

The Clear Lake City Council met in regular session on Monday, June 10, 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 Amy Bjerke, Aldermen Harry Mewherter, Jonas Reppe, Jamie Hintz and Rod Pauli. Also present were Mary Krueger, Brandon Collins, Todd Boyd, Val Lundquist, Sara Pankonin, Orville Osborn, Jesse Osborn, Curt Molengraaf, and Jennifer Hills. 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 removing Ordinance No. 600 from discussion on Other Business. All voted aye. Motion carried.

Motion by Mewherter, seconded by Bjerke to approve the consent agenda as follows: Minutes – Regular Meeting May 6, 2024 and Special Meeting May 20, 2024; Monthly Financial Statements for the Month Ending May 31, 2024; Building Permits: Approved: Mike McMullen – 510 1st Ave S – Garden Fence, Billie Jo Gauger – 606 7th Ave S – Curb and Gutter, Jack Drake – 703 6th Ave S – Gazebo, Roni Nerud – 812 5th St W – Pergola with Swing, JH Construction & Repair – 47561 180th St Northside Acres – House & Garage, Caliber LLC, Michael Wadzink – 327 5th St E Lake Shore Acres – House, Garage, Basement, Rusty Carlson – 807 Golf View Dr – Replace Concrete Driveway, add Patio and Shed slab, Julie Newberg – 108 5th St W – Modifying and Rebuilding Roof Portion, Jullie Sturm – 509 2nd Ave S – Fence Work, Jamie Wiesner – 302 5th St W – Amending Permit 24-016 to add Concrete Slab, Tina Drinker – 413 9th Ave S – Garden Shed. Move In Permits: Approved: Tina Drinker – 413 9th Ave S – 10'x16' Garden Shed from Dakota Storage. Demolition Permits: Approved: Alexis Wage – 605 7th Ave S – Handicap Ramp; New Construction Hook-Up Permits: Approved: NT Homes LLC – 614 11th Ave S – Water and Sewer Connection for Ryan Love, Caliber LLC, Michael Wadzink – 327 5th St E Lake Shore Acres – Water Connection; Excavation Permit: Approved: Caliber LLC, Michael Wadzink – 327 5th St E Lake Shore Acres – Water Line, Sewer System, Foundation. 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 1640.00; Mayor 420.00; Finance 4818.75; Gen Gov't Building 165.15; Streets 11228.34; Rubble Site 2030.08; Summer Rec 177.19; Swimming Pool 142.80; Parks 3531.34; Library 3322.33; Community Center 176.00; Water 4777.81; Sewer 4944.28; Aflac 114.79; SD Retirement 3743.98; Optilegra 70.76; Health Pool of SD 8638.61; Delta Dental of SD 423.60; Sioux Valley FCU 50.00; Dnb-Fica/Wh 8245.99. EXPENSES: A&B Business Solutions 186.70 Contract And Copies, Jerra Adolph 400.00 Cc Deposit Refund, Appeara 127.43 Janitorial Services, Darren Barondeau 78.56 Clothing Reimbursement, Bituminous Paving Inc 358542.24 Asphalt Paving 2023 & 2024, Bjerke Sanitation 7438.29 Sanitation Services, Boyd Law Firm, Prof. L.L.C. 2835.00 Legal Services, Brian's Glass & Door Inc 13040.00 Community Center Doors, Brookings-Deuel Rws 9616.60 Water Utility And Purchase, Burchatz Construction Co, Inc. 13315.72 Curb And Gutter 2023 Project, Clear Lake City Library 948.02 Books And Supplies, City Of Clear Lake 1552.07 Water Utilites And Deposit Ref, Clear Lake Building Center 720.91 General Supplies, Clear Lake Courier 967.49 Publications And Supplies, Cole Paper Inc. 359.36 Janitorial Supplies, Deb Collier 3263.00 Curb And Gutter Reimbursement, Connecting Point 284.00 Monthly It Services, D & L Digging 550.00 Curb Box Jim Norton, Deuel Area Development 16000.00 2024 Funding

Per Budget, Sd Danr 650.00 Annual Fees, Deuel Co Motor Supply 161.31 General Supplies, Deuel County Sheriff 6172.00 Law Enforcement Contract, Deuel County Farmers Union Oil 3168.26 Fuel And Supplies, Deboer Construction Inc 104903.92 Balance Due 2022/2023 Project, Gary Eide 47.55 Meter Deposit Refund, Farmers Implement & Irrigation 155.49 General Supplies, First Bank & Trust 724.64 Credit Card Purchases, Elliott Furman 181.30 Travel Expense Reimbursement, H-D Electric Coop, Inc 349.40 Electric Energy, Hawkins Inc 564.22 Swimming Pool Supplies, Heiman Fire Equipment Inc 424.00 Fire Extinguisher Testing, Hillyard/Sioux Falls 282.36 Janitorial Supplies, Itc Telecom 753.35 Phone And Internet Utility, Mary Krueger 390.94 Mileage And Supply Reimbursement, Val Lundquist 236.24 Mileage Reimbursement, Mack Land Surveying Llc 600.00 Survey 310 Parkway Dr, James Marko 75.00 Muni Room Deposit Refund, Linda Martinell 20.00 Park Shelter Deposit Refund, Maynard's Food 69.91 General Supplies, Menards 216.89 General Supplies, Milbank Winwater Works 34935.41 Water Supplies And 2023 Projec, Laurie Musch 221.00 Curb And Gutter Reimbursement, Northwestern Energy 265.04 Natural Gas Energy, Nosbush Plumbing & Heating 1248.54 Repairs, Office Peeps 328.80 Paper Supplies, Ottetail Power Co 3932.62 Electric Energy, Joyce Peterson 400.00 Cc Deposit Refund, Postmaster 100.00 Annual Post Office Box Fee, Sd Department Of Health 252.00 Water And Lagoon Testing, Laura Radosevich 70.35 Muni Room Deposit Refund, Rykhus Nelson Siding, Window 8807.16 Comm Center Gutters, Ron's Saw Shop 237.75 General Supplies, Runnings Farm And Fleet 239.99 General Supplies, Michelle Schilling 400.00 Cc Deposit Refund, South Dakota Farmers Union 400.00 Cc Meter Deposit Refund, Sd State Treasurer (Sd Dor) 1135.91 Sales Tax Due To State, Steve Rhody Services 50.00 Window Washing Services, Stockwell Engineers, Inc. 745.00 Splash Pad Engineering Final P, Sandra Strong 666.80 Curb And Gutter Reimbursement, Us Bank Trust-Spa Lkbox Cm9695 6837.30 Water Srf Loan, United States Dept Of Ag 6107.00 Sewer Usda Loan, Jamie Wiesner 50.00 Cc Deposit Refund.

Mayor Lundberg called for public voice but no one was present yet at that time.

In unfinished business, the second reading of Ordinance No. 630 Regarding Penalties was held.

Motion by Drake, seconded by Pauli to approve and adopt Ordinance No. 630 Regarding Penalties. Upon roll call, all voted aye. Motion carried.

Jennifer Hills was not yet present for her appointment. Mayor Lundberg called the next appointment.

Motion by Bjerke, seconded by Drake 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 a Truck Box Commercial Storage Pod for Helena Agri Enterprises LLC of 206 Railroad Ave. No one present contested the conditional use permit. Curt Molengraaf was present for discussion.

Motion by Mewherter, seconded by Drake to approve and grant the conditional use permit for Helena Agri Enterprises LLC of 206 Railroad Ave for a Truck Box Commercial Storage Pod. Upon roll call vote, all voted aye. Motion carried.

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.

Orville and Jesse Osborn were now present and wanted to speak for public voice. Osborns addressed the Council with concerns about reimbursement from damages caused by

the Contractor for the 6th St/7th Ave project. They explained the contractor damaged a power line and the power surge damaged their freezer. City Attorney Todd Boyd directed Osborns to contact Mark Hayes of DeBoer Construction directly with damages.

Banner Engineering represented by Sara Pankonin presented a Capital Outlay Plan for the City for 5 years beginning budget year 2025. Many City department needs were discussed.

It was suggested to the Finance Committee to include the Capital Outlay plan in the 2025 budget.

Aside from a future capital outlay plan, Pankonin researched options for the City Pool in regards to immediate concerns. A new deck is imperative, but will not fit in the 2024 budget. Along with a new deck, below-deck piping and water pumps need servicing or replacing. Pankonin suggested a Pool Consultant be contacted to give a value to the capital assets of the pool and give suggestions on the assets needing improvements. Pankonin is waiting for a Pool Sub-Consultant to give a quote for immediate assessment services. The Council has been made aware and will address this at next regular meeting.

Discussion was held on the pending Facility Plans and SRF awards. The rate study for the City has not been completed to close on the State SRF loans. There is a projected completion date of the rate study for July 1st and resolutions will be drafted for the City Council to close on the SRF loans by the next Regular Council meeting. Pankonin would like to present the design plan for the Wastewater Lift Station at that time. Once the loans are closed, the bidding process can begin in March, 2025.

Finance Officer Krueger gave an update to the Council concerning the rate study. She spoke with First District as they will be of assistance after the closing of loans. They were confident the timeline would be acceptable if the rate study can be done before July. First District will be of assistance on the Davis Beacon wage review among other items. First District's assistance on these requirements are funded by the State. Krueger will be in contact with Midwest Assistance Program on the rate study as soon as possible as that is required prior to the Resolutions to close on the loans.

Motion by Bjerke, seconded by Pauli to accept the Letter of Understanding with First District and authorize the Mayor to sign the acknowledgement for Loans C462037-02 and C461037-03. Upon roll call vote, all voted aye. Motion carried.

Motion by Drake, seconded by Hintz to approve and grant the move-in permit for Helena Agri Enterprises LLC of 206 Railroad Ave for a Truck Box Commercial Storage Pod. Upon roll call vote, all voted aye. Motion carried.

Motion by Drake, seconded by Bjerke to approve and grant the building permit for Helena Agri Enterprises LLC of 206 Railroad Ave for a Truck Box Commercial Storage Pod. Upon roll call vote, all voted aye. Motion carried.

Motion by Drake, seconded by Reppe to approve the spiking permit for a wedding held at the Community Center August 17, 2024 as the application is in accordance with spiking permit regulations and a certificate of liability insurance was presented. Upon roll call vote, all voted aye. Motion carried.

Motion by Hintz, seconded by Drake to approve the spiking permit for a birthday party held at the Community Center June 22-23, 2024 as the application is in accordance with spiking permit regulations and a certificate of liability insurance was presented. Upon roll call vote, all voted aye with Reppe abstaining. Motion carried.

The first reading of Ordinance No. 631 An Ordinance Regarding Kennels and Domestic Pets was held. Many comments from Council members and City Attorney Boyd were heard. Second reading will be at the July Council meeting.

Resolution 2024-7 was read for the Council.

Motion by Drake, seconded by Bjerke to approve Resolution 2024-7 and its publication. Upon roll call vote, all voted aye. Motion carried.

Motion by Hintz, seconded by Bjerke to approve the 2024 Summer Rec employees as follows: Morgan Hansen – Arts & Crafts Head Coach, Jon Peterreins – Basketball Head Coach, Basketball Student Help: Gabriel Sather, Caleb Ronne, Camdyn Peterreins; Hallie Amdahl – Cheer Head Coach, Rob Begalka and Ron Begalka – Football Co-Coaches, Heather Mahon (Estey) – Cooking Head Coach, Cooking Assistants: Anna Schultz, Clara Estey and Sophia Estey; Alyson Hagberg – Volleyball Head Coach, Lindsey Gorder – Volleyball Assistant, Pastor Dayna Weltzin – Music Head Coach and Lego Head Coach, Music and Lego Assistant – Graclyn Nielsen, Deidra Clausen – Fitness Head Coach, Co-Coaches for T-Ball: Angela Van Hofwegen, Hannah Reichling, Curstie Konold, Liz DeBoer, Keith Konold and Katie Ruppult; Tony Mischke – College Head Coach, College Co-Coaches: Thad Krause, Arya Krause, Kellen Bucknell, Tony Konold; Minors Co-Coaches: Derek Nielsen and Wade Reichling; Kris Ulmer – Majors Head Coach; Softball 8U Head Co-Coaches – Casey Severson and Angela Van Hofwegen, Morgan Salanoa - Softball 10U Head Coach, Zoey Jorvig – Softball 10U Assistant, Brandon Lee - Softball 14U Head Coach, Joe Raml – Softball 14U Assistant. Head Coaches paid at \$11.50/hr.; Co-coaches \$11.25/hr.; Student Help and Assistants \$11.20/hr. Upon roll call, all voted aye. Motion carried.

Motion by Mewherter, seconded by Pauli to approve the Deuel County Ambulance Crew List. A copy of the roster is on file in the City Finance Office. Upon roll call, all voted aye. Motion carried.

The Clear Lake Fire Department is requesting kids water fights on Rodeo weekend, Saturday, June 29, 2024 near the pool.

Motion by Drake, seconded by Hintz to approve closing Park Circle Street next to the Pool on Saturday, June 29th from 10am to 2pm for kid water fights. Upon roll call, all voted aye. Motion carried.

An easement prepared for Otter Tail Power Company for overhead poles for electric services at Northside Acres and the north industrial land was presented.

Motion by Drake, seconded by Pauli to accept the \$2433.28 easement payment and authorize the Mayor to sign the easement agreement and payment agreement with Otter Tail Power Company for overhead electric power lines on the Northeast Quarter of Section 15, T115N, R49W, Deuel County, SD. Upon roll call, all voted aye. Motion carried.

A survey of the City's Right of Way located near 310 Parkway Drive was presented to the Council. This was in response to a pending insurance claim. It was determined that the owner's fence is located in the City's Right of Way. Finance Officer Krueger will contact the owner.

The Rubble Site Non-Scheduled Hours Policy was discussed. The Council suggested the Finance Office and Public Works Department strictly enforce the fees and rules set forth in policy that was effective March 20, 2017.

Discussion was held on a noise study performed by GeoTek Engineering within City limits affecting County/City residents. Alderman (and County Commissioner) Mewherter said the testing is going as scheduled but there are no results yet. The item was tabled until next meeting to determine if the City should share in the study costs.

Healthy Hometowns is partnering with City Library Director Heather Estey in starting a Farmers Market to run Saturday mornings in Clear Lake. They have drafted their own Vendor Agreement and have asked the City for use of the empty lot on 3rd Avenue. Discussion was held on liability issues and permit fees. The City will not be issuing permits.

Motion by Hintz, seconded by Mewherter to allow Healthy Hometowns and the City Library Director use of the City owned lot on 3rd Avenue for a Farmers Market to run Saturday mornings through the summer. Upon roll call, all voted aye. Motion carried.

The Policies Committee had an extensive update with many proposed ordinances and ordinance amendments.

The first reading of Ordinance No. 632 amending Peddler's Permit Ordinance No. 567 was held. Discussion was held on the proposed ordinance. Second reading scheduled for the July City Council meeting.

The first reading of Ordinance No. 633 amending Ordinance #624 Mobile Vendors and Special Event Merchants was held. Discussion was held on the proposed ordinance. Second reading scheduled for the July City Council meeting.

The first reading of Ordinance No. 634 Regarding Definitions was held. Discussion was held on the proposed ordinance. Second reading scheduled for the July City Council meeting.

The first reading of Ordinance No. 635 Transient Merchant Requirements was held. Discussion was held on the proposed ordinance. Second reading scheduled for the July City Council meeting.

The first reading of Ordinance No. 636 Amending Ordinance No. 594 of 8-2-24 Regarding Payment of Water Rates was held. Discussion was held on the proposed ordinance. Second reading scheduled for the July City Council meeting.

Discussion was held on Ordinance No. 595 Regarding Meter Deposits.

Motion by Drake, seconded by Bjerke to instruct the City Finance Officer to obtain a copy of all recorded deeds from the Register of Deeds Office on a monthly basis. Upon any deeds transferred to an estate, the Finance Officer will send the meter deposit refund and/or final billing to the Personal Representative of such estate. Furthermore the Finance Officer will indicate a disconnection date of services until a new account has been established. Upon roll call, all voted aye. Motion carried.

The first reading of Ordinance No. 637 Amending Ordinance 2-1-3 Building Permit was held. Discussion was held on the proposed ordinance. Second reading scheduled for the July City Council meeting.

The first reading of Ordinance No. 638 Amending Ordinance 2-1-4 Permits and Fees was held. Discussion was held on the proposed ordinance. Second reading scheduled for the July City Council meeting.

The first reading of Ordinance No. 639 Amending Ordinance 2-2-1 Permit to Move Building was held. Discussion was held on the proposed ordinance. Second reading scheduled for the July City Council meeting.

Superintendent Collins reported on activities related to his department. He updated the Council on the dirt work and many other summer duties related to his department. Collins presented the idea of a Park Host or Campground Host to the Council for Ulven Park. This would alleviate a lot of duties for the Public Works Department. Much discussion was held. More research on how it works for other parks is needed.

City Attorney Todd Boyd updated the Council on matters he had been addressing. He researched that curb and gutter replacement should not be a special assessment.

Finance Officer Krueger gave an update on the Council Room improvements. The divider wall should be arriving and in place within a couple of weeks. The chairs have been ordered and will be delivered shortly after the wall is in place.

Krueger went on to give the Council some updates on the pool. It's been a rough start to the year with some unforeseen closures. These issues are working themselves out. The pool is nearly 30 years old and has suffered lack of maintenance many years. She is hoping the pool sub-consultant can assess the pool this summer for any structural repairs needed. She reported staff issues will not be a problem with the exception of the days preceding and following July 4th.

Krueger informed the Council that Governor Noem declared July 5th a legal holiday for State employees and the City of Clear Lake follows State holidays. Because the regular City Council meeting would normally fall on July 8th, that is not enough time to prepare for the meeting.

Motion by Pauli, seconded by Hintz to move the Regular City Council meeting from July 8, 2024 to Monday, July 15, 2024 at 6:30pm. Upon roll call, all voted aye. Motion carried.

Motion by Hintz, seconded by Mewherter to amend previous motion to move the July Regular City Council meeting to Tuesday, July 16, 2024 at 6:30pm. Upon roll call, all voted aye. Motion carried.

Mayor Lundberg informed the Council that the Golf Course has a burn pile and will be burning it this year. They wanted to give the City notification, and will also notify the Deuel County Sheriff's Office.

Alderman Mewherter commented on land east of City limits where there is interest in creating a historical site as it was the birthplace of Clear Lake. An interested party wants the location to be known and cared for. A suggestion was that the Historical Society should be involved.

Mewherter also commented on a property that has not been mowed in Clear Lake. A letter will be sent after researching the owner's address.

Mewherter also commented on putting a sign for children's safety in a location where they are known to be playing in the street.

No other comments from any other Council members.

Mayor Lundberg called Jennifer Hills up for her appointment as she was now present for the meeting. She met with the Council to explain and present her in-home business. She specializes in freeze-dried fruits and candies and will be branching out into other sustainable foods. Her business has grown extensively in a short time and she has products in many locations. She gave the Council samples of her products and thanked them for their time.

Motion by Pauli, seconded by Bjerke to move into Executive Session at 8:43PM for personnel matters. Upon roll call vote, all voted aye. Motion carried.

Mayor Lundberg declared the Council out of Executive Session at 8:53 PM.

Motion by Hintz, seconded by Drake to approve a .50/hour increase for Elliott Furman due to Water Distribution Operator Certification effective May 1, 2024. Upon roll call vote, all voted aye. Motion carried.

Motion by Pauli, seconded by Hintz to hire the Personnel Committee's recommendation of Constance Chaney for a part-time Buildings Custodian position with a starting wage of \$16.00/hr. beginning as soon as available upon acceptance of the position. Upon roll call vote, all voted aye. Motion carried.

There being no further business, motion by Bjerke, seconded by Reppe to adjourn at 8:54 PM. All voted aye. Motion carried.

Mary Krueger
Finance Officer

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