

The Clear Lake City Council met in regular session on Tuesday, July 16, 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, Todd Boyd, Jaden Martinell, Jami Martinell, Sarah Salzer, Sue DeJong, Tammy Krein, Corey Franken, Audie Stoltenburg, Patsy Cassels, Don Cassels, Sara Pankonin, Beth Niemeyer, Jackie Luttrell, and Abby Ruhd. 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 correction to the dates of Special Event Merchant Permit Approved for Cross Cut BBQ from June 29-June 29 to June 28-June 29. All voted aye. Motion carried.

Motion by Hintz, seconded by Drake to approve the consent agenda as follows: Minutes – Regular Meeting June 10, 2024; Monthly Financial Statements for the Month Ending June 30, 2024; Building Permits: Approved: Ryan Thomas – 906 4th Ave S – Replace Wood Deck, Dan Gates – 105 SD Hwy 22 – Replace and Add to Concrete Driveway, ITC – 312 4th St W – Sidewalk, Geoff & Kayla Adler – 512 3rd Ave S – Vinyl Fence, Julie Newberg – 108 5th St W – New 16'x12' Deck. Delinquent Water Bills. Approval of Warrants. Special Event Merchant Permits: Approved: Esther Ramirez/Guadalupe's – 105 S Main St, Milbank, SD – June 26-29th Mobile Food Vendor in City Lot, Cross Cut BBQ/Harvest Baptist Church – 402 E Kemp Ave, Watertown, SD – June 28-29th Mobile Food Vendor in City Lot. Approve Temporary Liquor License Applications: July 20th – Wedding – Lundy's Bar & Grill, August 10th – Wedding – Gary Bar, July 13th – Birthday – Muttly's Bar. 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. Approval of Special Event permits are subject to the conditions that they are in accordance with all ordinances of the City, provide SD Sales Tax License, proof of liability insurance, and SD Department of Health Food License as required. 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 1170.00; Mayor 370.00; Finance 4818.75; Gen Gov't Building 287.41; Streets 9360.24; Rubble Site 1250.17; West Nile 327.36; Summer Rec 856.93; Swimming Pool 13,102.40; Parks 4614.55; Library 3320.99; Community Center 112.00; Water 3225.81; Sewer 4020.64; Aflac 114.79; SD Retirement 3309.24; Optilegra 70.76; Health Pool of SD 8638.61; Delta Dental of SD 423.60; Sioux Valley FCU 50.00; Dnb-Fica/Wh 9680.65. EXPENSES: A&B Business Solutions 281.89 Copier Contract, Jerra Adolph 400.00 Replacement Check For 23562, American Engineering Testing 1759.00 Testing And Sewer Maintenance, Banner Associates, Inc 1445.39 Engineering Services, Bjerke Sanitation 7231.32 Sanitation Services, Boyd Law Firm, Prof. L.L.C. 1318.38 Legal Services And Fees, Brookings-Deuel Rws 11188.70 Water Tap And Purchase, Clear Lake Building Center 381.38 Supplies, Clear Lake City Library 1326.43 Books And Supplies, City Of Clear Lake 1436.35 Utilities, Clear Lake Courier 327.47 Publications, Clear Lake Area Dev. Inc. 17500.00 Quarterly Funding, Cole Paper 1267.98 Janitorial Supplies, Combined Building Specialties 5882.00 Room Dividers, Connecting Point 284.00 Monthly It Backup Services, Core & Main 671.73 Sewer Supplies, Deuel County Ambulance 3848.00 Ambulance Funding, Deuel County Farmers Union 2672.56 Fuel and Supplies, Deuel County Memorial Hospital 100.00 Meter Deposit Refund, Deuel Co

Motor Supply 93.01 Supplies, Dcn Insurance 4498.00 Ambulance Insurance, Dc Register Of Deeds 35.00 Deed Print Out Copies, Deuel County Sheriff 6172.00 Law Enforcement Contract, Sherri Debaere 75.00 Muni Room Deposit Refund, Dk Diesel 401.01 Repairs, Jacob Evans 106.35 Meter Deposit Refund, First Bank & Trust 1057.09 Credit Card Purchases, H-D Elec Coop, Inc. 116.03 Comm Center Repairs and 569.87 Electric Energy, Francis Hauger 400.00 Comm Center Deposit Refund, Hawkins Inc 2207.00 Pool Supplies And Chemicals, Itc 762.03 Phone and Internet, Invenergy 400.00 Comm Center Deposit Refund, Kids In Motion 50.00 Meter Deposit Refund, Mary Krueger 66.48 Reimbursement Expenses, Tom Lundberg 1430.00 Curb And Gutter Reimbursement, Maynard's Food 1068.86 Supplies And Pool Concessions, Mc&r Pools 4292.00 Pool Vacuum, Menards 65.24 Pool Repairs, Milbank Winwater Works 313.59 Water Supplies, Northwestern Energy 500.43 Natural Gas Energy, Nosbush Plumbing & Heating 131.50 Water Heater Ulven Park, Office Peeps 285.04 Supplies and 7843.00 Council and Guest Chairs, Ottertail Power Co 3888.53 Electric Energy, Pitney Bowes Bank 787.50 Postage, Pitney Bowes Inc. 19.00 Postage Rental, Sd Department Of Health 932.00 Testing, Jonas Reppe 400.00 Comm Center Deposit Refund, South Dakota One Call 60.48 Locates, Sd State Treasurer (Sd Dor) 1491.97 Sales Tax Due To State, Sd Unemployment Insurance 56.11 Unemployment Insurance, Sdarws 590.00 Annual Dues, Steve Rhody Services 50.00 Window Washing Services, Supreme Welding Inc 429.35 Supplies, Laurie Taylor 400.00 Comm Center Deposit Refund, Team Laboratory Chemical, Llc 1914.00 Sewer Supplies, Upframe Creative 375.00 Website Maintenance, United States Dept Of Ag 6107.00 Sewer Usda Loan, US Bank and Trust 11716.19 Sewer Loan, Angela Vanhofwegen 25.00 Refund On Swimming Lessons.

There was no one present for public voice.

In unfinished business, the second reading of Ordinance No. 631 Regarding Kennels and Domestic Pets was held.

Motion by Pauli, seconded by Bjerke to approve and adopt Ordinance No. 631 Regarding Kennels and Domestic Pets. Upon roll call, all voted aye. Motion carried.

The second reading of Ordinance No. 632 Amending Ordinance No. 567 Regarding Peddler's Permits was held.

Motion by Drake, seconded by Reppe to approve and adopt Ordinance No. 632 Amending Ordinance No. 567 Regarding Peddler's Permits. Upon roll call, all voted aye. Motion carried.

The second reading of Ordinance No. 633 Amending Ordinance No. 624 Regarding Mobile Vendors and Special Event Merchants was held.

Motion by Pauli, seconded by Hintz to approve and adopt Ordinance No. 633 Amending Ordinance No. 624 Regarding Mobile Vendors and Special Event Merchants. Upon roll call, all voted aye. Motion carried.

The second reading of Ordinance No. 634 Regarding Definitions for Peddlers, Mobile Food Vendors, Special Event Food Vendors, and Transient Merchants was held.

Motion by Pauli, seconded by Bjerke to approve and adopt Ordinance No. 634 Regarding Definitions for Peddlers, Mobile Food Vendors, Special Event Food Vendors, and Transient Merchants. Upon roll call, all voted aye. Motion carried.

Finance Officer Krueger began the second reading of Ordinance No. 636 An Ordinance Amending Ordinance No. 594 Regarding Payment of Water Rates. This was in error and went back to the order of the Agenda for the reading of the next ordinance.

The second reading of Ordinance No. 635 An Ordinance to Define Transient Merchant Requirements was held.

Motion by Drake, seconded by Bjerke to approve and adopt Ordinance No. 635 An Ordinance to Define Transient Merchant Requirements. Upon roll call, all voted aye. Motion carried.

The second reading of Ordinance No. 636 An Ordinance Amending Ordinance No. 594 Regarding Payment of Water Rates was then held.

Motion by Bjerke, seconded by Pauli to approve and adopt Ordinance No. 636 An Ordinance Amending Ordinance No. 594 Regarding Payment of Water Rates. Upon roll call, all voted aye. Motion carried.

The second reading of Ordinance No. 637 An Ordinance Amending Ordinance 2-1-3 Building Permit was held.

Motion by Reppe, seconded by Bjerke to approve and adopt Ordinance No. 637 An Ordinance Amending Ordinance 2-1-3 Building Permit. Upon roll call, all voted aye. Motion carried.

The second reading of Ordinance No. 638 An Ordinance Amending Ordinance 2-1-4 Permits and Fees was held.

Motion by Pauli, seconded by Hintz to approve and adopt Ordinance No. 638 Amending Ordinance 2-1-4 Permits and Fees. Upon roll call, all voted aye. Motion carried.

The second reading of Ordinance No. 639 An Ordinance Amending Ordinance 2-2-1 Permit to Move Building was held.

Motion by Drake, seconded by Bjerke to approve and adopt Ordinance No. 639 An Ordinance Amending Ordinance 2-2-1 Permit to Move Building. Upon roll call, all voted aye. Motion carried.

In further unfinished business, the Noise Study by GeoTek Engineering was discussed. Alderman Mewherter who serves as County Commissioner reported on the results. This was informational only for Council and no action was taken.

Further discussion was also held on the Park Host volunteer for Ulven Park. Motion by Hintz, seconded by Drake to offer a Park Host volunteer position to any interested long-term camper at Ulven Park. Upon roll call, all voted aye. Motion carried.

Abby Ruhd was present to ask for street closure for the New Hope Cancer Walk to be held August 2, 2024.

Motion by Drake, seconded by Bjerke to allow 3rd Street (East of Hwy. 15) to be closed during the time of the survivors walk for the New Hope Cancer Walk held Friday, August 2, 2024. Upon roll call vote, all voted aye. Motion carried.

A 2025 Budget Request Public Hearing was held. Requests were received from: Clear Lake Historical Society, Clear Lake Days Committee, Clear Lake Summer Rec, ICAP, Clear Lake Baseball Association, Clear Lake Women's Softball, Clear Lake Volunteer Fire Department, Deuel Area Development Inc., Clear Lake Area Development, and the Clear Lake Library. Comments were heard from Sarah Salzer of CLAD; Tammy Krein and Patsy Cassels of DADi; Jaden Martinell of the Clear Lake City Library; Sue DeJong of the Clear Lake Historical Society; Audie Stoltenburg of the Clear Lake Days Committee, Don Cassels of the Clear Lake Baseball Association; and Corey Franken of the Clear Lake Volunteer Fire Department. Many

requests remained at the same level with some that had increases. Discussion was held and the Council was thanked for their consideration for the 2025 budget.

Jackie Luttrell of Midwest Assistance Program (MAP) presented the rate study in regards to the SRF awards if accepted. With the proposed surcharges, rates needed to be determined on what would be affordable. Luttrell presented various spreadsheets showing different scenarios for rates and what needs to be maintained to sustain operating expenses. Much discussion was held for Council to make an informed decision on the proposed funding.

Banner Engineering representatives Pankonin and Niemeyer were present for the rate study discussion. The first determination was that the new lift station and force main was crucial to the community.

Motion by Drake, seconded by Pauli to approve the Scope of Services for the Main Lift Station Design by Banner Engineering and direct Mayor Lundberg to sign the Short Form of Agreement Between Owner and Engineer for Professional Services. Upon roll call, all voted aye. Motion carried.

Pankonin from Banner Engineering discussed the Pool Sub-Consultant with Council. Burbach Aquatics of Wisconsin would send an engineer to visit the pool at season-end free of charge and follow up with a letter outlining their findings. A technical evaluation and summary of proposed improvements would follow at a cost. Council agreed to begin the process to have the Clear Lake Swimming Pool evaluated.

Motion by Pauli, seconded by Hintz to approve and publish Resolution 2024-8 SRF Drinking Water Project Rate. Upon roll call vote, all voted aye. Motion carried.

Motion by Drake, seconded by Pauli to approve and publish Resolution 2024-9 SRF Drinking Water Issuer Resolution. Upon roll call vote, all voted aye. Motion carried.

Motion by Reppe, seconded by Hintz to approve and publish Resolution 2024-10 SRF Clean Water Project Rate. Upon roll call vote, all voted aye. Motion carried.

Motion by Hintz, seconded by Drake to approve and publish Resolution 2024-11 SRF Clean Water Issuer Resolution. Upon roll call vote, all voted aye. Motion carried.

Resolution 2024-12 Regarding Zoning Fees was read and presented for Council.

Motion by Bjerke, seconded by Pauli to approve Resolution 2024-12 Regarding Zoning Fees. Upon roll call, all voted aye. Motion carried.

Motion by Drake, seconded by Bjerke to declare the following as surplus property, having no value or value less than \$500.00 and authorize disposal of the same: 5 mesh-back black chairs, 1 blue cushioned no casters chair, 3 pink no casters chairs, 5 red cushioned casters chairs, 2 gray cushioned casters chairs, 1 swivel small office chair, Robotic Dolphin80 Pool Vacuum; and 4 historic wooden chairs to the Clear Lake Museum. Upon roll call, all voted aye. Motion carried.

Motion by Drake, seconded by Pauli to cancel check #23562 in the amount of \$400.00 as it was lost and not recovered. A new check will be re-issued pursuant to SDCL 9-23-21. Upon roll call, all voted aye. Motion carried.

Finance Officer Krueger reported on the PFAS Settlement requiring document back-up to proceed with litigation. Upon further investigation, extensive document back-up would be expensive for the City. Brookings-Deuel RWS is the parent water source for the City of Clear Lake and they are handling the litigation and necessary requirements. In speaking to other small

cities involved in the PFAS, it was determined it was best to let Brookings Deuel RWS handle the needs of the litigation.

There were no Committee Reports this meeting.

Superintendent Collins was absent this meeting. Finance Officer Krueger spoke on his behalf. Collins found a gravel/sand supplier in the County that offers gravel or sand at \$5/Ton which is lower than other suppliers. The seller would like it removed as soon as possible. The approximate cost would be \$3400.00. Council agreed Collins should get the supply soon.

City Attorney Todd Boyd had very few comments.

Finance Officer Krueger scheduled Committee Meetings with appropriate Council members. She also mentioned a potential food truck coming in the fall and possible location sites. Krueger also reported on planting trees at Northside Acres. Many trees have died that have been planted year to year and the Conservation District has trees available. However, the weeds in each tree area make it difficult for them to plant. Discussion was held and Council decided against planting trees at Northside Acres at this time.

Alderman Hintz reported on CLAD meetings he has been attending. He spoke highly of the meetings and their progress. No other comments from the Mayor or any other Council members.

Motion by Bjerke, seconded by Pauli to move into Executive Session at 9:16 PM for personnel and legal counsel matters. Upon roll call vote, all voted aye. Motion carried.

Mayor Lundberg declared the Council out of Executive Session at 9:30 PM.

There being no further business, motion by Bjerke, seconded by Hintz to adjourn at 9:31 PM. All voted aye. Motion carried.

Mary Krueger
Finance Officer

“This institution is an equal opportunity provider.”

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