

The Clear Lake City Council met in regular session on Thursday, November 14, 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, Jamie Hintz and Jonas Reppe. Also present were Mary Krueger, Todd Boyd, Elliott Furman, Val Lundquist, Heather Mahon, Katie Ruppelt, Josh and Rylynn Streich, Steve and Nickie Kerkvliet, Kristi and Stephen Walker, Tim Hulscher, Tammy Krein, Clint Powell, Patsy Cassels, Sarah Salzer, Deb Adkins, and Randall Keimig. The meeting began with the Pledge of Allegiance and then called to order by Mayor Lundberg.

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

Motion by Drake, seconded by Hintz to approve the consent agenda as follows: Minutes – Regular Meeting October 7, 2024; Monthly Financial Statements for the Month Ending October 31, 2024; Building Permits: Approved: Pat DeBoer – 409 9th Ave S – Curb and Gutter; Travis Wallert – 601 3rd Ave S – Accessory Building; Secured Storage LLC – 222 4th Ave S – Concrete Parking Lot and Sidewalk; Amy Rall – 422 11th St W – Replace Deck and add Step; Gerald Aberle – 304 9th St W – 18’x18’ House Addition. Demolition Permits: Approved: Michael Tol – 105 5th St E – House and Garage; Kirk & Nikki Berge – 711 10th Ave S - House. Delinquent Water Bills. Approval of Warrants. Temporary Liquor License Applications: December 7 – Wedding – Lundy’s Bar & Grill. 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. 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 1120.00; Mayor 370.00; Finance 4818.75; Gen Gov’t Building 332.00; Streets 9276.78; Snow 219.76; Rubble Site 1747.29; Parks 1139.86; Library 3130.78; Community Center 268.00; Water 7135.67; Sewer 5865.32; Aflac 114.79; SD Retirement 3600.44; Optilegra 70.76; Health Pool of SD 8638.61; Delta Dental of SD 423.60; Sioux Valley FCU 200.00; Dnb-Fica/Wh 7681.81. EXPENSES: A&B Business Solutions 193.51 Copier Contract, Appera 132.25 Janitorial Services, Banner Associates, Inc 34019.71 Project Engineering, Darren Barondeau 127.30 Travel Reimbursement, Bjerke Sanitation 7536.59 Sanitation Services, Boyd Law Firm, Prof. L.L.C. 1395.00 Legal Fees, Brookings-Deuel Rws 11692.40 Water Utilities And Purchase, Certified Laboratories 267.45 Supplies, Clear Lake City Library 1457.68 Books, City Of Clear Lake 1175.09 Utilities And Deposit Refunds, Clear Lake Building Center 822.00 Supplies, Clear Lake Courier 430.41 Publications And Supplies, Clear Lake Senior Citizens 150.00 Annual Support, Cole Paper Inc. 624.10 Janitorial Supplies, Connecting Point 4359.55 It Services And Equipment, D & L Digging 2800.00 and \$1550.00 Water Leak And Curb Stop Repair, Dakota Pump & Control, Inc. 24054.33 Remainder Scada System, DC Farmers Union Oil \$446.76 Supplies, Deuel County Sheriff 6172.00 Law Enforcement Contract, Deuel County Treasurer 26.70 Title Transfer And Plates, Dcn Insurance 23.67 Workmans Comp Second Check, Dcn Insurance 314.46 Workmans Comp Second Check, Eastside Equipment 48.48 Supplies, Efraimson Electric \$1676.92 Rubble Site Work, First Bank & Trust 4853.98 Credit Card Expenses, H-D Electric Coop, Inc 186.66 Electric Energy, Cougar Hofland 150.00 Meter Deposit Refund, Itc Telecom 611.62 Telephone And Internet, Keimig Auto Repair 722.88 Repairs, Esther Krause 10.00 Meter Deposit Refund, Mary

Krueger 64.19 Travel Reimbursement, Maynard's Food 44.85 Supplies, Leigh Mellendorf \$5000.00 2003 Chevy Pickup, Milbank Winwater Works \$785.20 Supplies, Nosbush Plumbing & Heating 148.13 Heating Services, Ottertail Power Co 3552.05 Electric Energy, Pheasantland Industries \$48.59 Supplies, Pitney Bowes Bank \$791.99 Postage, Pitney Bowes Inc. \$149 Supplies, Sd Department Of Health 30.00 Water Testing, Kathy Ronne-Holida 400.00 Comm Center Deposit Refund, Runnings Farm And Fleet 39.95 Supplies, South Dakota One Call 53.76 and \$99.68 Locates, Sd State Treasurer (Sd Dor) 943.51 Sales Tax Due To State, South Dakota Municipal League 1538.00 League Dues, Sdml Workers' Compensation Fun 788.97 Workmans Comp Second Check, Sdml Workers' Compensation Fun 10482.03 Workmans Comp Second Check, Steve Rhody Services 50.00 Window Washing Services, Productivity Plus Account 4.23 and \$636.53 Supplies, Uline \$3513.69 Signs, United States Dept Of Ag 6107.00 Sewer Usda Loan.

There was no one present for public voice.

Motion by Bjerke, seconded by Pauli to convene as Board of Adjustment. All voted aye. Motion carried.

A conditional use permit was submitted for an in-home daycare for Kristi Walker located at 103 4th Ave N. Walker was present and explained the need for daycare in town and what her operation would entail. Tim Hulscher was present as an adjoining property owner with questions. Discussion was held.

Motion by Pauli, as a member of the Board of Adjustment, seconded by Drake to approve the Conditional Use Permit for an in-home daycare for Kristi Walker located at 103 4th Ave N. Upon roll call vote, all voted aye. Motion carried.

Josh Streich appeared before the Board of Adjustment to discuss his campground he is developing. Upon recommendation of First District, the Board can consider allowing storage of campers year-round in the Camping Ordinance of the Zoning Ordinance with certain conditions. A public hearing needs to be held. Discussion was held between the Council and Streich on various temporary storage units. More discussion to follow at the public hearing to be scheduled.

Motion by Reppe, seconded by Drake to adjourn as Board of Adjustment and reconvene as regular Council. All voted aye. Motion carried.

Sarah Salzer of Clear Lake Area Development (CLAD) appeared before Council to announce they have hired a new Director for CLAD. Salzer thanked the Council for their support during her time as director. She then introduced Deb Adkins as the new CLAD Director. Deb gave her introductions and the Council welcomed Director Adkins.

DADI (Deuel Area Development Inc.) representative Tammy Krein, along with PinPoint Corp. representative Clint Powell presented to the Council their plans for affordable housing on Lots at Wildlife Estates. Powell explained the TIF process that would be needed to develop the area. The property taxes through the TIF would go back to the Development Corp. DADI would be responsible for writing the plan and taking the risk. The City would have no fiscal risk. The City would serve as a pass-through for the TIF. The project would be geared towards senior housing in duplexes. Powell and Krein answered many questions about the plans. Local contractors would be sought for the construction process; the TIF would be the first step in the development. DADI and PinPoint were asking the Council if they would be open to the idea and

on board with a TIF for their plans. The Council was in favor of the TIF after discussion about costs, details, and infrastructure. DADI is expecting to schedule a public hearing by spring 2025.

Katie Ruppelt of 614 11th Ave S appeared before Council to ask for \$13/linear foot reimbursement for curb and gutter. She stated he was under the impression they would be reimbursed near 50% because curb and gutter was required and furthermore was not told the incentive program expired August 1st where now the reimbursement is back to \$6/foot. The original Resolution states it is on a first come, first served basis until funds are depleted. This is the current case. It is rare the funds for curb and gutter are depleted in a year but there were many reimbursements issued in 2024. There was much discussion amongst Council and Ruppelt.

Motion by Mewherter, seconded by Hintz to approve reimbursement of \$13/linear foot for curb and gutter for Ryan Love and Katie Ruppelt of 614 11th Ave S. Upon roll call vote, all voted aye. Motion carried.

The first reading of Ordinance No. 642, an Ordinance Supplementing Appropriations for the City of Clear Lake for the year ending 12/31/2024 was held.

Motion by Drake, seconded by Pauli to approve the 2025 Uniform Alcoholic Beverage License Application for Retail Liquor sales and the Alcoholic Beverages Operating Agreement for the Clear Lake Golf Club, subject to all State and local requirements being met and all required documents and payments being submitted to the City Finance Office prior to January 1, 2025. Upon roll call vote, all voted aye. Motion carried.

Motion by Pauli, seconded by Hintz to approve the 2025 Uniform Alcoholic Beverage License Application for Retail Liquor and Package sales and the Alcoholic Beverages Operating Agreement for Lundy's Bar & Grill LLC, subject to all State and local requirements being met and all required documents and payments being submitted to the City Finance Office prior to January 1, 2025. Upon roll call vote, all voted aye. Motion carried.

Motion by Drake, seconded by Reppe to approve the 2025 Uniform Alcoholic Beverage License Application for Retail Liquor and Package sales and the Alcoholic Beverages Operating Agreement for Tailfeathers LLC, subject to all State and local requirements being met and all required documents and payments being submitted to the City Finance Office prior to January 1, 2025. Upon roll call vote, all voted aye. Motion carried.

Motion by Bjerke, seconded by Drake to approve the 2025 Uniform Alcoholic Beverage License Application for Retail Liquor and the Alcoholic Beverages Operating Agreement for Muttly's subject to all State and local requirements being met and all required documents and payments being submitted to the City Finance Office prior to January 1, 2025. Upon roll call vote, all voted aye. Motion carried.

Motion by Pauli, seconded by Hintz to approve the 2025 Uniform Alcoholic Beverage License Application for Package Liquor sales and the Alcoholic Beverages Operating Agreement for Maynard's Food Service subject to all State and local requirements being met and all required documents and payments being submitted to the City Finance Office prior to January 1, 2025. Upon roll call vote, all voted aye. Motion carried.

Motion by Drake, seconded by Bjerke to approve the 2025 Uniform Alcoholic Beverage License Application for Retail Wine and Cider sales for Dolgen Midwest, LLC, dba Dollar General Store #16254, subject to all State and local requirements being met and all required

documents and payments being submitted to the City Finance Office prior to January 1, 2025. Upon roll call vote, all voted aye. Motion carried.

Many of the bar owners in the City have inquired about the City's requirement of a Notice to Suppliers. This document makes sure the City is not held responsible for default of purchase of alcohol from distributors. This was in response to prior litigation with the City. Research was produced stating this Notice to Suppliers is not a necessary document and no other City demands this requirement. The Department of Revenue stated they do not recommend this notice be signed at time of renewal. The only requirement is an operating agreement.

Motion by Hintz, seconded by Bjerke to waive the requirement of a signature on the Notice to Suppliers document to distributors for Alcoholic Beverage Licenses for 2025 and omit the document starting in 2026. Upon roll call vote, all voted aye. Motion carried. The Operating Agreement will be reviewed for 2026.

Motion by Bjerke, seconded by Drake to discontinue water/sewer billing at service address 711 10th Ave S per Ordinance No. 629. Upon roll call vote, all voted aye. Motion carried.

Motion by Mewherter, seconded by Hintz to declare the following as surplus property, having no value or value less than \$2500 and authorize disposal or donation of the same: Water Meter: 71145782. Upon roll call vote, all voted aye. Motion carried.

Motion by Drake, seconded by Pauli to approve Health Insurance Plan HPSD 1000 with the Health Pool of South Dakota, with a 6% increase, for the January 1, 2025 – December 31, 2025 plan year. Upon roll call vote, all voted aye. Motion carried.

Motion by Drake, seconded by Hintz to approve the 2025 dental plan with Delta Dental with a slight rate increase for the January 1, 2025 – December 31, 2025 plan year. Upon roll call vote, all voted aye. Motion carried.

Motion by Pauli, seconded by Hintz to eliminate the following receivables off the records due to inability to collect: Account #4792.05 - \$121.15. Upon roll call vote, all voted aye. Motion carried.

Motion by Hintz, seconded by Drake to approve the auto supplement budget request to General Fund West Nile (101-441.3-426.11) for \$1500.00 from a State Grant. Upon roll call vote, all voted aye. Motion carried.

Motion by Pauli, seconded by Drake to approve the auto supplement budget request to General Fund Parks (101-452-425) for \$211.38 from CLAD for concrete purchase. Upon roll call vote, all voted aye. Motion carried.

Motion by Bjerke, seconded by Pauli to approve the auto supplement budget request to General Fund Library (101-455-434.60) for \$400.00 from Heather Mahon from Farmer's Market Proceeds and Healthy Hometowns for donation. Upon roll call vote, all voted aye. Motion carried.

Heather Mahon, Library Director spoke on behalf of the Clear Lake Library and recommended Rogene Severson as a new appointment to the Board of Trustees.

Motion by Drake, seconded by Hintz to approve Rogene Severson to the Library Board of Trustees. Upon roll call vote, all voted aye. Motion carried.

The Clear Lake Solid Waste contract expires 2/1/2025.

Motion by Mewherter, seconded by Pauli to approve publication for Notice to Bidders for bids due to the Finance Office by Friday, December 6, 2024. Upon roll call vote, all voted aye. Motion carried.

Discussion was held on the wireless internet connection for the Library and the City Building. It has been determined that it is not a safe connection and can pose a security risk. Library Director Mahon and Finance Officer Krueger spoke about the risks and different vendors they have contacted.

Motion by Drake, seconded by Reppe to approve the Solutions Proposal for network upgrades to the General Building from Connecting Point in the amount of \$1188.00 and an additional monthly fee for monitoring. Discussion was held on obtaining a quote from ITC for network upgrades. The motion was tabled until next meeting upon this discussion.

Motion by Mewherter, seconded by Drake to give Clear Lake Chamber Bucks for Christmas in the amount of \$150.00 to each full time employee and \$75.00 to each regular part time employee. No changes in the amounts this year. Upon roll call vote, all voted aye. Motion carried.

Motion by Hintz, seconded by Reppe to set the date for the year end Council meeting to be held Monday, December 30, 2024, at 5:30pm. Upon roll call vote, all voted aye. Motion carried.

Alderwoman Bjerke gave her report from the Oct. 21st Library Board Meeting. She reported on new board members, programs and hours. Everything is going well in the Library. The outdoor book drop box was discussed. The Public Works department will look to see if there is a solution.

Public Works Official, Elliott Furman gave comments from the Department. They are prepared and ready for snow removal season. He mentioned hiring for temporary snow removal positions and has an application on hand. This can be reviewed at the next meeting after Personnel Committee does evaluations.

City Attorney Todd Boyd had very few comments.

Finance Officer Krueger asked the Council to schedule some future Committee meetings.

Krueger then informed the Council that Governor Noem has granted leave for the Friday after Thanksgiving as well as Monday and Tuesday, December 23rd and 24th for the additional Christmas holiday. The City follows the Governor and State Holidays.

She further informed the Council that per agreement, Dave Cook had pressure testing performed on the sewer line at Cook Lots near the Lake as well as the coupling repaired. In speaking with Brandon Collins, Krueger reported the test went well and was performed by an engineering firm on October 1st. She spoke with Mr. Cook who said his attorney is preparing a record of approval and the Council can be expecting that soon so they can move forward with the next steps of development.

Krueger has been sending out letters required by the Federal EPA and the State DANR. These are in response to the Lead Survey Results. The letters are required every year until further notice, otherwise the City will be cited with a violation with the DANR. Eleven letters were sent to lead-known lines, 10 to galvanized lines needing replacement at some point, 66 letters were sent to those unknown that the City has not received a survey from. And 312 letters were sent to those who are non-lead known for the customer portion of the lines, but unknown on the

city side at this time. She hopes to work with the Public Works Superintendent to whittle down those unknowns to make this a less labor-intensive project in the future. Discussion was held.

Krueger also wanted to inform the Council she has spoken with Banner Engineering about the Lead Surveys. Replacement of the City portion on private property becomes an easement issue. The State is working with the EPA trying to ease regulations to very rural areas as funding available will go to metropolitan areas. The City's future water projects will replace any known lead lines that they can within the contract.

Krueger went on to explain she spoke with Banner to see if the Phase I water project could be amended to add in a new water meter system and meters. Banner will obtain an updated quote from Core & Main for system replacement. What the City has currently is outdated and cannot be updated, furthermore part replacement for the readers have been difficult to find. Something needs to be done soon. The amendment could be included before December 31st application deadline for March awards. Banner Engineering will likely be at the December meeting and Council can make a firm decision at that time.

Mayor Lundberg commented on the Library environment being very positive.

Alderman Pauli had several comments about a resident trapping animals and pets in town. Much discussion was held on any possible solutions.

Alderman Drake also spoke with Dave Cook about the Cook Lots and she passed along his requests for future building permits for owners of those properties.

Alderman Hintz reported briefly on a recent CLAD Board meeting.

No comments from Alderman Reppe or Alderwoman Bjerke.

Alderman Mewherter spoke with Gary Eide who is proposing replanting pine trees at the former airport land. Eide would do the planting and water maintenance. This will be reviewed at next Council meeting after some research.

Motion by Pauli, seconded by Reppe to move into Executive Session at 8:26pm 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 9:10pm.

Motion by Drake, seconded by Bjerke to accept the resignation of Public Works Superintendent Brandon Collins effective November 10, 2024. Upon roll call, all voted aye. Motion carried.

Motion by Pauli, seconded by Drake to promote Elliott Furman to Public Works Superintendent on the Personnel Committee's recommendation with a starting wage of \$30.00/hour effective retroactively November 11, 2024. This wage will not increase with the COLA increase January 1, 2025, but rather be reviewed in 6 months. Upon roll call, all voted aye. Motion carried.

There being no further business, motion by Bjerke, seconded by Drake to adjourn at 9:12 PM. All voted aye. Motion carried.

Mary Krueger
Finance Officer

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