

The Clear Lake City Council met in regular session on Monday, December 12, 2022, at 6:30 PM in the Conference Room of the Municipal Building with Mayor Lisa Lundberg presiding. Those present were Alderwomen Ramona Drake, Kelli Bauman, and Rose Mack, Aldermen Harry Mewherter, Jonas Reppe, and Rod Pauli. Also present were Mary Korth, Brandon Collins, Todd Boyd, Ken Reiste, LaJuana Watt, Jena Trupe, and Rose Bauman. The meeting began with the Pledge of Allegiance.

Motion by Mack, seconded by Pauli to approve the agenda as presented. All voted aye. Motion carried.

Motion by Pauli, seconded by Bauman to approve the consent agenda as follows: Minutes: Regular Meeting November 7, 2022; Monthly Financial Statements for the Month Ending November 30, 2022; Sales Tax Subsidy of \$6250.00 going to Deuel County Memorial Hospital; Delinquent Water Bills; Approval of Warrants; Year-end Council meeting Wednesday, December 28, 2022 at 5pm. Upon roll-call vote, Pauli aye, Drake aye, Bauman aye, Reppe aye, Mack aye, Mewherter no. Motion carried.

Warrants Approved: PAYROLL: Council 1130.31; Mayor 376.77; Finance Office 5622.93; Streets 7277.34; Snow 1992.32; Rubble Site 4083.10; Park & Rec 734.32; Library 1765.00; Water 7850.20; Sewer 5192.71; Aflac 131.30; SDRS 2725.60; Health Pool of SD 7266.04; Delta Dental 345.70; DNB-FICA/WH 5689.03. EXPENSES: A&B Business Solutions 120.99 Copier Contract, American Engineering Testing 1707.00 Chemistry Testing, Appera 114.37 Janitorial Supplies And Maint, Bjerke Sanitation 6682.56 Garbage Services, Brookings-Deuel Rws 7539.30 Water Tap And Purchase, Certified Laboratories 316.19 Solvent Supplies, Chamberlain Oil Co 1036.55 Supplies, Clear Lake City Library 1049.70 Books And Supplies, City Of Clear Lake 563.87 City Utilities, Clear Lake Building Center 339.41 Rubble Site Maintenance, Clear Lake Computer Service 70.00 It Repairs And Maintenance, Clear Lake Courier 246.64 Publications, Clear Lake Senior Citizens 150.00 Senior Citizens Support, Connecting Point 175.75 It Support And Services, D & L Digging 1950.00 Curb Stops Work, Deuel County Auditor 5530.87 Law Enforcement Contract, Deuel Co Motor Supply 98.35 Supplies, Deuel County Farmers Union Oil 2832.58 Fuel And Supplies, Deuel County Memorial Hospital 6250.00 Hospital Payment Sales Tax Sub, Deb Engelbrecht 50.00 Muni Room Deposit Refund, Fastenal 223.20 Supplies, First Bank & Trust 112.89 Credit Card Purchases, Florals And Finds, Llc 93.00 Funeral Flowers, H-D Electric Coop, Inc 66.90 Electric Power, Judith Homan 50.00 Water Meter Deposit Refund, Jaycee Hourigan 133.13 Lifeguard Training Half Reimbu, Itc Telecom 630.17 Telephone Utilities, John Day Company 363.11 Supplies, Maguire Iron Inc 3500.00 Water Tower Mixer, Maynard's Food 4.32 Supplies, Menards 1818.99 Supplies And Maintenance, Nasasp 39.00 Associate Membership, Northwestern Energy 785.49 Natural Gas Utilities, Office Peeps 114.65 Toner Supplies, Ottetail Power Co 4156.09 Electric Power Purchase, Pheasantland Industries 49.03 Golf Cart Tags 2023, Postmaster 140.00 Library Box Rental, Sd Department Of Health 30.00 Coliform Testing, Runnings Farm And Fleet 403.44 Departments Supplies, Sd Municipal Street Maint A 35.00 Affiliate Dues, Sd State Treasurer (Sd Dor) 930.37 Sales Tax, Sd Gov't Finance Officers Assn 40.00 Affiliate Dues, Sd Gov't Human Resource Assoc 25.00 Affiliate Dues, Steve Rhody Services 40.00 Window Washing Services, Swenson Sales & Service Inc 28.02 Filter For Water Dept, Productivity Plus Account 162.74 Supplies From Titan Machinery, Todd's Farm Hydraulics Llc 2584.00 Repairs Snow Equip, Us Bank Trust-Spa Lkbox Cm9695 6837.30 Water Loan And Interest, United States Dept Of Ag 6107.00 Usda Sewer Loan.

No one appeared for public voice.

In unfinished business, Ordinance No. 615 Supplementing Appropriations was amended to increase appropriations to the Rubble Site in the areas of salaries, FICA, retirement and insurance by a total of \$2,570.00. due to miscalculations in those areas to sustain the budget through the end of 2022. The second first reading was held. Second reading will be held on December 28, 2022 at the year-end City Council meeting.

Richard Nielsen canceled his appointment to discuss a water bill for property he owns at 311 2nd Ave S. as he has it rented as of January 1, 2023. Finance Officer Korth explained that the original issue was if water is capped, there should be no sewer tap fees. However, the City pays a sewer loan based on the number of sewer taps and the ordinance states that. Another question posed is should businesses on main street be charged those fees? There is a business up for sale on main street and the water is on in case someone looks at it, they are not going to dig it up to cap water but should the sewer fees be attached to them? Attorney Boyd explained that this is tied to loans the City has for sewer and the federal regulations that control them. There can be no changes to the ordinance as it would violate these regulations.

Jena Trupe met with the Council asking for use of the Community Center at no charge for a fundraiser to be held February 4, 2023. Motion by Bauman, seconded by Drake to approve use of the Community Center no charge with deposit still required for the fundraiser February 4, 2023. Upon roll call vote, all voted aye. Motion carried.

Lajuana Watt met with the council on behalf of her brother, Jodie Riggins concerning a water bill at 316 Railroad Ave. Riggins and owner of the trailer home, Autumn Galyean have not been in the residence and the water has been turned off due to a substantial leak which has caused a very large bill. Watt asked to have the late fees waived. Discussion was held on the leak and whether it is the responsibility of the trailer home owner or the property owner (landlord) of the lot. Council suggested the tenant and landlord work on a solution and investigate where the leak is located exactly as it could be the landlord's responsibility. Watt will report back to Council.

Rose Bauman met with the council on behalf of Jason Bauman to discuss a special 6 month reserve camping at Ulven Park beginning 2023. Ulven Park has a total of 24 spots with 14 of them being full hook-up. 2023 long-term rates at Ulven are set monthly at \$660.00. Bauman would like to see 6 month camping spots available for reserve at a reduced rate. Discussion was held. This is tabled to go to Facilities Committee for decision and to set a rental amount if approved.

Motion by Mewherter, seconded by Reppe to approve the Plat of Corner View Second Addition and Resolution 2022-11 Corner View Second Addition to the City of Clear Lake, Deuel County, South Dakota. Upon roll call vote, all voted aye. Motion carried.

Discussion was held on an appointment to Clear Lake Area Development Board of Trustees to represent the City Council to replace Harry Mewherter who is now the County representative. The decision was tabled for further contemplation.

Motion by Drake, seconded by Pauli to approve and sign the engagement letter with Eide Bailly LLP to audit the City of Clear Lake for 2022 to begin 2023 for an estimated cost of \$18,360.00. Upon roll call vote, all voted aye. Motion carried.

Motion by Mack, seconded by Bauman to declare the following items surplus property as scrap deemed of no value: (Quantity) 16 obsolete street signs, (Qty) 5 rusted out culverts, (Qty) 21 Fuel oil and air filters for obsolete equipment. Upon roll call vote, all voted aye. Motion carried.

Bjerke Sanitation notified the council they are raising their rates for monthly garbage collection from \$15.50 to \$16.50 per month. Motion by Mewherter, seconded by Drake to amend the contract raising the rate to \$16.50/month for garbage collection effective January 2023. Upon roll call vote, all voted aye. Motion carried.

The City received notice from Brookings-Deuel Rural Water that they are increasing water rates in January 2023. The tap fee will increase from \$1625.00 to \$1700.00 and the water rate will increase from \$2.45 to \$2.60 per 1000 gallons. Motion by Pauli, seconded by Reppe to approve the increase and to have the City Services Committee review the city charges when it meets this week. Upon roll call vote, all voted aye. Motion carried.

Motion by Mewherter, seconded by Bauman to approve the auto supplement budget request to General fund for \$1012.00 (101-441.3-426.11 West Nile) from State Mosquito Control Grant. Upon roll call vote, all voted aye. Motion carried.

Superintendent Collins reported on updating the Ulven and City Park signs as well as the Rubble Site sign to a clearer design by Gopher Sign. The Council agreed with the decision. Collins also reported on the current Christmas lights that the City displays. He produced different quotes on replacing the displays altogether or possibly just replacing the bulbs to LEDs for the 2023 holiday season. Collins reported on a city-owned pickup that needs extensive transmission repairs. All the vehicle repairs discussed will be a more cost-effective option to getting a different vehicle. He further commented on the pending winter weather and is prepared for the season.

The water construction project in town from previous meetings was discussed. There have been some complaints of how it was billed as one homeowner felt the water pressure they had did not deem full price average for that month. The Council felt the way the water averages were given and billed is the best and fairest option the City can do at present time. When construction and temp lines resume in the spring, it will be re-evaluated. Curb and gutter replacement was also discussed.

Attorney Boyd inquired about some prior water bills in question. Boyd also commented on correspondence he sent to the Mayor regarding the Deuel County Sheriff. Boyd's concerns with the police contract that was signed clearly states Code Enforcement will be left up to the city and will not be handled by the Sheriff's Office. He compared other cities and their struggles as well with code enforcement. Boyd feels unless specifically stated that it is a civil matter, non-violent in nature and rather a nuisance that should be clearly stated. The contract does not give any exceptions. He mentioned the city of Lake Norden resorting to their own police department because of similar issues and how that has worked well. Boyd says there is no statute that states there needs to be a contract between a municipality and a County Sheriff to provide services. He wanted the Council to be aware of his concerns about these contracts going forward and the wording of the contract should be clear when it is presented again next year. Much discussion was held. Superintendent Collins who serves as a reserve argued that the Sheriff's office handles much of what is unseen or unknown to the general public. He also said if they are called upon for help concerning an ordinance issue, the Sheriff's Office obliges. He did agree that code enforcement should be evaluated in the future.

No further comments were heard from Finance Officer, Mayor, or Council members.

Motion by Pauli, seconded by Drake to enter into Executive Session at 8:06 PM for personnel matters. All voted aye. Motion carried.

Mayor Lundberg declared the Council out of Executive session at 8:19 PM.

Motion by Mewherter, seconded by Drake to approve 2 weeks advertising for Full-time position for Library Director/Building Custodian in the Clear Lake Courier and on the City's website. Position will be open until filled. Upon roll call vote, all voted aye. Motion carried.

Wages for 2023 will be determined with a Salary Resolution to be approved at the first meeting in January 2023. This will include wages for seasonal employees as well after review of the Personnel Committee to happen yet in December 2022.

There being no further business, motion by Pauli, seconded by Mack to adjourn at 8:21 PM. All voted aye. Motion carried.

Mary Korth
Finance Officer

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