

The Clear Lake City Council met in regular session on Monday, August 12, 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, and Jamie Hintz. Absent was Alderman Rod Pauli. Also present were Mary Krueger, Todd Boyd, Brandon Collins, Danyal Haas, Beth Niemeyer, and Sara Pankonin. The meeting began with the Pledge of Allegiance and then called to order by Mayor Lundberg.

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

Motion by Hintz, seconded by Mewherter to approve the consent agenda as follows: Minutes – Regular Meeting July 16, 2024; Monthly Financial Statements for the Month Ending July 24, 2024; Building Permits: Approved: Val Corothers – 506 7th Ave S – Replace Sidewalk; Demolition Permits: Approved: Val Corothers – 506 7th Ave S – Old Sidewalk. Delinquent Water Bills. Approval of Warrants. Mobile Food Vendor Permits: Approved: Farm to Plate – 47691 185th St, Clear Lake, SD – Food Trailer Various Locations and Dates August through October 2024. Approve Temporary Liquor License Applications: August 31 – Wedding – Lundy’s Bar & Grill, September 13 – Wedding – Buck’s Bar, Toronto, September 28 – Wedding – State Line 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 Mobile Food Vendor 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 building 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 324.00; Streets 12,142.00; Rubble Site 1295.11; West Nile 357.12; Summer Rec 2308.68; Swimming Pool 15,383.29; Parks 3219.42; Library 2933.47; Community Center 312.00; Water 4391.64; Sewer 4073.91; Aflac 114.79; SD Retirement 3611.76; Optilegra 70.76; Health Pool of SD 8638.61; Delta Dental of SD 423.60; Sioux Valley FCU 50.00; Dnb-Fica/Wh 11,144.57. EXPENSES: A&B Business Solutions 204.51 Copier Contract, Appera 127.43 Janitorial Services, Avera Occ Medicine-Mitchell 118.00 Drug Testing, Banner Associates, Inc 2274.28 General Engineering Services, Bjerke Sanitation 7635.17 Sanitation Services, Boyd Law Firm, Prof. L.L.C. 810.00 Legal Fees, Brookings-Deuel Rws 13727.65 Tap Fees And Water Purchase, Clear Lake City Library 844.47 Books And Supplies, City Of Clear Lake 1720.35 City Utilities, Clear Lake Building Center 1277.66 Supplies And Pool Fixtures, Clear Lake Courier 453.39 Publications, Cole Paper Inc. 78.67 Janitorial Supplies, Connecting Point 1374.00 It Monthly Services, Sherree Crawford 75.00 Muni Room Deposit Refund, D & L Digging 11025.00 Dirt And Street Work And Leak, Dakota Pump & Control, Inc. 625.51 Lift Station Service, Deuel County Charities 12.50 Refund Of Sales Tax, Deuel County Conservation Dist 315.00 Trees And Planting, Deuel Co Motor Supply 192.49 General Supplies, Deuel County Sheriff 6172.00 Law Enforcement Contract, Deuel County Farmers Union Oil 2420.97 Fuel And Supplies, Duinink, Inc. 15062.77 Asphalt Hot Mix, First Bank & Trust 965.03 Credit Card Purchases, H-D Electric Coop, Inc 452.81 Electric Energy, Hawkins Inc 2898.05 Pool Chemicals, Innovative Office Solutions 128.08 Checks Supplies, Itc Telecom 757.49 Telephone And Internet, Pam Luecke 20.00 Park Shelter Refund, Maynard's Food 383.06 Supplies And

Concessions, Menards 39.97 General Supplies, Milbank Winwater Works 298.84 Water Supplies, Allison Nelson 400.00 Ccenter Deposit Refund, Northwestern Energy 362.15 Natural Gas Energy, Office Peeps 419.10 Office Supplies, Ottertail Power Co 4166.40 Electric Energy, Pheasantland Industries 202.50 Sddot Clothing, Sd Department Of Health 30.00 Water Testing, Jonas Reppe 400.00 Community Center Deposit Refund, Sharon Richie 400.00 Cc Deposit Refund, Sanford Health Occ Med 30.00 Drug Testing, Sanitation Products Inc. 1104.58 Street Supplies, Sd State Treasurer (Sd Dor) 1203.75 Sales Tax Due To State, Sd Water And Wastewater Assn 20.00 Annual Fees, Sodak Gardens 637.50 Half Main Street Flowers, Steve Rhody Services 50.00 Window Washing Services, Productivity Plus Account 171.26 Street Supplies, Ross Toben 400.00 Comm Center Deposit Refund, Transource Truck & Equip, Inc. 64.45 General Parts And Supplies, Two Way Solutions Inc 299.00 Fcc License Renewal, United States Dept Of Ag 6107.00 Sewer Usda Loan, Lynette Winter 20.00 Park Shelter Deposit Refund.

There was no one present for public voice.

There was no unfinished business.

The Clear Lake Chamber of Commerce Board member, Danyal Haas met with the Council for the upcoming 140th Celebration and Hot Dog Days.

Motion by Drake, seconded by Bjerke to close with barricades 1 block of 4th Street both east and west of 3rd Ave (Hwy. 15) beginning at 5:30pm and to provide trashcans for the Hot Dog Days/140th Celebration event held Friday, August 16, 2024. Upon roll call vote, all voted aye. Motion carried.

Banner Engineering Associates representative Sara Pankonin was present for discussion on the Phase I Design of the Water/Storm Water project to begin this fall.

Pankonin answered questions from Council regarding managing the construction and the site as well as questions regarding the short form agreement. The water project is expected to last 2 construction seasons. Banner has an official kick-off meeting within the week regarding the lift-station project and there will be a similar meeting scheduled for the water project. Discussion was also held on public awareness and surcharge implementation dates.

Motion by Drake, seconded by Bjerke to approve the Scope of Services for the Water/Storm Water Phase I 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 vote, all voted aye. Motion carried.

Finance Officer Krueger presented an update on the rate study, pending surcharges, SRF resolutions, and anticipated engineering drawdowns. Survey and design of both wastewater and water projects are slated to begin in the fall of 2024. Anticipated bid date will be in the spring of 2025. The Council reviewed the final rate study and suggestions on current rates and surcharges. Discussion was held on a begin date for the new rates.

An update was given by Pankonin on the findings of the Pool Sub-Consultant. The Clear Lake Swimming Pool suffers non-compliance issues. There were other problems found as well regarding the baby pool, skimmers, pumps, filters, and nozzle flows to name a few. There will be a full detailed report by next meeting. The sub-consultant will also review when the pool is empty. The Council will be prepared to view a contract by next meeting.

The first reading of Ordinance No. 640, 2025 Appropriations Ordinance, was held. Discussion was held on the City's 2025 budget. Second reading and passage scheduled for September 9, 2024.

The reading of Resolution 2024-13 regarding Fees Associated with Permits was held.

Motion by Mewherter, seconded by Bjerke to approve and publish Resolution 2024-13 regarding Fees Associated with Permits. Upon roll call vote, all voted aye. Motion carried.

The reading of Resolution 2024-14 IM-28 Opposition was held. Council discussed the Resolution. No action was taken at this time and the subject was tabled.

Deuel School is requesting one block of 5th Avenue west of the school to be considered for being a one-way street. Discussion was held on traffic flow west of the School on 5th Avenue South.

Motion by Drake, seconded by Hintz to approve making one block of 5th Avenue South from 6th Street to 5th Street a one-way road going North, the City will provide signage. One-way traffic effective upon installation of signage. Upon roll call vote, all voted aye. Motion carried.

Motion by Bjerke, seconded by Drake to approve the auto supplement budget request to Swimming Pool Fund (101-451.2) for \$100.00 from Kiwanis donation. Upon roll call, all voted aye. Motion carried.

Motion by Drake, seconded by Bjerke to cancel check #23673 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 with Reppe abstaining. Motion carried.

Finance Officer Krueger presented the 2025 Law Enforcement Contract and scope of services from the Deuel County Sheriff. The increase in cost for 2025 is 3%.

Motion by Bjerke, seconded by Reppe to approve and sign the Agreement for General Law Enforcement Services for 2025 at the annual cost of \$76,285.92. Upon roll call, all voted aye with Mewherter abstaining. Motion carried.

Finance Officer Krueger reported to Council that all swimming pool employees had their end of season party at the Brookings Swimming Pool on Sunday, August 11th. Total 11 guards to be reimbursed on payroll.

Motion by Mewherter, seconded by Hintz to approve reimbursement for admission to the Brookings Swimming Pool at \$7/person for all swimming pool employees that attended their end of season party (total 11 lifeguards \$77.00 to be reimbursed on payroll). Upon roll call, all voted aye. Motion carried.

A volunteer within the Community was suggested to be recognized by the City.

Motion by Hintz, seconded by Mewherter to approve the City of Clear Lake to award a volunteer for their years of service to the community with Clear Lake Bucks in the amount of \$100.00. The volunteer's name shall remain anonymous until notification. Upon roll call, all voted aye. Motion carried.

Recent incidents with City workers/employees being harassed by certain residents prompted discussion amongst Council on any procedures dedicated to residents that interfere with city business or harass employees. City Attorney Todd Boyd presented ordinances regarding these issues. In Ordinance 8-2-21 Regarding Reading Meters, Every person shall permit a city employee to enter their buildings or premises to read meters (paraphrased). More importantly Ordinance 8-2-3 Regarding Water Supply says (paraphrased) The city does not guarantee a constant supply of water to any consumer...Nor shall the city be liable if for any

reason, the supply of water shall be shut off for any other purpose that may be found necessary. The right is reserved to cut off the water supply to any person at any time. Boyd's suggestion was that if a city employee cannot get a meter reading due to any problem whatsoever, the city reserves the right to shut the water off at that meter at any time and should do so. If any city employee has problems with any resident at the City Rubble site, the employee should adhere to Resolution No. 2024-7 regarding Removal of Individuals from City Property.

The Planning Committee reported on their most recent meeting which was a review of Banner Associates. Banner desires continuing a good working relationship with the City and keep all lines of communication open. The Committee agreed and reported a high level of satisfaction in working with Banner.

Alderwoman Bjerke reported on the most recent Library Board meeting. This included new Library cards issued per month and updates to the Library. Bjerke inquired about carpet cleaning for the Library. The Council would like Finance Officer Krueger to secure quotes for carpet cleaning in the Municipal Building.

Superintendent Collins reported on gravel and sand supply. Chip sealing would begin and conclude within the week. The SCADA system for the lift stations should be in place by month end.

City Attorney Todd Boyd had very few comments.

Finance Officer Krueger commented on properties that need cleaning up in town and are violating mowing ordinances.

Mayor Lundberg reported a citizen inquiring on yield signs for the east side of town. West of 3rd Avenue, yield signs are in place and the resident asked that they would also be placed on avenues east of 3rd Avenue. Much discussion was held. Costs of signs and labor for installation was a concern.

Alderman Reppe commented about a prior court case. No other Council members had comments.

Motion by Bjerke, seconded by Drake to move into Executive Session at 8:09 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 8:41 PM.

There being no further business, motion by Bjerke, seconded by Reppe to adjourn at 8:41 PM. All voted aye. Motion carried.

Mary Krueger
Finance Officer

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