

No one commented for public voice.

Unfinished business for the 2021-2022 council was addressed. Property located at 105 5<sup>th</sup> St. E was discussed. It was to be torn down by the owner by May 15<sup>th</sup> as previously discussed. It was determined that the property should be inspected. Motion by Keimig, seconded by Holt to have Attorney Todd Boyd contact the State Fire Marshall for inspection of the property.

Further business for the council was presented by Attorney Boyd. A petition was filed with the City Finance Officer contesting Resolution #2022-4 "A Resolution Approving Gratuitous Conveyance of Real Property to Nonprofit Corporation". The petition was reviewed by Boyd who also consulted with other attorneys regarding issues raised by the petition. It was concluded that the petition filed does not conform with South Dakota Administrative Rules, nor SDCL Chapter 9-20, nor South Dakota Case Law, and it was found to have numerous deficiencies. Boyd advised the council that no action needs to be taken with regards to the petition recently filed.

Before adjourning Mayor Eide thanked the citizens of Clear Lake for 10 years and the support from the Council and staff. He spoke of the accomplishments of the Council in the past 5 years and many changes within the city as well as issues not previously addressed. He had harsh words for those whose past actions and negative comments may have lasting results. He gave his appreciation for the support of his family and will firmly support the new Mayor and intends to maintain close contact with her.

Motion by Keimig, seconded by Holt to adjourn as 2021-2022 Council. Upon roll-call, all voted aye. Motion carried.

Convened as 2022-2023 Council. Because Mayor Elect Lisa Lundberg was absent, and President Carey Holt had finished his term, Vice President Harry Mewherter was named Interim Mayor of Clear Lake until Lundberg can take her oath of office. Roderick Pauli took his Oath of Office for Alderman in Ward I for a 3 year term, and Jonas Reppe took his Oath of Office for Alderman Ward II for a 3 year term. Todd Boyd took his Oath of Office for City Attorney and Mary Korth took her Oath of Office for Finance Officer.

Bauman nominated Harry Mewherter for President. Motion by Reppe, seconded by Mack that nominations cease and a unanimous ballot be cast for Harry Mewherter. All voted aye. Motion carried.

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

Motion by Mewherter, seconded by Mack to approve the consent agenda as follows: Building Permits: Approved: Judith Homan, 704 5<sup>th</sup> St E – 8x10 deck and concrete sidewalk; Thomas Pauli, 608 2<sup>nd</sup> Ave S – 18x38 garage; Trinity Lutheran Church, 1013 3<sup>rd</sup> Ave S – 16x20 concrete drive and 16x20 sidewalk; Hasslen Construction, 410 5<sup>th</sup> St W (Commercial) – addition and renovations to Deuel School; Steven Wallert, 203 7<sup>th</sup> Ave S – Fence; Demolition Permits: Hasslen Construction, 410 5<sup>th</sup> St W (Commercial) – Shop building and storage at Deuel School; Thomas Pauli, 608 2<sup>nd</sup> Ave S – detached garage. Delinquent Water Bills; Approve Temporary Liquor License Applications: Pederbergs Bar & Grill for wedding on 7/2/2022, Goodwin Lodge for Clear Lake Days July 29-31, 2022; Budget Training, June 29, 2022, Sioux Falls, SD – Mary Attending. 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, all voted aye. Motion carried.

Dianne Brandt and Audie Stoltenburg spoke on behalf of the Clear Lake Reunion Committee. They updated the council on insurance. They have secured liability insurance for an estimated cost of \$750.00-800.00. The concern was cancellation insurance for \$1000.00 in the event of inclement weather.

Discussion was held and the council tabled the item until the June meeting. The Committee updated the new members of the council on the activities and location for Clear Lake Days and all school reunion held July 29-31<sup>st</sup>, 2022. The Facility Use Agreement was presented. Motion by Mack, seconded by Pauli to approve the Facility Use Agreement and Release and Waiver of Liability, Assumption of the Risk drafted by Attorney Boyd, reviewed and accepted by SDPAA. Upon roll call, all voted aye and motion carried.

Motion by Bauman, seconded by Reppe to approve the On-Off Sale Malt Beverage and On-Off Sale South Dakota Farm Wines license renewal for the following establishment, contingent upon all state and local licensing requirements being met: 4 Amigos LLC (Cowboy). Upon roll-call, all voted aye. Motion carried.

Motion by Pauli, seconded by Mack to approve the On-Off Sale Malt Beverage and On-Off Sale South Dakota Farm Wines license renewal for the following establishment, contingent upon all state and local licensing requirements being met: Pizza & Burger Shack, LLC. Upon roll-call, all voted aye. Motion carried.

Motion by Bauman, seconded by Pauli to approve the On-Off Sale Malt Beverage and On-Off Sale South Dakota Farm Wines license renewal for the following establishment, contingent upon all state and local licensing requirements being met: Humble Pig Smokery, LLC. Upon roll-call, all voted aye. Motion carried.

Motion by Reppe, seconded by Bauman to approve the On-Off Sale Malt Beverage and On-Off Sale South Dakota Farm Wines license renewal for the following establishment, contingent upon all state and local licensing requirements being met: DCFU (Convenience Store). Upon roll-call, all voted aye. Motion carried.

Motion by Mack seconded by Pauli to approve the On-Off Sale Malt Beverage and On-Off Sale South Dakota Farm Wines license renewals for the following establishment, contingent upon all state and local licensing requirements being met: Dolgen Midwest (Dollar General). Upon roll-call, all voted aye. Motion carried.

Motion by Pauli, seconded by Reppe 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 Bauman, seconded by Mack 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 Pauli, seconded by Reppe 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 Bauman, seconded by Mack 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 Pauli, seconded by Reppe 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 Bauman, seconded by Pauli to approve the 2022 swimming pool employees as follows: Billie Jo Giesel: Manager & WSI: \$17.25/hr; Sarah Ronne: Asst. Manager & WSI: \$16.75/hr; LIFEGUARDS \$11.29/hr plus .25 per year worked: Josie Andersen, Victoria Preheim, Sarah Kreger, Jaycee Hourigan, Cadense Harmon, and Brooklyn Giesel. POOL ATTENDANTS at \$9.95/hr: Gracyn Gohring, Addison Timmons, and Laycee Andersen. Lifeguards are contingent on successful completion of certified lifeguard training. Upon roll call, all voting aye, motion carried.

Motion by Reppe, seconded by Bauman to approve the 2022 Summer Rec employees as follows: Arts & Crafts: Kasey Krause and Taylor Krause; Basketball: Jon Peterreins; Golf: Michelle Gross; Cooking/Baking: Stephanie Mattson; Volleyball: Stephanie Mattson and Alyssa Beckius; Lego: Alysha Hamann; Running: Alysha Hamann; T-ball: Sara Hagberg and Kellen Bucknell; College: Hannah Reichling; Minors: Kris Ulmer; Majors: Shawn Johnson and Ryan Love; 8U Softball: Brittane Collins; 10U Softball: Amber Peterreins, Jon Peterreins, and Matt Borg; 12U Softball: Brandon Lee and Joe Raml; 14U Softball: Ashley Meyer and Jill Kreger; 16U Softball: Ashley Meyer, Katie Evenson, and Morgan Salanoa. Head Coaches paid at \$11.50/hr; Co-coaches \$11.25/hr; Assistant Coaches \$11.00/hr; Concession Stand Manager \$11.00/hr; Concession Stand Assistant \$10.50/hr; and Umpires \$10.00/hr. Upon roll call, all voting aye, motion carried.

The Clear Lake Rubble Site was discussed. Superintendent Collins made suggestions on changing hours and days open beginning 2023. The \$10.00 flat fee was discussed and didn't seem appropriate for every load. Motion by Bauman, seconded by Reppe to give the Rubble Site attendants flexibility on charging according to size of loads. Upon roll call, all voting aye, motion carried.

The Community Center Rental Form was discussed. The form is available for a reduced rate or no charge for certain entities for community promotional purposes. It is imperative that even though there is no fee to use the Center on certain conditions, the form still needs to be signed for insurance purposes and a refundable deposit must be paid.

To promote camping at the City Park and Ulven Park, the Mayor and City staff would like to give away "pay for one night get one night free" coupons again for 2022. Motion by Bauman seconded by Mack to give away up to 50 coupons for the 2022 camping season. Upon roll call vote, all voting aye and motion carried.

Motion by Bauman, seconded by Reppe to appoint Lynne Eide to the Clear Lake Library Board of Trustees. Upon roll-call, all voted aye. Motion carried.

Motion by Bauman, seconded by Pauli to approve the following: Auto Supplement Budget Request to General Fund for: \$1784.70 (101-455-411 Library Salaries); \$136.53 (101-455-412 Library FICA); \$49.76 (101-455-413 Library Retirement); \$1657.50 (101-455-426.11 Library Supplies; \$1699.95 (101-455-434.60 Library Equipment) all from ARPA Grant for Humanities. And \$500 (101-455-426.11 Library Supplies) from SD Community Foundation Grant.

Motion by Mack, seconded by Bauman to declare the following items surplus having no value or value less than \$500.00 and authorized for disposal: De-Icer Body; Truck Mount; Scissors Lift. Upon roll-call, all voted aye. Motion carried.

No report from City Superintendent Collins.

City Attorney Todd Boyd reviewed the rules for Executive Session and reviewed SDCL 9-8-5 with the new council.

City Finance Officer Mary Korth reported the City will be audited sometime the end of May, 2022 for the 2021 financial year. The audit will be performed by Eide Bailly as in the past. The council had previously approved a three year engagement with Eide Bailly which covers this audit. Korth also reported a representative with SDPAA Insurance will be meeting with the Finance Officer and the Mayor to review insurance policies within the month. Korth also reported concerns on a house in Clear Lake up for Sheriff's Auction that has delinquent city utilities and how to proceed with collections. Attorney Boyd advised. Korth also presented the 2021 Annual Financial Report for the City of Clear Lake that she completed for approval and publication. Motion by Mack, seconded by Reppe to approve the 2021 City Annual Financial Report. Upon roll-call, all voted aye. Motion carried.

Alderman Reppe asked if there was public input or if the public was surveyed on the status of the airport and the use of the land before it was closed. Attorney Boyd went into extensive detail on the history of the airport land, its closure, and use of the land for development hereafter. He mentioned other cities and their economic development and how the council had reached past decisions.

No reports from any other committees.

Motion by Mack, seconded by Reppe to enter into Executive Session at 8:25 PM for personnel matters. Upon roll-call, all voted aye. Motion carried.

Mayor Mewherter declared the Council out of Executive Session at 8:34 PM.

Motion by Mack seconded by Pauli to increase the hourly wages to the following effective May 2022 payroll: Darren Barondeau \$24.00/hr; Brandon Collins \$26.00/hr; Alan Martinmaas \$22.00/hr; Rubble Site Attendants James Giesel Sr. and Stanley Verle Whipple \$13.00/hr. for rubble site only.

There being no further business, motion by Reppe, seconded by Bauman to adjourn at 8:36 PM. All voted aye. Motion carried.

Mary Korth  
Finance Officer

“This institution is an equal opportunity provider.”  
Published once at an approximate cost of \$\_\_\_\_\_.