

The Clear Lake City Council met in regular session on Monday, July 10, 2023, at 6:30 PM in the Conference Room of the Municipal Building with Mayor Lisa Lundberg presiding. Those present were Alderwomen Rose Mack and Ramona Drake; Aldermen Jonas Reppe, Harry Mewherter, and Rod Pauli. Absent was Alderwoman Kelli Bauman. Also present were Mary Korth, Todd Boyd, Brandon Collins, Val Lundquist, Paul Brandt, Bob Atyeo, Sue DeJong, Audie Stoltenburg, Derek Benck, Sara Pankonin, Beth Niemeyer, Sarah Salzer, Dayna Weltzin, Calvin Rans, Josh and Ryan Streich, Roni Nerud, Abby Ruhd; and the following citizens in support of the Library: Scott and Emma Ruby, Lynne Eide, Barb Mortimer, Tammy Canaan, Jami Martinell, Kayla Bucknell, Shirley Krause, Carol Olson, Karen Larson, Meghan Olson, Evelyn Olson, Deb Huber, Deb Lessman, Jane Evenson, Rogene Severson, and Freida Olson. The meeting began with the Pledge of Allegiance.

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

Motion by Mack, seconded by Drake to approve the consent agenda as follows: Minutes – Regular Meeting June 12, 2023; Monthly Financial Statements for the Month Ending June 30, 2023; Building Permits: Approved: Ronda Gniffke – 502 6<sup>th</sup> St W – Wood enclosed patio; Chad and Jamie Wiesner – 302 5<sup>th</sup> St. W – Concrete pad & vinyl fence; Blaine and Marcia Franken – 605 9<sup>th</sup> Ave S – Storage shed; Calvin Rans – 412 Sandy Shore Ave. – Tarp tunnel and House/Garage/Deck. Delinquent Water Bills. Approve Temporary Liquor License Applications: July 29<sup>th</sup> – Clear Lake Days Street Dance (Lundy's), Clear Lake Days Community Center (July 28<sup>th</sup> & 29<sup>th</sup>) (High Mountain). 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. Approvals of permits are subject to the condition that they are in accordance with all building codes and ordinances of the City. Upon roll call vote, all voted aye. Motion carried.

Warrants Approved: CITY PAYROLL: Council 1320.00; Mayor 470.00; Finance Office 4541.67; Gen Gov't Building 115.28; Streets 6499.13; Rubble Site 1452.97; West Nile 425.10; Summer Rec 2949.24; Swimming Pool 12042.22; Park & Rec 3321.33; Library 3292.16; Community Center 75.57; Water 6005.55; Sewer 3868.07; Aflac 161.28; SDRS 3270.08; Health Pool of SD 7963.34; Delta Dental of SD 406.00; DNB FICA/WH 9584.88. EXPENSES: A&B Business Solutions 211.40 Copies And Contract Services, Andor, Inc. 295.80 Pool Heater Maintenance, Appera 118.84 Janitorial Maintenance, Banner Associates, Inc 18024.50 Facility Plans, Bjerke Sanitation 6901.83 Sanitation Services, Bobcat Of Brookings 7550.00 Bobcat Rental And Purchase, Boyd Law Firm, Prof. L.L.C. 2124.00 Legal Fees And Services, Brookings-Deuel Rws 12470.55 Water Utilities And Purchase, Lisa Brown 20.00 Swimming Lesson Refund, Clear Lake City Library 1516.28 Books And Supplies, City Of Clear Lake 2398.78 Water And Sewer Utilities, Clear Lake Building Center 194.35 Supplies, Clear Lake Courier 266.22 Publications, Clear Lake Area Dev. Inc. 17500.00 Quarterly Funding, Cole Paper Inc. 571.52 Supplies, Connecting Point 37.00 Backup Services 424765, Core & Main 2019.53 Water Meters, Deuel County Ambulance 5221.00 Ambulance Support, Deuel County Auditor 5901.97 Law Enforcement Contract, Deuel Co Motor Supply 161.29 Supplies, Deuel County Treasurer 67.35 Blading, Deuel County Farmers Union Oil 3049.68 Fuel And Supplies, Duininck, Inc. 3616.08 Rap Material, Eastside Equipment 2260.63 Ac Repair, First Bank & Trust 846.45 Credit Card Charges, Richard Gisot 103.81 Meter Deposit Refund, Gopher Sign Co 3489.32 Signs, H-D Electric Coop, Inc 869.01 Electric Energy, Hawkins Inc 3690.03 Pool Chemicals, Itc Telecom 596.86 Telephone And Internet Service, Gail L Krueger 40.55 Meter Deposit Refund, Val Lundquist 50.70

Mileage Reimbursement, Lundy's Bar & Grill 113.80 Food Supply For Pool, Maynard's Food 1220.54 Supplies And Pool Concessions, Menards 918.94 Cc Refrigerator, Harry Mewherter 85.00 Spraying Services, Milbank Winwater Works 21175.84 Material Cost Contracted Proje, Northwestern Energy 251.71 Natural Gas Energy, Nosbush Plumbing & Heating 740.31 Ac And Plumbing Repairs, Office Depot 37.63 Park Supplies 317441979-1, Ottetail Power Co 4793.95 Electric Energy, Pitney Bowes Bank Inc 770.99 Postage, Pitney Bowes Inc 19.00 Rental Fees, Sd Department Of Health 60.00 Water Testing, Sd Dept Of Transportation 400.00 Cc Deposit Refund, South Dakota One Call 63.84 Locates, Sd State Treasurer (Sd Dor) 1965.85 Sales Tax Due To State, Sd Unemployment Insurance 261.28 Unemployment Insurance, Sdarws 565.00 Dues, Sodak Gardens 832.00 Trimming And Main St Flowers, Steve Rhody Services 40.00 Window Services, Stan Houston Equipment Co 170.00 Sewer Supplies, State Flag Account 428.45 Flags, Tk Tree Trimming 319.50 City Tree Trimming, Upframe Creative 375.00 Website Services, Us Bank Trust-Spa Lkbox Cm9695 11716.19 Sewer Srf Loan, United States Dept Of Ag 6107.00 Sewer Usda Loan, Lajuana Watt 20.00 Park Shelter Deposit Refund.

No one appeared for public voice.

The second reading of Ordinance #623 An Ordinance Regarding Mandatory Curb & Gutter was held. Motion by Mewherter, seconded by Pauli to approve Ordinance #623. Upon roll call vote, all voted aye. Motion carried.

Mayor Lundberg called the 6:45pm appointment as they were present prior to the Public Hearing. Dayna Weltzin and Abby Ruhd asked for street closure and reduced rate of the Community Center for the New Hope Cancer Walk held Friday, August 4<sup>th</sup>, 2023. Motion by Mewherter, seconded by Drake to allow 3<sup>rd</sup> Street (east of Hwy. 15) be closed during the time of the survivors walk for the New Hope for Cancer held August 4, 2023. Upon roll call vote, all voted aye. Motion carried. The only reduced rate for the Community Center is the "wedding package" rental for Wednesday through Saturday for their event.

A Budget Request Public Hearing was held for the 2024 budget. Requests were received from Clear Lake Historical Society, Clear Lake Volunteer Fire Department, Deuel Area Development Inc., ICAP, Clear Lake Days Committee, Deuel County Memorial Hospital, Clear Lake Area Development and the Clear Lake Library. Comments were heard from Sue DeJong representing the Clear Lake Historical Society, Sarah Salzer representing CLAD, Derek Benck representing the Fire Department, Audie Stoltenburg representing Clear Lake Days, Emma Ruby representing the Library, and Paul Brandt with Bob Atyeo representing the Hospital. There were some questions directed towards the Hospital in regards to cash reserves, uses for funds, the hospital financials, and if they've requested funds from other entities. Discussion was held and the Council was thanked for their consideration for the 2024 budget.

Roni Nerud was present for her fence damage complaint due to City snow removal and plowing of her street. She understands the City has right of way where the fence is located and is not asking for replacement. She was looking for help in pulling the poles up because of the damage and to be careful it doesn't happen again. Alderman Reppe asked if she would accept a volunteer rather than City personnel. No formal action was taken.

Motion by Drake, seconded by Pauli to recess as regular Council and convene as Board of Adjustment. All voted aye. Motion carried.

Josh Streich presented his plat in the new Streich Addition near the Lake. As acting members of the Board of Adjustment, motion by Mack, seconded by Mewherter to approve the new Plat of Streich Addition. Upon roll call vote, all voted aye. Motion carried.

Motion by Pauli, seconded by Mewherter to adjourn as the Board of Adjustment and reconvene as Regular Council. Upon roll call vote, all voted aye. Motion carried.

Sarah Salzer of Healthy Hometowns presented updates on what they have been working on. She presented a survey of people's interests. She spoke of a recreational trail to the football field near the Lake. This would be a full scale project that the City would need to collaborate with CLAD on for funding of phases. She presented ideas of a splash pad for the pool, pocket parks, a dog park, and a main street beautification incentive program. The Council referred this to the Planning Committee for further review and detail with Salzer.

The Clear Lake City Library Board along with current Director, Emma Ruby presented to the Council support for the Library Director position to be a 36 hour full time position with benefits. Ruby presented the ongoing programs the Library offers and with a decrease in hours, these could not continue. Many supporters of the Library were present and spoke highly of all the things it offers the community. Library patrons continue to grow and the programs foster education and entice community growth. They did not want any budget cuts or mergers as that would have a negative impact on a very well-developed, popular library.

Banner Associates representative Sara Pankonin and Beth Niemeyer presented a summary of the Facility Plans and results of their meeting with the Planning Committee from June 26, 2023. It appears the wastewater treatment facility is undersized and with the City's discharge permit expiring in 2024, there would likely be more violations. The water distribution system is undersized and inadequate. Pipe replacement could coincide with SDDOT work on Highway 15 through town in upcoming years. The storm drainage study shows areas with issues that could be remedied by coinciding when water pipes would need replacement throughout the city. Banner proposed recommended water and storm sewer improvements in a series of phases with a schedule of funding application, design and construction. Curb and gutter options were also discussed as a part of tax assessment to property owners. Pankonin presented findings and recommendations. The sanitary sewer system has the greatest need with a recommendation of a Submerged Attached Growth Reactor (SAGR) system and a new lift station with a cost of \$4.7M. The water system and storm sewer improvements would be coordinated and put into phases also coordinating with the SDDOT at a preliminary cost of \$5.6M (water) and \$0.5M (storm sewer). Motion by Pauli, seconded by Mewherter to direct Banner Associates to finalize the facility plan to include funding applications for wastewater improvements through the Clean Water State Revolving Fund as per recommendations. Upon roll call vote, all voted aye. Motion carried. Motion by Mewherter, seconded by Drake to direct Banner Associates to finalize the facility plans to include funding applications for water and storm sewer improvements through the Drinking Water State Revolving Fund as per recommendations. Upon roll call vote, all voted aye. Motion carried.

Mayor Lundberg asked for a motion to approve the final development plan for Northside Acres through Resolution 2023-4 which was read. Motion by Mewherter, seconded by Pauli to approve the final development plan for Northside Acres and Resolution 2023-4. Upon roll call vote, all voted aye. Motion carried.

The City Council then held the second reading of Ordinance #622 – Amending Ordinance #500 regarding rezoning. Mayor Lundberg asked for a motion to approve Ordinance #622 – Amending Ordinance #500 regarding rezoning. Motion by Pauli, seconded by Drake to approve Ordinance #622 – Amending Ordinance #500 regarding rezoning. Upon roll call vote, all voted aye. Motion carried.

The reading of Resolution 2023-5 Plat of Streich Addition was held. Motion by Mewherter, seconded by Mack to approve Resolution 2023-5. Upon roll call vote, all voted aye. Motion carried.

The first reading of Ordinance #624 – Regarding Mobile Vendors and Special Event Merchants was held. Discussion was held on the ordinance.

Motion by Drake, seconded by Mack to approve additional Summer Rec employee Gabriel Sather as High School Basketball Student Assistant. Upon roll call vote, all voted aye. Motion carried.

Motion by Pauli, seconded by Drake to approve Preston Rounds as first year lifeguard with the pool at \$11.80/hour and not as previously approved pool attendant. Upon roll call vote, all voted aye. Motion carried.

Motion by Drake, seconded by Reppe to approve the following items as surplus: Shop refrigerator, Chemical Feed Pumps (45MJH241STAA) (qty. 3), Electric motor (Century 34618CH), adding machine, laminator, swimming pool time clock. Upon roll call vote, all voted aye. Motion carried.

Motion by Pauli, seconded by Reppe to forgive the inter-fund loan from the Water account (602) to the General Fund (101) due to financial position of each fund and on the recommendation of Legislative Audit. Upon roll call vote, all voted aye. Motion carried.

Motion by Drake, seconded by Mewherter to approve the Auto Supplement Budget Request to General Fund (swimming pool) for: \$100.00 (101-451.2) from Gordon Engen. Upon roll-call, all voted aye. Motion carried.

The Planning Committee report was combined with the presentation of Banner Associates at an earlier appointment time of the meeting. There were no other public reports of any other committee meetings.

Superintendent Collins reported on the North Street project has begun. The 6<sup>th</sup> Street/7<sup>th</sup> Avenue project is considered completed and will now move to asphalt and curb and gutter.

City Attorney Todd Boyd commented on a letter he received from the bond company for DeBoer Construction. It essentially says a bid bond does not cover any damages on account of DeBoer's delays or construction. A performance bond was requested by the City at the time of contract signing but one was not provided. The completion date of July 7<sup>th</sup> was discussed and how the City will proceed with any claims of damages.

Finance Officer Korth reported on the Community Access Grant and how it could fund the main roads to the School after construction is complete. The deadline for the grant in 2023 is too soon to have engineering plans completed which is what is needed with application. The Council will meet with school officials in the future to discuss plans for the streets and costs related.

Mayor Lundberg and other Council members have been receiving complaints of residents not following ordinances concerning garbage pile up in yards. This will be addressed.

Motion by Reppe, seconded by Pauli to enter into Executive Session at 9:08 PM pursuant to SDCL 1-25-2(1) personnel matters. All voting aye. Motion carried.

Mayor Lundberg declared the Council out of Executive Session at 9:31 PM.

Motion by Mewherter, seconded by Pauli to advertise for a full-time position in the Public Works Department of the City. Having a current CDL and any utility certifications will be given preference. Upon roll call vote, all voted aye. Motion carried.

Motion by Mack, seconded by Reppe to advertise for the position of Library Director to be open until filled. Upon roll call vote, Drake-aye, Mack-aye, Mewherter-aye, Pauli-aye, Reppe-aye. Motion carried.

Motion by Drake, seconded by Mack to hire current employee Jaden Martinell as part-time janitorial staff for the Muni building and the Community Center with a pay increase of .50/hour to be effective August 11, 2023. Upon roll call vote, all voted aye. Motion carried.

There being no further business, motion by Pauli, seconded by Drake to adjourn at 9:34 PM. All voted aye. Motion carried.

Mary Korth  
Finance Officer

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