

The Clear Lake City Council met in regular session on Monday, October 7, 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, Rod Pauli and Jonas Reppe. Absent was Alderman Jamie Hintz. Also present were Mary Krueger, Todd Boyd, Brandon Collins, Heather Mahon, Sara Pankonin, Sarah Salzer, and Melissa Kloos. 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 as presented. All voted aye. Motion carried.

Motion by Drake, seconded by Mewherter to approve the consent agenda as follows: Minutes – Regular Meeting September 9, 2024; Monthly Financial Statements for the Month Ending September 30, 2024; Building Permits: Approved: Stein Sign Display of Watertown, SD – Signs at DCFU/NAPA – 204 SD HWY 22 W; Delinquent Water Bills; Approval of Warrants. 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 1020.00; Mayor 320.00; Finance 4818.75; Gen Gov't Building 304.00; Streets 8660.63; Rubble Site 1804.64; West Nile 208.32; Parks 2860.64; Library 2554.30; Community Center 292.00; Water 5870.60; Sewer 4011.93; Aflac 114.79; SD Retirement 3364.26; Optilegra 70.76; Health Pool of SD 8638.61; Delta Dental of SD 423.60; Sioux Valley FCU 50.00; Dnb-Fica/Wh 6980.55. EXPENSES: A&B Business Solutions 131.60 Copier Contract, Appeara 127.43 Janitorial Services, Banner Associates, Inc 13,375.18 Engineering Services, Bjerke Sanitation 7444.81 Sanitation Services, Boyd Law Firm, Prof. L.L.C. 990.00 Legal Services And Fees, Brookings-Deuel Rws 13174.25 Water Utility And Purchase, Brownlee Construction Inc 10643.30 Gravel And Sand, Clear Lake City Library 2226.07 Books And Supplies, City Of Clear Lake 517.80 City Utilities, Clear Lake Building Center 600.74 General Supplies, Clear Lake Courier 1367.58 Publications And Supplies, Clear Lake Area Dev. Inc. 17500.00 Quarterly Support, Connecting Point 284.00 Monthly Backup Services, Core & Main 2626.15 Water Meters, D&L Digging 56,500.00 Water Line Project, Dakota Clean Llc 800.00 Muni Building Carpet Cleaning, Dakota Pump & Control, Inc. 16603.09 Sewer Scada System, Deuel County Highway Dept. 25877.54 Chip Sealing, Deuel County Sheriff 6172.00 Law Enforcement Contract, Deuel County Farmers Union Oil 717.33 General Supplies, Duinink, Inc. 559.42 Asphalt, Eastside Equipment 434.44 Mower Repairs, Eide Bailly Llp 19829.25 Audit Services, First Bank & Trust 2076.69 Credit Card Purchases, First District Association Of 2000.00 Site Map Hosting Project, H-D Electric Coop, Inc 425.65 Electric Energy, Adina Holt 24.65 Meter Deposit Refund, Innovative Office Solutions 189.14 Checks Supplies, Itc Telecom 760.91 Phone And Internet, Jp Cooke Co 92.95 Pet Tags Supplies, Alissa Knutson 20.00 Park Shelter Refund, Shaune Lovre 400.00 Comm Ctr Deposit Refund, Maynard's Food 64.52 Supplies, Menards 42.81 Repair Kits, Harry Mewherter 1975.00 Spraying Services, Milbank Winwater Works 3012.24 Water Supplies, Moriarty Rental 50.00 Meter Deposit Refund, Northwestern Energy 42.68 Natural Gas Energy, Nosbush Plumbing & Heating 131.50 Ac In Muni Building, Office Peeps 76.84 Office Supplies, Ottertail Power Co 3650.32 Electric Energy, Pitney Bowes Bank Inc 64.14 Postage, Pitney Bowes Inc 369.12 Lease Equipment And Supplies, Pomp's Tire Service, Inc. 690.83 Repair Services, Sd Department Of Health 226.00 Water Testing, Jamie Schlecht 400.00 Comm Center Deposit

Refund, Sd State Treasurer (Sd Dor) 806.16 Sales Tax Due To State, Sd Unemployment Insurance 71.67 Unemployment Insurance, Sdarws 400.00 Water Pressure Testing, Secretary of State 30.00 Notary Fees, Linda Smith 400.00 Comm Center Deposit Refund, Steve Rhody Services 50.00 Window Washing Services, Team Laboratory Chemical, Llc 3752.50 Sewer Supplies, Productivity Plus Account 5.26 Fees, Transource Truck & Equip, Inc. 455.98 Supplies, Upframe Creative 375.00 Website Maintenance, Us Bank Trust-Spa Lkbox Cm9695 11716.19 Sewer Srf Loan, United States Dept Of Ag 6107.00 Sewer Usda Loan, Haydyn Wiesner 500.00 Scholarship Award.

There was no one present for public voice.

The second reading of Ordinance No. 641, An Ordinance regarding one-way streets and alleys was held.

Motion by Pauli, seconded by Reppe to approve Ordinance No. 641 An Ordinance Amending Ordinance 7-2-3 Designation of One-Way Streets and Alleys for adoption. Upon roll call vote, all voted aye. Motion carried.

Sarah Salzer of Healthy Hometowns and CLAD was present for the unfinished discussion of the empty lot available to the City of Clear Lake to purchase for possible park development. The seller wants to get rid of the lot and the past contract fell through. Discussion was held on a possible dog park for the property.

Motion by Mewherter, seconded by Drake to instruct the City Attorney to offer the sum of \$15,000 to the owner to purchase property described as Block 2 Rogness Addition to Clear Lake, Deuel County, South Dakota. Upon roll call vote, Bjerke yes, Drake yes, Mewherter yes, Pauli no, Reppe yes. Motion carried.

Motion by Reppe, seconded by Pauli to convene as Planning Commission. All voted aye. Motion carried.

A plat was submitted for approval by Scott and Melissa Kloos. Melissa Kloos explained the plat combines two of their adjoining properties into one.

Motion by Bjerke as a member of the Planning Commission, seconded by Drake to approve the Plat of Lots 4A & 5A, Block 16, Wilcoxen's Addition, Replat of Lots 3 & 4 and the West ½ of Lots 5 & 6, Block 16 of Wilcoxen's Addition to the City of Clear Lake, Deuel County, South Dakota. Upon roll call vote, all voted aye. Motion carried.

Motion by Mewherter, seconded by Drake to adjourn as Planning Commission and reconvene as regular Council. All voted aye. Motion carried.

Heather Mahon (Estey) met with the Council as Director of the Clear Lake City Library for a number of items. The Library has been undergoing remodeling and is needing new shelving.

Motion by Drake, seconded by Reppe to approve the shelving quote from DEMCO in the amount of \$1693.97 for the Clear Lake Public Library. Upon roll call vote, all voted aye. Motion carried.

Mahon continued to give updates to the Council. She explained that the Library would better serve its patrons by expanding its hours. She said she has been asked to be open more nights and mornings during the week similar to how it was in the past.

Motion by Drake, seconded by Bjerke to approve expanding the Library hours to be open as follows: Mon-Wed-Fri open from 10am-6pm and Tu and Thurs open from 3pm-8pm to be effective immediately. Upon roll call vote, all voted aye. Motion carried.

Sara Pankonin of Banner Associates met with the Council and presented the Letter of Contract Proposal for Technical Evaluation of the Clear Lake Swimming Pool. This contract would provide the City with a full spectrum of the needs of the pool as well as compliance issues. Sub-Contractors would be performing the evaluation.

Motion by Pauli, seconded by Reppe to contract with Banner Engineering and their subcontractors for a technical evaluation and repair status in the amount of \$15,600.00 to fall under 2024 budget. Upon roll call vote, all voted aye. Motion carried.

Pankonin updated the Council on the current Lift Station project progress. A survey is scheduled to be done soon. Pankonin also discussed the Wastewater treatment plan in the Facilities Study. This is the SAGR system presented to the Council last year for approval. Pankonin said funding could be applied for by January 1st for the SAGR system if the Council and Public Works Superintendent felt it would be necessary. There have been no compliance violations which could be largely due to the dry weather. She would like the Council to consider moving forward with the application and possible public hearing. If there would be no grants available, there would be an additional increase in the monthly rates. Council took it all into consideration.

In other business the reading of Resolution 2024-16, Plat for Scott and Melissa Kloos was held.

Motion by Pauli, seconded by Bjerke to approve Resolution 2024-16. Upon roll call vote, all voted aye. Motion carried.

Certificate of Deposit #X0847 with DNB Bank was reviewed by Council. It matures Oct. 24, 2024 as an annual CD.

Motion by Drake, seconded by Pauli to cash out CD X0847 in the amount of \$175,000 to be put into unassigned fund balance in the General fund. Upon roll call vote, all voted aye. Motion carried.

Motion by Pauli, seconded by Bjerke to take out a new CD with DNB National Bank in the amount of \$50,000 at a rate of 4.0%. Upon roll call vote, all voted aye. Motion carried.

Motion by Pauli, seconded by Bjerke to reschedule the November City Council meeting to Thursday, November 14th at 6:30pm due to the Veteran's Day Holiday. Upon roll call vote, all voted aye. Motion carried.

Motion by Mewherter, seconded by Bjerke to declare the following as surplus property, having no value or value less than \$2500 and authorize disposal or donation of the same: Finance Office: Computer System HP EliteDesk Serial #MXL8513FDG, keyboard and mouse; Smart Link USB internet box for mail surplus back to Pitney Bowes for destruction. City Shop: Computer System Tower Serial #S3133A8UMJGMPH, keyboard and mouse; HP LaserJet 6P Printer 9 for scrap no value. Water Meters: MXU 18024721, 71145759, and 65690582. Upon roll call vote, all voted aye. Motion carried.

Discussion was held on the CRP land the City owns and has let the contract expire. The west half of the land was put into custom farming in 2023 with CLAD. There are 33.98 acres on the east half that were in contract with CRP until September 30, 2024. CLAD has put their portion of the west half into custom farming to prepare it for the 2025 planting season.

Motion by Drake, seconded by Mewherter to put the 33.98 acres of CRP land located at the old airport property up for custom farming with CLAD. Upon roll call vote, all voted aye. Motion carried.

Public Works Superintendent Collins discussed having a permanent 4-way stop at the corners of 1st Street and 4th Ave S. The intersection is usually changed to an uncontrolled intersection in the fall and winter months. It is a busy intersection and the stop signs are useful in controlling traffic for pedestrians.

Motion by Drake, seconded by Pauli to approve a permanent 4-way stop at the intersection of 1st Street and 4th Ave S. Upon roll call vote, all voted aye. Motion carried.

Collins discussed the 2025 budget for paving. He proposed taking some paving projects out of what he originally budgeted for and adding new areas that should be paved and completed. This could result in a \$86k-90k budget increase. Bids would not need to be submitted until Jan-Feb 2025. The Council will take it under consideration.

The owners of the property at 513 3rd Ave S have a severely delinquent utility bill with the City. The water has not been disconnected as there are no correct findings of the location of the curb stop. The house is not inhabited to the City's knowledge at this time. Several letters to the owners and former residents have gone unanswered. Finance Officer Krueger stated that she just received all of the letters and bills back as "return to sender". She was contacted by the owner who said they intend on paying the bill.

Motion by Bjerke, seconded by Pauli to instruct the City Attorney to commence a small claims action after seven days have passed if no payment is received on account no. 4060.02. Upon roll call vote, all voted aye. Motion carried.

Finance Officer Krueger started discussion regarding numerous complaints in the City about nuisance lots, and loose or barking dogs. City ordinances are being ignored by many and complaint letters are going unanswered. Krueger asked the Council for advice on handling nuisance properties and gave comparison of other cities. A municipality cannot impose a fine without legal action or going to court unless the city has a City Police Department. There is a particular resident that has received several complaints and will likely go to court for their nuisance property and unlicensed dog that disturbs the neighborhood. City Attorney Todd Boyd discussed the dangers of pit bulls in the city. He gave examples of recent incidences to the Council. Much discussion was held. Krueger will contact complainants for more information to start a case, other complaints will be reviewed and stricter ordinances will be reviewed by Committee.

Krueger presented an ongoing harassment complaint from a city employee. The employee has filed a statement with the Sheriff's Office but feels support from Council members might be more effective. Council suggests the City employee consider a restraining order.

There were no committee reports this meeting.

Superintendent Collins reported on several topics related to his department. He commented on nuisance loose dogs in town. He also reported that a resident commented there are those that try to improve their property and are required to pay building permit fees, etc., and then there are those that don't take care of their property at all and nothing is done.

Collins gave updates on the parks, the SCADA system, and other winterizing duties within his department. Collins further discussed a vehicle he was interested in purchasing. The 2024 budget for vehicles allows for the purchase.

Motion by Drake, seconded by Mewherter to approve the purchase of an older Chevy pick-up if it is in good condition upon inspection for \$5000.00 within 2024 budget. Upon roll call, all voted aye. Motion carried.

City Attorney Todd Boyd had comments on upcoming liquor license renewals and operating agreements.

Finance Officer Krueger commented that the Hospital and Home Community Group has disbanded and have donated some of their inventory to the Community Center like small appliances, towels and other items.

Krueger also passed on Zoning questions for Zoning Officer Val Lundquist. Discussion was held. A property owner of land zoned ag requested a temporary shipping container. The Council felt this was fair as long as it is temporary and suggested the Zoning Ordinance be amended to allow these within ag.

Another property owner requested information about an accessory building on their property that would be quite large but could still fall under zoning regulations. The Council felt 1200 square feet should be the absolute limit for accessory buildings.

Alderswoman Drake commented on updating the electrical poles at Cardinal Field.

Alderman Reppe commented on trimming bushes in the city ROW and also locations where more yield signs are needed.

No other Council members or the Mayor had comments.

There being no further business, motion by Bjerke, seconded by Drake to adjourn at 8:28 PM. All voted aye. Motion carried.

Mary Krueger
Finance Officer

“This institution is an equal opportunity provider.”

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