

The Clear Lake City Council met in regular session on Monday, August 8, 2022, at 6:30 PM in the Conference Room of the Municipal Building with Mayor Lisa Lundberg presiding. Those present were Alderwoman Ramona Drake, Aldermen Rod Pauli, Jonas Reppe and Harry Mewherter. Absent was Alderwoman Rose Mack. Alderwoman Kelli Bauman came later in the meeting. Also present were Mary Korth, Todd Boyd, Brandon Collins, Val Lundquist, Tammy Krein, Audie Stoltenburg, Sarah Salzer, Ken Reiste, Jon Klockman, Abby Ruhd, and Mike Gohring. The meeting began with the Pledge of Allegiance.

Motion by Drake, seconded by Reppe to approve the agenda. All voted aye. Motion carried.

Motion by Mewherter, seconded by Pauli to approve the consent agenda as follows: Minutes – Regular Meeting July 11, 2022; Monthly Financial Statements for the Month Ending July 31, 2022; Building Permits: Approved: Emmy & Jim Marko – 710 8th Ave S – Patio; Jim Giesel Sr. – 502 1st Ave S – Wood Deck; Jarred Pohlman – 406 2nd Ave S – Deck; Richard Eidet – 512 2nd Ave S – Wood Deck; Demolition Permits: Jim Giesel Sr. – 502 1st Ave S – Wrap-around Deck; Richard Eidet – 502 1st Ave S – Large Wood Deck; New Construction Hook-up Permit: James & Donna Norton – 1003 Pheasant Run Circle – Water & Sewer Fees; Delinquent Water Bills; Approval of Warrants; Approve Temporary Liquor License Application on behalf of Pederbergs Bar & Grill for Clear Lake Days 7/30/2022 which was given approval via phone conference prior to event on 7/25/2022 – (Motion by Drake, seconded by Mack with all voting aye and motion carried per SDML rule 4-12-4.460); SDWWA Annual Conference – Sept. 14-16, 2022 – Sioux Falls, SD – Collins attending; SDML Annual Conference - Oct. 4-7, 2022 – Watertown, SD – Council Members 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 vote all voted aye. Motion carried.

Warrants Approved: PAYROLL: Council 1507.10; Mayor 484.43; Finance 5622.93; Gen Gov't Building 452.75; Highway 12942.86; Rubble Site 1273.97; West Nile 237.93; Summer Rec 1934.43; Swimming Pool 12916.84; Park & Rec 3881.07; Library 4414.10; Community Center 338.39; Water 4181.82; Sewer 4539.47; Aflac 131.30; SDRS 2891.20; Health Pool of SD 8110.85; Delta Dental of SD 388.40; DNB-FICA/WH 9127.19; CITY VOUCHERS: Richard & Barbara Aalgaard 200.00 Water Meter Deposit Refund, A&B Business Solutions 201.10 Copier Contract, Appera 112.78 Rug Maintenance, Banner Associates, Inc 1260.10 Wastewater Discussion At Mtg, Bjerke Sanitation 6634.57 Garbage Utilities, Bowes Construction Inc 1929.65 Asphalt, Boyd Law Firm, Prof. L.L.C. 2208.00 Legal Fees And Services, Brookings-Deuel Rws 9569.85 Tap Fee And Water Purchase, Butler Machinery Co. 78.63 Supplies, Gale/Cengage Learning 348.38 G, Clear Lake City Library 326.36 Books And Supplies, City Of Clear Lake 2030.97 Water Utilities, Clear Lake Building Center 780.81 Softball Field Storm Repairs, Clear Lake Courier 388.60 Publications, Clear Lake Days 200.00 Cc Room Deposit Refund, Clear Lake Chamber Of Commerce 100.00 Chamber Bucks, Code Enforcement Specialists 354.55 2021 Remainder Code Enf, Cole Paper Inc. 89.02 Janitorial Supplies, Connecting Point 1044.50 It Services And Backup, Crystal Springs Rodeo Inc 50.00 Cc Room Rental Deposit Refund, Dakota Pump & Control, Inc. 201.53 Service Call, Deuel County Ambulance 5763.50 Grant To Ambulance, Deuel County Auditor 5530.87 Law Enforcement Contract, Deuel County Farmers Union Oil 3931.19 Fuel And Supplies, Dcn Insurance 795.74 Clear Lake Days Insurance, John Deslauriers 200.00 Cc Room Rental Deposit Refund, Rita Driscoll 150.00 Water Meter Deposit Refund, Duinick, Inc. 4910.42 Street Material, First Bank & Trust 158.75 Credit Card Charges, Donald & Marina Giella 28.20 Water Meter Deposit Refund, H-D Electric Coop, Inc 675.69 Electric Utilities, H-D Elec Coop, Inc. 356.39 Labor And Service, Hawkins Inc 624.76 Pool Supplies, Home Oasis Llc 91.96 Pool Supplies, Itc Telecom 696.53 Telephone Utilities, Johnny On The Spot Inc. 1000.00 Portable Restroom Rental, Maynard's Food

910.88 Supplies And Pool Concessions, Menards 13.98 Supplies, Northwestern Energy 1678.24 Gas Utilities, Office Peeps 12.53 Office Supplies/Paper, Ottertail Power Co 658.06 Pool Energy And CI Days Poles, Purchase Power 63.72 Postage Supplies, Sd Department Of Health 1060.00 Wastewater Testing, Richard Reichling 20.00 Park Shelter Deposit Refund, Rnc Cabinets 414.38 Finance Office Countertop, Ron's Saw Shop 261.93 Street Dept Repairs, Same Day Express, Inc. 60.00 Environmental Delivery, Brenda Schake 62.79 Softball Reimbursement, South Dakota One Call 45.92 Locator Services, Sd State Treasurer (Sd Dor) 1171.64 Sales Tax To State, Steve Rhody Services 40.00 Window Washing Services, United States Dept Of Ag 6107.00 Sewer Srf Loan.

No one appeared for public voice.

Unfinished business was addressed. Motion by Mewherter, seconded by Reppe to approve removing the swimming pool basin from insurance and only covering the outdoor property at the pool. Upon roll call vote, all voted aye. Motion carried.

Discussion was held on the hoop building requested by Calvin Rans to set up temporarily on his property near the lake which is zoned ag. This does not fall under city zoning limitations therefore, the building will be set up for storage until Rans completes his permanent structure.

Discussion was held on keeping fowl in the city limits. Research on other like communities as well as many citizens concerns led the policy committee to recommend to the council that Ordinance No. 543 "An Ordinance Regarding Fowl in City" adopted August, 2017 will remain in place. The Council agreed and no chickens or other domestic fowl will be allowed within the city. Present was Mike Gohring who stated his opposition to the current ordinance in place.

Discussion was held on exotic pets and other dangerous animals. After research by the policies committee and recommendations from the State of South Dakota, the council is looking to adopt an ordinance prohibiting these types of animals within the city. The ordinance will be up for a first reading and publication by the September meeting.

The second reading of Ordinance No. 615 – Flood Damage Prevention Regulations under Article IV. Ordinance 615, Chapter 4 was held by title only. Motion by Reppe, seconded by Pauli to approve and adopt Ordinance No. 615 - Flood Damage Prevention Regulations under Article IV. Ordinance 615, Chapter 4. Upon roll call vote, all voted aye. Motion carried. Ordinance publication will be August 17, 2022 with an effective date September 6, 2022.

Deuel Area Development Inc. Director Tammy Krein was present for discussion as she was not able to attend the Budget Public hearing last meeting. Krein presented updates on DADi including her recent training, certificates achieved, grant writing, housing and infrastructure, Wildlife Estates and the recent collaboration with the County and City on the Good Samaritan property. Communication between economic development boards is very important and because of that, she asked that a Council member would become a board member of DADi.

Abby Ruhd was present for the New Hope Cancer Walk held August 5, 2022. She gave an update on the event which was held in the Community Center. There were 15 survivors present and 140 meals were served. Motion by Drake, seconded by Mewherter to waive the rental fee of the Community Center where the event was held as a donation to the Cancer Walk. Upon roll call vote, all voted aye. Motion carried.

Alderwoman Bauman arrived to the meeting.

Sheriff Cory Borg was present to discuss the 2023 Law Enforcement Contract. The new contract price is at \$38.25 per hour due to increase fuel costs. Discussion was held on how code enforcement services will be the responsibility of the City and not enforced by the Sheriff's Office. Furthermore, the \$750/yr. annual

deduction for the City providing their own animal control will no longer be a part of the contract. Many other counties do not give this discount, nor do they have code enforcement as part of their contracts. Code enforcement is very time consuming. Much discussion was held on the contract. Motion by Drake, seconded by Reppe to accept and sign the 2023 Law Enforcement Contract with the Deuel County Sheriff's Office. Upon roll call vote, all voted aye. Motion carried.

Clear Lake Days Committee member Audie Stoltenburg was present for discussion on some added costs incurred prior to the event. He gave appreciation to City Superintendent Brandon Collins and the city workers for all of their efficient help and positive attitudes. A recap of the event will be brought to the Council in September from the Committee. Motion by Mewherter, seconded by Bauman to approve the City covering the added cost of \$388.25 from H-D Electric for Clear Lake Days. Upon roll call vote, all voted aye. Motion carried.

Jon Klockman addressed the Council in regards to his tree trimming and recycling business. He asked for key access to the City landfill and any waiver or contract necessary. His business is very busy and he may be getting a new contract soon. Superintendent Collins offered to open the landfill for him as needed and if it becomes late, Klockman can lock it when he is finished. It was suggested that Klockman contacts Collins as needed.

The first reading of Ordinance No. 616, 2023 Appropriations Ordinance, was held. Second reading scheduled for September 12, 2022.

Mayor Lundberg reported on the Good Samaritan Property. Mayor Lisa Lundberg, Alderman Harry Mewherter, County Commissioner Gary Jaeger, CLAD Director Sarah Salzer, and DADi Director Tammy Krein have all met with officials of Good Sam. They agreed to gift the property to a non-profit organization. The Deuel Area Development Board accepted as they are already an established non-profit. This is a collaborative effort between the County, City, CLAD and DADi. The first step is to have the property replatted as the Hidewood is to stay with Good Sam. After the replat, they will close on the property and are looking into development ideas. Krein noted that there's been much positive feedback and everyone is working together collectively. A community meeting will be held in the near future.

Motion by Drake, seconded by Bauman to accept, approve and sign Resolution 2022-9, a resolution in regards to extending the curb and gutter program two more years. Upon roll call vote, all voted aye. Motion carried.

Discussion was held on the farm lease cash rent land currently leased by Neal Ruhd. Ruhd had questions because his contract is up Nov. 1, 2022. He wanted to know if the land will be up for lease next year as well as required maintenance (tilling or spraying) this fall. Attorney Todd Boyd reviewed the lease and said that Ruhd is able to finish the lease until Nov. 1st even though a portion of the land now is CLAD property as that was transferred and not sold. Sarah Salzer from CLAD was present and said the CLAD Board meeting is Tuesday night, Aug. 9th and at that time they will decide if they would put their portion of the property up for farm-lease bids upon the expiration of Ruhd's lease. The portion of land still owned by the city would either have to be maintained by the city or be put up for bids again to lease as well. This won't be determined until CLAD makes their decision and is tabled until next meeting. Ruhd will be contacted.

Motion by Pauli, seconded by Reppe to declare the following items surplus property deemed of no value: Stihl FS80R gas trimmer and Stihl FS55 gas trimmer. Upon roll call vote, all voted aye. Motion carried.

Motion by Mewherter, seconded by Drake to approve the Auto Supplement Budget Request to General Fund for the following: *\$100.00 (101-451.2-426.11 Pool Supplies) from Kiwanis Donation; \$780.81 (101-451.1-429 Softball Other) from Insurance Proceeds from May 12th storm; \$545.15 (101-455-411 Library*

Salaries), \$41.70 (101-455-412 Library FICA), \$16.64 (101-455-413 Library Retirement), and \$64.22 (101-455-426.11 Library Supplies) from ARP Humanities Grant. Upon roll call vote, all voted aye. Motion carried.

The Services Committee presented their report. Motion by Pauli, seconded by Reppe to change the hours at the Clear Lake rubble site (landfill) effective Jan. 1, 2023 to the following: Wednesdays - 4:30 p.m.-6:30 p.m. and Saturdays 9 a.m.-1 p.m. April through November. December through March will still be appointment only. Upon roll call vote, all voted aye. Motion carried.

Notes from the Services Committee included a proposal for a full scale water/sewer project for the City if there are grant funds available. Research was done on a new grant through SDHA but that is only for new housing developments and not current infrastructure replacement. First District was contacted and it was advised that the City updates a 2011 Water/Wastewater Infrastructure Plan through Banner Engineering. The plan's narrative is largely the same, but costs need to be updated. Then it was advised the City of Clear Lake makes application to get on the State Water Plan for any grants and funding available. The deadline is October 1st.

Motion by Pauli, seconded by Reppe to contact and instruct Banner Engineering to update the facility plans for Water Infrastructure and Wastewater Infrastructure on costs due to the former plan is more than 10 years old. Upon roll call vote, all voted aye. Motion carried.

Motion by Pauli, seconded by Reppe to sign the State Water Plan Application for Water Infrastructure and submit application. Upon roll call vote, all voted aye. Motion carried.

Motion by Pauli, seconded by Drake to sign the State Water Plan Application for Wastewater Infrastructure and submit application. Upon roll call vote, all voted aye. Motion carried.

No comments were heard from City Superintendent, City Attorney, or City Finance Officer.

Alderman Mewherter commented that the City is responsible for the road and maintenance of the ditches by Crystal Springs Feeds and mowing needs to be done.

Motion by Reppe, seconded by Drake to move into Executive Session at 8:17 PM for personnel matters. All voted aye. Motion carried.

Mayor Lundberg declared the Council out of Executive session at 8:38 PM.

Motion by Drake, seconded by Pauli to advertise for a part-time position in the Parks Department. Upon roll call vote, all voted aye. Motion carried.

Motion by Bauman, seconded by Drake to begin an awards program to recognize volunteers on behalf of the City of Clear Lake. Recipients will receive Clear Lake Chamber Bucks in an amount determined per recommendations given to the Council. Upon roll call vote, all voted aye. Motion carried.

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

Mary Korth
Finance Officer

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