

The Clear Lake City Council met in regular session on Monday, May 6, 2024, at 6:30 PM in the Conference Room of the Municipal Building with Mayor Lisa Lundberg presiding. Those present were Alderwomen Ramona Drake and Rose Mack, Aldermen Harry Mewherter, Jamie Hintz and Rod Pauli. Absent for a portion of the meeting was Alderman Jonas Reppe. Also present were Mary Krueger, Brandon Collins, Todd Boyd, Amy Bjerke, Val Lundquist, Sara Pankonin, and Rhonda Kvigne. The meeting began with the Pledge of Allegiance and then called to order by Mayor Lundberg.

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

Motion by Drake, seconded by Mack to approve the consent agenda as follows: Minutes – Regular Meeting April 8, 2024; Monthly Financial Statements for the Month Ending April 30, 2024; Moving Permit: Approved: Kelli Schnaidt – 302 Railroad Ave – Trailer House out of town; Approval of Warrants; Approval of Alan Martinmaas attending Van Diest Mosquito Spray Workshop in Aberdeen April 24, 2024. Approvals of permits are subject to the conditions that they are in accordance with all ordinances of the City. Upon roll call vote, all voted aye. Motion carried.

Warrants Approved: PAYROLL: Council 970.00; Mayor 320.00; Finance 4818.75; Gen Gov't Building 200.68; Streets 7762.92; Snow 647.75; Rubble Site 419.20; Parks 2596.17; Library 2683.39; Community Center 220.00; Water 7948.26; Sewer 4760.86; Aflac 114.79; SD Retirement 3458.72; Optilegra 70.76; Health Pool of SD 8638.61; Delta Dental of SD 423.60; Sioux Valley FCU 50.00; Dnb-Fica/Wh 7281.71. EXPENSES: A&B Business Solutions 204.33 Copier Contract, Appera 127.43 Janitorial Services, Banner Associates, Inc 3665.00 Engineering Services, Darren Barondeau 138.02 Mileage Reimbursement, Bjerke Sanitation 7249.29 Sanitation Services, Bobcat Of Brookings 693.71 Maintenance, Bowes Construction Inc 75.00 Muni Room Deposit Refund, Boyd Law Firm, Prof. L.L.C. 1890.00 Legal Services And Fees, Brookings-Deuel Rws 8267.00 Tap Fee And Water Purchase, Butler Machinery Co. 212.35 Street Maintenance, Certified Laboratories 474.95 Supplies, Clear Lake City Library 1486.22 Books And Supplies, City Of Clear Lake 724.80 Utilities And Deposit Refund, Clear Lake Building Center 145.58 Supplies And Repairs, Clear Lake Courier 730.96 Publications, Brandon Collins 80.00 Dot Physical Reimbursement, Connecting Point 110.00 Support Work, Core & Main 3224.50 Water Supplies, Sd Danr 60.00 Certification Fees, Deuel Co Motor Supply 275.61 Supplies, Dc Republicans 400.00 Comm Center Deposit Refund, Deuel County Sheriff 6172.00 Law Enforcement Contract, First Bank & Trust 621.63 Credit Card Charges, First District Association Of 5000.00 Zoning Ordinance Payment, Elliott Furman 324.26 Reimbursement Expenses, H-D Electric Coop, Inc 140.47 Electric Energy, H-D Elec Coop, Inc. 787.34 Camp Site Wiring, Hillyard/Sioux Falls 1769.73 Floorcare Supplies, Innovative Office Solutions 598.83 Utility Supplies, Itc Telecom 1091.31 Telephone And Internet, Jessica Lamfers 75.00 Muni Room Deposit Refund, Maynard's Food 131.30 Supplies, Menards 64.91 Supplies, Northwestern Energy 870.13 Natural Gas Energy, Ottertail Power Co 4255.96 Electric Energy, Pitney Bowes Bank Inc 770.99 Postage, Pomp's Tire Service, Inc. 236.68 Tire Repair, Sd Department Of Health 30.00 Water Testing, Joseph Raml 30.00 Building Permit Refund, South Dakota One Call 16.80 Locates, Sd State Treasurer (Sd Dor) 645.60 Sales Tax Due To State, South Dakota State Treasurer 200.00 Unclaimed Property, Steve Rhody Services 50.00

Window Washing Services, Stockwell Engineers, Inc. 3725.00 Splash Pad Engineering, Gary Thomas 30.00 Building Permit Refund, United States Dept Of Ag 6107.00 Sewer Usda Loan.

No one was present for public voice.

There was no appearance made by anyone from DeBoer Construction for unfinished business.

In further unfinished business, the splash pad final concept plan was presented by the Planning Committee. Total costs using a flow through system with constructing a holding pond are over \$480,000. The Council decided against a public hearing on the splash pad. Mayor Lundberg reported that the Healthy Hometowns Committee also agreed now is not the time as it is far too costly for the City of Clear Lake. No action was taken on the splash pad. Focus on swimming pool improvements be kept in mind for the future.

Lastly, in unfinished business, discussion was held on the Council room dividers approved at a previous meeting. It appears the proposed dividers will not work for the set up structure of the room. Other options were reviewed.

Motion by Hintz, seconded by Drake to accept the new quote from Combined Building Specialties of Sioux Falls for Screenflex Room Dividers for a total cost of \$5882.00. Upon roll call, all voted aye. Motion carried.

Resolution 2024-6 was read and presented to outgoing Alderwoman Rose Mack of Ward I and she was thanked for her service.

Motion by Pauli, seconded by Hintz to adjourn as the 2023-2024 Council. Upon roll call, all voted aye. Motion carried.

Convened as 2024-2025 Council.

Motion by Pauli, seconded by Drake to accept the appointment of Harry Mewherter as Alderman Ward III recommended by Mayor Lundberg. Upon roll call, all voted aye with Mewherter abstaining. Motion carried. Mewherter then took his Oath of Office for Alderman Ward III for a one year term.

Amy Bjerke took her Oath of Office for Alderwoman Ward I for a 3 year term. Jamie Hintz took his Oath of Office for Alderman Ward III for a 3 year term. Mary Krueger took her Oath of Office for Finance Officer, and Todd Boyd took his Oath of Office for City Attorney.

Hintz nominated Reppe for President.

Motion by Mewherter, seconded by Drake that nominations cease and a unanimous ballot be cast for Jonas Reppe as Council President. Upon roll call, all voted aye. Motion carried.

Pauli nominated Hintz for Vice President.

Motion by Mewherter, seconded by Drake that nominations cease and a unanimous ballot be cast for Jamie Hintz as Council Vice President. Upon roll call, all voted aye. Motion carried.

Motion by Drake, seconded by Pauli to accept committee appointments recommended by Mayor Lundberg. All voted aye. Motion carried.

CITY FACILITIES & EQUIPMENT COMMITTEE: Rod Pauli, Amy Bjerke, Jonas Reppe

CITY POLICIES COMMITTEE: Amy Bjerke, Harry Mewherter, Ramona Drake

CITY FINANCE COMMITTEE: Jonas Reppe, Harry Mewherter Ramona Drake

CITY SERVICES COMMITTEE: Jamie Hintz, Jonas Reppe, Ramona Drake

CITY PLANNING COMMITTEE: Harry Mewherter, Jamie Hintz, Rod Pauli

CITY PERSONNEL COMMITTEE: Amy Bjerke, Rod Pauli, Jamie Hintz

LIBRARY BOARD OF TRUSTEES: President, Jami Martinell (2025) – Vice President, Tammy Caanan (2026) – Barb Mortimer (2025) – Lynn Eide (2025) – Open Position – City Council Representative Amy Bjerke

BOARD OF ADJUSTMENT AND PLANNING COMMISSION: All City Council Members

CITY ATTORNEY: Todd Boyd

CITY FINANCE OFFICER: Mary Krueger

CITY SUPERINTENDENT OF PUBLIC WORKS: Brandon Collins

HEALTH OFFICER: Designee of Deuel County Memorial Hospital

CLAD (CLEAR LAKE AREA DEVELOPMENT) BOARD OF TRUSTEES: Cody Krause, Chairman – Carey Holt, Vice Chairman – Matt Stormo, Secretary/Treasurer - Harry Mewherter - Joe Uckert - Katie Raml – One open position – Jamie Hintz, City Council Representative – Sarah Salzer, Executive Director – Derek Lankford, Bookkeeping – Teree Nesvold, Legal Counsel

SUMMER REC BOARD: Danay Nielsen, Jen VonEye, Deidra Clausen, Brittane Collins, Ryan Love

Motion by Mewherter, seconded Hintz to approve the consent agenda as follows:

Building Permits: Approved: NT Homes LLC – 614 11th Ave S – Single Family Home; Jennifer Hills – 606 9th Ave S – Replace Deck Steps and Landing, Marty & Alida Spilde – 512 5th St W – Cement Pad 18'x18', Russell Olene – 503 8th Ave S – Reissue expired Permit on Incomplete Building, Darwin Kase – 412 2nd Ave S – Concrete Driveway, Tom & Lisa Lundberg – 810 Golf View Drive – Curb & Gutter, Jamie Wiesner – 302 5th St W – Office Space Addition, John Hall Sr. – 106 4th St W – New Deck and Ramp; Demo Permit: Approved: John Hall Sr. – 106 4th St W – Remove 6'x8' Front Deck; Delinquent water bills; Approve Temporary Liquor License Applications: Wedding May 25, 2024 and Anniversary Dance June 15, 2024, both Lundy's Bar & Grill. Temporary One-Day Permits are subject to all paperwork being signed and submitted to the Finance Officer and that the applicant provides the city with proof of liability insurance for the event. Approvals of permits are subject to the conditions that they are in accordance with all ordinances of the City. Upon roll call vote, all voted aye. Motion carried.

Motion by Pauli, seconded by Bjerke to convene as Board of Adjustment. Upon roll call vote, all voted aye. Motion carried.

A public hearing was held for a conditional use permit for an in-home internet business specializing in candies and fruits at the property of Jennifer Hills, 606 9th Ave S. Hills was not present for the hearing. Zoning Official Lundquist presented to the Board. No one present contested the conditional use permit.

Motion by Drake, seconded by Hintz to approve and grant the conditional use permit for Jennifer Hills for an in-home internet business at 606 9th Ave S. Upon roll call vote, all voted aye. Motion carried.

A resident has inquired about regulations regarding a building permit within the City. Lundquist met with the Board of Adjustment with some concerns. Much of the request does not conform to the new Zoning Ordinance. Discussion was held on amending the ordinance or creating a new rule. The Board decided it was in the best interest to follow the newest Zoning Ordinance and recommends the resident follow the proper regulations.

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

Alderman Reppe arrived at the meeting.

Banner Engineering representative Sara Pankonin was present for discussion on the State DANR SRF Funding Awards. The City has been awarded \$3.5M that is planned for the Main Lift Station and storm sewer improvements in the northwest area of the City which is considered Phase I. Phase I in the northwest area will also include water main replacement which will be funded by the additional \$3.694M awarded for drinking water improvements. An estimated project timeline was reviewed. Discussion was held on planned surcharges and rate re-structures. Pankonin had questions for City Attorney Boyd on assessing curb and gutter improvements to taxes. Discussion was held on the curb and gutter ordinance. Boyd will investigate further. Finance Officer Krueger will be working with Midwest Assistance Program on a rate study. Loan acceptance through resolution timeframe will be dependent on the rate study.

Motion by Hintz, seconded by Pauli to approve the Conditional Use Permit for an In-Home internet business for Jennifer Hills at 606 9th Ave S. Upon roll call, all voted aye. Motion carried.

Motion by Pauli, seconded by Hintz 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 Hintz, seconded by Bjerke 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: Deuel County Farmers Union (Convenience Store). Upon roll call, all voted aye. Motion carried.

Motion by Reppe, 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: Dolgen Midwest (Dollar General). Upon roll call, all voted aye. Motion carried.

Motion by Mewherter, seconded by Drake 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 Pauli, seconded by Drake to allow the Finance Officer to approve up to \$400 per event from the Promote City funds. Upon roll call, all voted aye. Motion carried.

Motion by Mewherter, seconded by Hintz 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 Drake, seconded by Pauli 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 Bjerke 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 Drake, seconded by Hintz to approve the 2024 swimming pool employees as follows: Billie Jo Giesel: Manager & WSI: \$18.75/hr; LIFEGUARDS \$12.20/hr plus .25 per year

worked: Brooklyn Giesel, Laycee Andersen, Preston Rounds, Shyla Tvedt, Kendra Kirby, Caden Hourigan, Alayna Carlson, and Camdyn Peterreins; LIFEGUARDS + WSI \$13.20/hr plus .25 per year worked: Victoria Preheim, Josie Andersen, Sara Kreger, Jaycee Hourgian, Gracyn Gohring, and Addison Timmons. POOL ATTENDANTS at \$11.20/hr: Braylin Kreger (\$11.70/hr-2 years), Presley Molitor, Aiden Warren, and Peyton Rounds. Lifeguards and WSI are contingent on successful completion of certified lifeguard and/or WSI training. Upon roll call, all voted aye. Motion carried.

Discussion was held regarding the water heater in the kitchen of the Community Center. Complaints have been heard about the current system.

Motion by Drake, seconded by Pauli to approve the purchase and installation of a water heater from Nosbush Plumbing & Heating in the amount of \$1102.04 for the Community Center. Upon roll call, all voted aye. Motion carried.

Finance Officer Krueger presented the 2023 Annual Financial Report for the City of Clear Lake that is complete for approval and publication.

Motion by Drake, seconded by Pauli to approve the 2023 City Annual Financial Report. Upon roll call, all voted aye. Motion carried.

The Clear Lake City Library has implemented policies regarding child safety and disruptive patrons.

Motion by Drake, seconded by Hintz to approve the Library Child Program Safety Policy 2024. Upon roll call, all voted aye. Motion carried.

Motion by Drake, seconded by Pauli to approve the Library Policy on Disruptive Patrons 2024 with the recommended change to section 6. Appeals from 30 days to 15 days. Upon roll call, all voted aye. Motion carried.

Discussion was brought forth on current Mobile Vendor fees in regards to Ordinance #624. Mayor Lundberg mentioned comments and complaints from main street businesses in regards to food truck vendors. The fee for food vendors was reviewed and compared to other towns. There has been interest in starting a farmer's market and questions if the vendor fees would be applied to those vendors. This was referred to the Policies Committee to report back to Council at next regular meeting.

The first reading of Ordinance No. 630, An Ordinance Regarding Penalties was held. Second reading will be at the June 10, 2024 regular Council meeting.

Mayor Lundberg attend the quarterly Library Board meeting on April 15, 2024. She reported on the Library statistics, implemented policies, social media, and grant application.

An insurance claim is expected to be filed in regards to a resident's property damaged by a water break. The property in question borders the city right of way. Public Works Superintendent Collins took some measurements and thought it would be best to get a survey.

Motion by Pauli, seconded by Reppe to approve contacting a surveyor to survey the property lines and City right of way located at/near 310 Parkway Drive. Upon roll call, all voted aye. Motion carried.

Collins went on to report of an offender at the Rubble Site dumping unacceptable items. The City does not currently have anything in ordinance or policy for rubble site offenses. The Council suggested Collins gets a large sign with acceptable items and a stern warning against offenders. It was also suggested that the first offense is punishable by a fine and suspension from the dump for 30 days or longer.

Motion by Drake, seconded by Hintz to have City Attorney Boyd amend Ordinance No. 630, An Ordinance Regarding Penalties to include a penalty for rubble site violations. Upon roll call, all voted aye. Motion carried.

Collins further updated the Council on current paving, curb and gutter work, and lagoon discharge.

Assistant Finance Officer Val Lundquist approached Council with a request from a resident who was looking to capture ground water. The City doesn't allow for wells and the Council suggested the resident find a different solution.

Finance Officer Krueger and Mayor Lundberg had comments and concerns regarding this meeting's unfinished business appointment that was absent.

City Attorney Todd Boyd updated the Council on legal matters he had been addressing. He also updated each members' Code of Ethics and Confidentiality Agreements.

Jamie Hintz had questions from a citizen regarding the noise level at Crystal Springs Feeds. No other comments were heard from any other Council members.

There being no further business, motion by Pauli, seconded by Reppe to adjourn at 8:59 PM. All voted aye. Motion carried.

Mary Krueger
Finance Officer

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