

The Clear Lake City Council met in regular session on Monday, November 6, 2023, 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, Aldermen Harry Mewherter, Jonas Reppe, and Rod Pauli. Alderwoman Rose Mack was present via phone conference. Also present were Mary Korth, Brandon Collins, Todd Boyd, Val Lundquist, Landen Buse, Sara Pankonin, Tammy Canaan, Jami Martinell, Heather Estey, Connie Nielsen, Ronda Gniffke, Connie Steckelberg, Emma Ruby, and Calvin Rans. The meeting began with the Pledge of Allegiance and then called to order by Mayor Lundberg.

Motion by Pauli, seconded by Reppe to approve the agenda with the amendment of moving the Special Meeting November 13th – Public Hearing and Updates on Drainage Proposal to the beginning of Other Business. All voted aye. Motion carried.

Motion by Pauli, seconded by Mack to approve the consent agenda as follows: Minutes – Regular Meeting October 10, 2023 and Special Meeting October 16, 2023; Monthly Financial Statements for the Month Ending October 31, 2023; Building Permits: Approved: Don & Patsy Cassels – 611 6th Ave S – Concrete Slab, John Knight – 309 5th St. W – Front Sidewalk, Pride Neon – 701 3rd Ave S – Sanford Signs; Moving Permits: Approved: Maberry House Moving LLC – 913 4th Ave S – 3 Stall Garage; Demolition Permits: Approved: Elliott Furman – 712 2nd Ave S - Deck; Delinquent Water Bills; Approval of Warrants; 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: PAYROLL: Council 1570.00; Mayor 470.00; Finance 4541.67; Gen Gov't Building 314.45; Streets 7295.96; Snow 562.14; Rubble Site 735.31; Parks 3657.85; Library 2020.64; Community Center 137.50; Water 4714.38; Sewer 5553.53; Aflac 161.28; SD Retirement 3261.06; Health Pool of SD 7963.34; Delta Dental of SD 450.70; Sioux Valley FCU 50.00; Dnb-Fica/Wh 6871.04. EXPENSES: A&B Business Solutions 258.43 Copier Contract And Copies, Appeara 129.23 Janitorial Maintenance, Banner Associates, Inc 3392.20 Engineering Services, Bjerke Sanitation 6880.75 Sanitation Services, Boyd Law Firm, Prof. L.L.C. 2977.50 Legal Fees And Services, Boydston Builders Inc. 4590.00 Window Installation, Brookings-Deuel Rws 8215.60 Water Purchase And Fees, Chamberlain Oil Co 960.71 Oil Supplies, Clear Lake City Library 591.16 Books And Supplies, City Of Clear Lake 754.96 Utilities And Deposit Refunds, Clear Lake Building Center 154.11 Supplies, Clear Lake Courier 1369.35 Publications And Supplies, Connecting Point 284.00 It Monthly Backup Services, Core & Main 1336.22 Water Meters, D & L Digging 850.00 Curb Stop Replacement, Dakota Pump & Control, Inc. 769.39 Sewer Repairs, Karleen Dannen 400.00 Comm Center Deposit Refund, Deuel County Auditor 5901.97 Law Enforcement Contract, Deuel Co Motor Supply 250.45 Supplies, Deuel County Farmers Union Oil 3847.23 Fuel And Supplies, Div Of Criminal Investigation 43.25 Background Check, Duininck, Inc. 1736.76 Asphalt, Eide Bailly Llp 18360.00 2022 Audit Prof Services, Katie Evenson 75.00 Muni Room Deposit Refund, First Bank & Trust 4473.05 Credit Card Purchases, Fritz Chevy-Olds 520.77 Repairs, H-D Electric Coop, Inc 171.85 Electric Energy, H-D Elec Coop, Inc. 21.61 Light Repair, Innovative Office Solutions 476.96 Utility Supplies, Isiah Irwin 113.95 Meter Deposit Refund, Itc Telecom 694.72 Telephone Utilities, Mary Korth 40.00 Reimbursement Signs, Val Lundquist 62.28 Mileage Reimbursement, Maynard's Food 26.07 Supplies, Methodist Church 200.00 Comm Center Deposit Refund, Milbank Winwater Works 2324.88 Water Repairs And Maintenance, Northwestern Energy 159.72 Natural Gas Energy, Owen Auction Service 75.00 Muni Room Deposit Refund, Pitney Bowes Bank Inc 750.00 Postage For Meter, Pitney Bowes Inc 10.00 Postage Meter Rental, Sd Department Of Health 75.00 Water Testing, Hailey Schake 200.00 Comm Center

Deposit Refund, Sd State Treasurer (Sd Dor) 612.64 Sales Tax Due To State, South Dakota Municipal League 1492.51 Membership Dues, Sdml Workers' Compensation Fun 833.63 Workers Comp Insurance, Sdml Workers' Compensation Fun 11075.37 Workers Comp Insurance, Steve Rhody Services 40.00 Window Washing Services, Stan Houston Equipment Co 250.00 Excavator Rental, Team Laboratory Chemical, Llc 2432.00 Winter Chemicals, Transource Truck & Equip, Inc. 456.06 Equipment Repair, United States Dept Of Ag 6107.00 Usda Sewer Loan, Ben Witte 200.00 Meter Deposit Refund, Roger Wollum 52.25 Meter Deposit Refund.

In public voice, Tammy Canaan from the Board of Trustees of the Clear Lake City Library presented the Library's bylaws and codified laws to support them. The Board of Trustees adopted the bylaws at their most recent meeting.

In unfinished business, the current city Ordinance on Firearms was brought up for discussion. First District was contacted for advice as well as other smaller cities. Examples were given. Discussion was held if certain portions of agland within city limits should be included to allow firearms. No action was taken.

Motion by Pauli, seconded by Drake to convene as Planning Commission and City Council jointly. All voted aye. Motion carried.

A public hearing was held on Ordinance No. 627 – Amending Ordinance No. 622 regarding PUD. No one appeared for the public hearing. As a member of the Planning Commission, motion was made by Mewherter, seconded by Drake to recommend Ordinance No. 627 Amending Ordinance No. 622 to the City Council for approval. Upon roll call vote, all voted aye. Motion carried. The City Council then held its first reading of Ordinance No. 627 Amending Ordinance No. 622 regarding PUD. Second reading will be held December 11, 2023.

Motion by Pauli, seconded by Bauman to adjourn as Planning Commission and City Council and convene as Board of Adjustment. All voted aye. Motion carried.

Connie Nielsen appeared before the Board of Adjustment asking permission to move a trailer house to a lot Nielsen's own in town. It is an older trailer that is not livable currently; they are remodeling it to like new condition. She intends to hook up utilities as it is developed. She further intends to have it for sale or rent in the future. It will be anchored but it was suggested it is on a permanent foundation. Nielsen would need to apply for a variance and conditional use permit in the future. The Council agreed to allow her to begin the process to move in the trailer.

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

New Library Director Heather Estey met with the City Council for discussion. Estey gave an update on how her training was going. She also reported Library stats and new ideas she has for programs and events in the future. She intends to be open until 8pm one day a week to accommodate those that have inquired. She wants the Council to let her know what their vision is for the Library or expectations they may have.

In other business, Banner representatives were present for discussion about the upcoming Public Hearing scheduled for Monday, November 13th at 5:30pm. Possible utility rate increases will be proposed to the public at this time. Banner Engineering had informed the Council the DANR advised that wastewater improvements funding would not be awarded in the amount the Council had approved. Furthermore drinking water improvements are not eligible for principal forgiveness. The suggestion was

to focus on drinking water improvements as that is more urgent than wastewater which has already had recent improvements. Drinking water plans should be in smaller phases for funding purposes. Banner answered questions about what to expect at the hearing.

The Drainage Proposal draft for the corners of Highways 15 and 22 was given to the Council for review. Sara Pankonin from Banner explained the results and topography maps. Several alternatives to find a solution for flooding in the area were given in addition to improvements the DOT has planned for that corner. Much discussion was held on flood and rain events and how it affects the properties in question and downstream properties. One alternative involved digging a swale on the private property of Fritz Chevy and seeing what additional holding areas would be available. Costs were discussed as well as who would share those costs. Other ideas were mentioned that Banner may put into the final proposal. The final memo will have cost estimates and will be prepared for December.

Motion by Mewherter, seconded by Drake to approve the 2022 financial audit from Eide Bailly. Upon roll call, all voted aye. Motion carried.

Motion by Drake, seconded by Mack to adopt the Budget Policy as presented for the City of Clear Lake. Upon roll call, all voted aye. Motion carried.

Motion by Mewherter, seconded by Drake to reclassify ambulance expenses to general fund and out of health care fund, originally recorded in health care fund but should be a general fund operation. Operating transfer for budget supplement reclassification from 220 (Healthcare) to 101 (General) is \$30,000. Upon roll call, all voted aye. Motion carried.

Motion by Drake, seconded by Bauman to approve the 2024 Uniform Alcoholic Beverage License Application for Retail Liquor sales and the Alcoholic Beverages Operating Agreement for the Clear Lake Golf Club, subject to all State and local requirements being met and all required documents and payments being submitted to the City Finance Office prior to January 1, 2024. All voted aye. Motion carried.

Motion by Mewherter, seconded by Bauman to approve the 2024 Uniform Alcoholic Beverage License Application for Retail Liquor and Package Liquor sales and the Alcoholic Beverages Operating Agreement for Lundy's Bar & Grill, LLC, subject to all State and local requirements being met and all required documents and payments being submitted to the City Finance Office prior to January 1, 2024. All voted aye. Motion carried.

Motion by Drake, seconded by Reppe to approve the 2024 Uniform Alcoholic Beverage License Application for Retail Liquor and Package Liquor sales and the Alcoholic Beverages Operating Agreement for Tail Feathers LLC, subject to all State and local requirements being met and all required documents and payments being submitted to the City Finance Office prior to January 1, 2024. All voted aye. Motion carried.

Motion by Reppe, seconded by Mack to approve the 2024 Uniform Alcoholic Beverage License Application for Retail Liquor sales and the Alcoholic Beverages Operating Agreement for Muttly's Bar and Grill subject to all State and local requirements being met and all required documents and payments being submitted to the City Finance Office prior to January 1, 2024. All voted aye. Motion carried.

Motion by Pauli, seconded by Drake to approve the 2024 Uniform Alcoholic Beverage License Application for Package Liquor sales and the Alcoholic Beverages Operating Agreement for Maynard's, subject to all State and local requirements being met and all required documents and payments being submitted to the City Finance Office prior to January 1, 2024. All voted aye. Motion carried.

Motion by Drake, seconded by Pauli to approve the 2024 Uniform Alcoholic Beverage License Application for Retail Wine and Cider sales for Dolgen Midwest, LLC, dba Dollar General Store #16254, subject to all State and local requirements being met and all required documents and payments being submitted to the City Finance Office prior to January 1, 2024. All voted aye. Motion carried.

Motion by Bauman, seconded by Reppe to approve Health Insurance Plan B with the Health Pool of South Dakota, with an 8.5% rate increase, for the January 1, 2024 - December 31, 2024 plan year. Upon roll call vote, all voted aye. Motion carried.

Motion by Bauman, seconded by Drake to approve the 2024 dental plan with Delta Dental with a slight rate increase for the January 1, 2024 - December 31, 2024 plan year. Upon roll call vote, all voted aye. Motion carried.

Motion by Drake, seconded by Pauli to declare water meter 76325942 surplus for scrap and a pickup tool box and 8' fiberglass utility box scrap for consignment auction. Upon roll call, all voted aye. Motion carried.

Governor Noem has granted administrative leave for the day after Thanksgiving, November 24, 2023 and additional holiday leave Tuesday, December 26, 2023. City policy already grants leave for the day after Thanksgiving and discussion was held on the Christmas holiday. Motion by Mewherter, seconded by Pauli to grant holiday leave to City employees on Friday, December 22, 2023 to return Tuesday, December 26, 2023. Upon roll call, all voted aye. Motion carried.

Motion by Drake, seconded by Bauman to give Clear Lake Chamber Bucks for Christmas with \$150.00 given to each full-time employee and \$75.00 given to each regular part-time employee. No changes in amounts this year. Upon roll call vote, all voted aye. Motion carried.

The year end Council meeting date is set for Thursday, December 28, 2023 at 5:30PM.

There were no committee reports at this meeting.

Superintendent Collins commented on many items concerning the Public Works Department.

Motion by Pauli, seconded by Mewherter to assist and cooperate with the City of Estelline on a joint project. Upon roll call vote, all voted aye. Motion carried.

Collins went on to discuss the 6th Street and 7th Avenue construction. Curb and gutter will not be done until spring and Bituminous is hesitant to pave prior to that installment. Motion by Drake, seconded by Pauli to extend the contract deadline with Bituminous Paving subject to when the curb and gutter is completed. Upon roll call vote, all voted aye. Motion carried.

The sand volleyball court will be constructed in the spring. Discussion was held on ideas and locations. A donation from the Clark County Riders was given to the Parks and will be supplemented at next meeting.

Collins has contacted his seasonal snow removal employees. New employees were considered.

Motion by Mack, seconded by Pauli to approve hiring part time seasonal employees as needed for snow removal in the Public Works department at a rate of \$16.60/hr. Acceptance based on employee making application and filing with the Finance Officer. Upon roll call vote, all voted aye. Motion carried.

Motion by Drake, seconded by Bauman to accept the resignation of part time Parks employee Ryan Thomas effective October 31, 2023. Upon roll call vote, all voted aye. Motion carried.

Calvin Rans was present and asked Collins questions regarding the water/sewer caps of the former Good Samaritan Building. He also had questions on what would be accepted at the rubble sites.

Finance Officer Korth mentioned there have been an inordinate amount of committee meetings in 2023 due mostly to the proposed change of the Zoning Ordinance and personnel changes. More committee meetings were scheduled prior to year end as well as discussion of a much needed Facilities/Equipment committee meeting to happen as soon as possible.

Mayor Lundberg commented on the Welcome to Clear Lake signs which are a nice addition to the community. No other comments from Council members were given.

A complaint about a dog issue in town was brought up for discussion. Many steps have been taken to address the problem. City Attorney Boyd suggested to get as many people from the neighborhood to sign a complaint and provide any photos or videos they may have. Boyd would then have the offender served with the complaint.

Motion by Pauli, seconded by Drake to enter into Executive Session at 8:43 PM for legal contractual matters. All voted aye. Motion carried.

Mayor Lundberg declared the Council out of Executive session at 8:55 PM.

There being no further business, motion by Pauli, seconded by Drake to adjourn at 8:55 PM. All voted aye. Motion carried.

Mary Korth
Finance Officer

“This institution is an equal opportunity provider.”

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