

The Clear Lake City Council met in special session on Monday, December 30, 2024, at 5:30 PM in the Conference Room of the Municipal Building with Mayor Lisa Lundberg presiding. Those present were Alderwomen Ramona Drake and Amy Bjerke, Aldermen Rod Pauli, Jamie Hintz, Harry Mewherter and Jonas Reppe. Also present were Mary Krueger, Todd Boyd, Elliott Furman, Sara Pankonin, and Landen Buse. The meeting began with the Pledge of Allegiance and then called to order by Mayor Lundberg.

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

No one was present for public voice.

There was no unfinished business for 2024 presented at this meeting.

Cody Krause, Fire Department members and/or CLAD members were not present for their appointment.

Banner Engineering representatives Sara Pankonin and Landen Buse met with Council to give updates on the Phase 1 Watermain and Storm Sewer Project. Discussion was held on topography regarding Phase 1, drainage issues, and curb and gutter. Pankonin questioned if the water should remain out of the Right-Of-Way as it is currently. Much discussion was held on drainage within new roadways. It seemed the better choice to leave the drainage out of the ROW and obtain drainage easements. Banner will contact their expert, Mike Adams on possible drainage easements and to reach out to property owners. Pankonin also presented a concept of a drainage ordinance. Much discussion was held. Pipe placement and construction will need an easement, water flow may also need an easement. A prescriptive easement was discussed as to what is mutually beneficial for all parties.

Motion by Bjerke, seconded by Hintz to approve the following warrants: EXPENSES: A&B Business Solutions 74.03 Copier Contract, Rose Bauman 150.00 Muni Room Deposit Refunds, Boyd Law Firm, Prof. L.L.C. 1327.50 Legal Fees, Clear Lake Building Center 3005.20 Door Stops & New Door/Frame, Clear Lake Courier 235.41 Publications, Clear Lake Chamber Of Commerce 155.00 Chamber Dues, Connecting Point 284.00 It Backup Services, Deuel County Highway Dept. 1013.06 Supplies And Maintenance, Cl Lake Destination Imagination 400.00 Com Ctr Deposit Refund, First Bank & Trust 779.85 Credit Card Purchases, Geotek Engineering & Testing 5660.00 Lift Station/Forcemain Service, Nancy Greene 50.00 Meeting Room Deposit Refund, Val Lundquist 144.32 Mileage Reimbursement, Menards 372.78 General Supplies, Chris Parker 400.00 Com Ctr Deposit Refund, Pitney Bowes Bank Inc 57.48 Postage, Pitney Bowes Inc 186.54 Postage Meter Rental, Sd Department Of Health 45.00 Water Testing, Emma Ruby 400.00 Com Ctr Deposit Refund, Runnings Farm And Fleet 21.18 Supplies, Scott Engineering Company 1300.00 Curb And Gutter Improvements, Sensus Usa Inc. 3700.00 Sensus Software Support, Allen Skatvold 50.00 Meter Deposit Refund, Steve Rhody Services 50.00 Window Washing Services, Supreme Welding Inc 36.81 General Supplies, Team Laboratory Chemical, Llc 2811.50 Sewer Supplies, Todd's Farm Hydraulics Llc 825.78 Snow Repairs. Upon roll call vote, all voted aye. Motion carried.

Motion by Drake, seconded by Hintz to approve travel and expenses for Darren Barondeau to attend the annual ATC Conference in Pierre, SD on January 14-16, 2025. Upon roll call vote, all voted aye. Motion carried.

Motion by Drake, seconded by Pauli to approve Resolution 2024-18 Transfer from Contingency Fund (2). Upon roll call vote, all voted aye. Motion carried.

Motion by Drake, seconded by Bjerke to approve and sign the engagement letter with Eide Bailly LLP to audit the City of Clear Lake for 2024 to begin 2025 for an estimated cost of \$19,850 plus 5% technology fee. Upon roll call vote, all voted aye. Motion carried.

The Services Committee presented their report from their most recent meeting. It was decided to leave current utility rates as is until the surcharges are in place. The Garbage/Recycling book will be printed in January and mailed with January bills. A security system for the Rubble Site was discussed. Superintendent Furman will secure new quotes with and without monthly charges.

Fines for Rubble Site violations and illegal dumping were discussed. Explained by City Attorney Todd Boyd, fines cannot be imposed by the City except after the complaint process and then through the court system. The reasons for this were discussed at length. Superintendent Furman maintained that the Sheriff's Office should still be responsible for writing tickets for violations and/or fines. Code enforcement would not be applicable. Resolution 2018-9 will be reviewed in the future for fine amounts and Finance Officer Krueger will contact the Sheriff's Office for their responsibilities according to contract.

Public Works Superintendent Furman had no other comments.

Finance Officer Krueger prepared the Council for Committee meetings in January.

City Attorney Todd Boyd commented on topics from last meeting's discussion.

Alderman Pauli commented on cleaning up Main Street and complimented the town of Toronto on their Main Street.

Alderwoman Drake inquired about the pending car wash. The City Office has heard no word on further development.

No other comments from the Mayor or any other Council members.

Motion by Bjerke, seconded by Hintz to move into Executive Session at 7:00pm 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 7:20pm.

Motion by Hintz, seconded by Drake to approve Jerome Martinmaas as a part-time, seasonal employee for the Public Works Department with a starting wage of \$17.25/hr. retroactive starting date of December 19, 2025. Upon roll call, all voted aye. Motion carried.

Motion by Drake, seconded by Pauli to amend the December 9, 2024 Regular Council Meeting minutes to reflect the following reasons the bid by Bjerke Sanitation (of Altamont, SD) was awarded for the Garbage Contract:

- The council is well aware of Bjerke Sanitation's dependability and reliability based upon its performance over the past 25 years for the city and has a well-established, good working relationship with them;
- There is always a concern that the garbage may not be picked up if the contractor is located a distance away from the city and the weather is severe. This is not an issue with Bjerke Sanitation;
- The bid accepted by the council by Bjerke Sanitation is less than that amount currently being charged each residence;
- SDCL 5-18A-7(6) requires a bid must conform to the solicitation. The bid submitted by Dakota Dumpsters did not state whether the amount bid included the city's 50¢ charge for billing each customer every month; and the Specifications and Bid Form were not used by any other bidder;

- The Clear Lake City Council waives any technical irregularities in the bid per SDCL 5-18A-5(6).

The Garbage 5-Year Contract from February 1, 2025 – January 31, 2030 was awarded to Bjerke Sanitation, Altamont, SD. Upon roll call, all voted aye with Bjerke abstaining. Motion carried.

There being no further business, motion by Bjerke, seconded by Drake to adjourn at 7:21 PM. All voted aye. Motion carried.

Mary Krueger
Finance Officer

“This institution is an equal opportunity provider.”

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