

The Clear Lake City Council met in regular session on Monday, March 10, 2025, 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 Rod Pauli, Jamie Hintz, Harry Mewherter and Jonas Reppe. Also present were Mary Krueger, Todd Boyd, Elliott Furman, Val Lundquist, Rookie Dallman, Kellen Marson, Bob Bauman, Josh and Rylynn Streich, Neal and Wayne Boeke, Marlen Kasemodel, Jack and Joseph Buchholtz, John Hall Sr. and John Hall Jr., Thad Krause, Daryl Root, Deb Adkins, Matt Stormo, Brady and Holly Mellendorf, and Sara Pankonin. 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.

Motion by Hintz, seconded Reppe to approve the consent agenda as follows: Minutes – Regular Meeting February 10, 2025 with a minor correction to read Alderwoman Bjerke (changed from Alderman Bjerke) reported on the most recent Library Board meeting.; Monthly Financial Statements for the Month Ending February 28, 2025; Moving (out) Permit: Austreim Properties – Lot 23 Blk 13 Shady Maple Court – Mobile Home. Building Permits: Pat DeBoer – 6th St W and 11th Ave S – New House and Shed. Delinquent Water Bills. Approval of Warrants. Temporary Liquor License Applications: March 22, 2025 – Pheasants Forever Banquet – High Mountain Supper Club. Temporary one-day permits are subject to all paperwork being signed and submitted to the Finance Officer and that applicants provide the city with proof of liability insurance for the event. Approvals of permits are subject to the condition that they are in accordance with all building codes and ordinances of the City. There was some discussion on a delinquent water bill of a resident in the City. No formal action taken. Upon roll call vote, all voted aye. Motion carried.

Warrants Approved: PAYROLL: Council 1450.00; Mayor 475.00; Finance 5200.25; Gen Gov't Building 393.94; Building Inspector 200.00; Streets 7373.44; Snow 1935.26; Rubble Site 201.88; Library 3648.84; Community Center 656.44; Water 6510.04; Sewer 4551.01; Aflac 244.66; SD Retirement 3151.86; Optilegra 46.51; Health Pool of SD 6752.44; Delta Dental of SD 315.00; Sioux Valley FCU 200.00; Dnb-Fica/Wh 7259.53. EXPENSES: A&B Business Solutions 121.27 Copier Contract, Appera 132.25 Janitorial Services, Amg Avera Occ Medicine Sf 36.60 Drug Testing, Banner Associates, Inc 45786.00 Project Expenses, Kelli Bauman 75.00 Muni Room Deposit Refund, Bjerke Sanitation 7373.75 Sanitation Services, Boyd Law Firm, Prof. L.L.C. 1417.50 Legal Fees, Brookings-Deuel Rws 8616.00 Water Utility And Purchase, Clear Lake City Library 2011.24 Books And Supplies, City Of Clear Lake 421.17 Water Sewer Utilities, Clear Lake Courier 1080.57 Publications And Supplies, Connecting Point 489.00 Monthly It Backup, D & L Digging 4500.00 Water Leak, Deuel County Sheriff 6357.16 Law Enforcement Contract, Deuel County Farmers Union Oil 567.94 General Supplies, Dnb National Bank 25.00 Po Box Rental, First Bank & Trust 2837.83 Credit Card Purchases, Fritz Chevy-Olds 115.65 Repairs, Geotek Engineering & Testing 8900.00 Tech Exploration Phase I, H-D Electric Coop, Inc 146.38 Electric Energy, Hillyard/Sioux Falls 175.63 Comm Center Floor, Innovative Office Solutions 784.64 Billing Supplies, Itc Telecom 481.29 Telephone And Internet, Maynard's Food 501.06 Comm Center Dep Refund, Milbank Winwater Works 1960.79 Water Supplies, Northwestern Energy 1838.64 Natural Gas Energy, Ottetail Power Co 5082.22 Electric Energy, Pitney Bowes Bank Inc 855.65 Postage, Pitney Bowes Inc 186.54 Lease

Rental, Tate Pope 150.00 Meter Deposit Refund, Sd Department Of Health 30.00 Water Testing, Sd State Treasurer (Sd Dor) 718.23 Sales Tax Due To State, Sdarws 500.00 Water Maintenance, Jasmin Seppanen 75.00 Muni Room Deposit Refund, Steve Rhody Services 50.00 Window Washing Services, Us Bank Trust-Spa Lkbox Cm9695 6837.30 Water Srf Loan, United States Dept Of Ag 6107.00 Sewer Usda Loan.

No one present at the meeting was for public voice.

In unfinished business, the second reading of Ordinance No. 644, an Ordinance Regarding Sewer Rates was held.

Motion by Drake, seconded by Bjerke to approve and adopt Ordinance No. 644 An Ordinance Regarding Sewer Rates. Upon roll call vote, all voted aye. Motion carried. Publication will be March 12, 2025.

The bid opening for the asphalt paving project of 7th Street and 11th Avenue was held. Only one bid was submitted to the City.

Motion by Hintz, seconded by Mewherter to accept and award the bid to Bituminous Paving Inc. of Ortonville, MN in the amount of \$160/T or \$166,400.00 for the paving of one block of 11th Ave South and 1 block of 7th St West. Upon roll call vote, all voted aye. Motion carried.

The bid opening for the cash rental of hay or crop land of the former airport was held.

Bids submitted were as follows: Steve Tvedt/John Hall Jr. \$70/acre; Wayne Boeke \$125/acre; Thad Krause \$80/acre; Marlen Kasemodel \$25/acre.

Motion by Pauli, seconded by Drake to accept the bids for the cash rent for the 2025 and 2026 grass/crop seasons of a portion of the former airport. Upon roll call vote, all voted aye. Motion carried.

Bid raising began with a total of 13 raised bids and final bid at \$205.00/acre.

Motion by Mewherter, seconded by Pauli to award the bid to Steven Tvedt in the amount of \$205.00/acre for the cash rent for the 2025 and 2026 grass/crop seasons for 88.6 acres of the former airport. Upon roll call vote, all voted aye. Motion carried.

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

Josh Streich met with the Board regarding his campground and the use of storage containers on ag land. Streich prefers to place the container on a portion of his property zoned Ag which is not allowed. He would use it for equipment and tools and is looking for a 5-year temporary placement. Much discussion was held. Streich is trying to maintain and develop his property where there are others that do not follow the same rules. The suggestion was to place it on the R2L zoned area and then amend the conditional use permit for that placement. Streich wants a storage container on the northern edge of the R2L, but it is a small area zoned ag. It was suggested that a re-zone be scheduled for that area.

Motion by Drake as Board of Adjustment, seconded by Hintz to schedule a public hearing to amend the conditional use permit allowing Josh Streich a temporary shipping container for 5 full years on the R2L portion of his land located in Anderson Addition near the Lake of Clear Lake, SD. Upon roll call vote, all voted aye. Motion carried.

Motion by Pauli as Board of Adjustment, seconded by Hintz to schedule a public hearing to rezone a portion of the land currently zoned ag to R2L located in Anderson Addition near the Lake of Clear Lake, SD. Upon roll call vote, all voted aye. Motion carried.

Jackie Buchholtz met with the Board regarding his newly purchased property of the former Ford Garage and the use of storage containers on the property with other questions for the Board. He would like to place 4 – 8’-wide/20’-long containers in space from his existing building to the sidewalk on the south edge of the property. A conditional use permit would be required to change the setbacks from the south side bordering a residential property. Much discussion was held. If placed right up to the building, the last container would be 9 ft. away from the sidewalk. He would plan on making that side neat and presentable for the neighborhood. These are plans for the future and the Board said they would look at them closely before giving full approval. He also asked about “yard art” on his property located on 3rd Avenue (Main Street). His intention is to put more items there and perhaps a wrought iron fence so the public can view the items without being able to enter. The Board asked him to keep them updated on what items he is intending on placing there as to keep it neat and tidy. Buchholtz also mentioned putting a car front on the north or east side of the building. This is permissible as long as it isn’t interfering with the City ROW. Buchholtz will keep the Board updated.

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

Bob Bauman and Kellen Marson of the Clear Lake Baseball Association met with the Council. Marson explained they have registered Clear Lake Baseball Association as a 501 C3 non-profit organization and have 15 kids signed up for baseball (14U and 16U only) with games scheduled. There are conflicts between their association and Deuel Area Baseball Association regarding funds, field use, and some equipment. Last year they partnered with Summer Rec and would like to do so again keeping Summer Rec Baseball – up to 12U separate from the older teams. They stated the other group wants to coach all ages of baseball taking away the younger teams from Summer Rec. Since they have registered their association, there has been nothing but conflict or no communication between them and Deuel Area Baseball Association. They questioned the Council on who is in control of the field and who owns it since everything is locked up and they have no access. They want use of the field. The City maintains the field and pays for electric but the land is owned by the County. The City has a 99-year lease with the County. However, it is a public field. There was much discussion held about the animosity between both groups. City Attorney Boyd said it did look suspect for an outsider (Marson) coming in as a coach after coaching at many different towns for a limited number of years at each. The Council would like to hear from the other group as they will not make any decisions or choose between the two groups until there is more information. Mayor Lundberg stated the conversation needed to conclude and that Bauman and Marson need to work it out with Deuel Area Baseball Association.

Holly and Brady Mellendorf met with Council as they are hosting an event benefit on April 11th at the Community Center for a resident of the community who has cancer. They asked the Council if the fees could be waived as a donation from the City.

Motion by Drake, seconded by Reppe to waive the rental fee and deposit for the event at the Community Center on April 11, 2025. Upon roll call vote, all voted aye. Motion carried.

Banner Associates representative Sara Pankonin met with Council to outline the recent Planning Committee meeting regarding the Water project for 2025. Design plans are currently between 60% and 90% complete. Storm sewer pipes are in poor condition. The Phase I project will be reduced in area due to the expense created, particularly by curb and gutter

improvements. The State gave its approval for a reduced scope. The blocks that will be excluded from the project can be added in with a change order if the bids come in low. This project will be unit priced bids to allow for the change orders. An informational meeting will be held after the bidding process. However, a bid date will likely be late in the year for construction to begin in 2026.

Pankonin updated the Council on the detailed report received regarding the swimming pool. The cost for improvements and compliancy ranges from several hundred thousand dollars to a complete renovation which is millions of dollars. Discussion was held on what the City can do for funding, what compliancy issues can be resolved by employees, and what penalties may be if issues are not addressed. The full report will be given to Council by next meeting.

The Planning Committee reported on the Main Lift Station and Forcemain project. This is determined to be a stand-alone project and not to be bid at the same time as the Phase I water project. The final design plans and bid specifications were reviewed. Banner Engineering expects the project to bid soon and be fully completed by summer of 2026.

Motion by Drake, seconded by Bjerke to approve advertising Notice For Bids for the Main Lift Station and Forcemain Project. Upon roll call, all voted aye. Motion carried.

Motion by Drake, seconded by Reppe to approve the auto supplement budget request to General Building Fund (101-419.2-434.60) in the amount of \$466.25 from Clear Lake Library for shelving. Upon roll call, all voted aye. Motion carried.

Motion by Bjerke, seconded by Hintz to set the date for a Special Meeting for Local Review Board (Equalization) for Monday, March 17, 2025 at 5:00pm. Upon roll call, all voted aye. Motion carried.

Finance Officer Krueger presented the 2024 Annual Financial Report for the City of Clear Lake. This is complete for approval and publication.

Motion by Mewherter, seconded by Pauli to approve the 2024 City Annual Financial Report. Upon roll call, all voted aye. Motion carried.

The 2024 City Drinking Water Report was reviewed and discussed.

Motion by Mewherter, seconded by Bjerke to approve the 2024 Drinking Water Report. Upon roll call, all voted aye. Motion carried.

Motion by Drake, seconded by Hintz to set City-Wide clean-up week for Wednesday, May 7th and Saturday, May 10th, 2025 when the rubble site will be free of charge for acceptable items (outside of freon disposal) to residents of the City. Upon roll call, all voted aye. Motion carried.

Motion by Drake, seconded by Bjerke to give a free pass to the rubble site (with the exception of white goods) to each residential household which will expire Saturday, November 1, 2025. The pass will be sent out on the May utility bills. The City is not responsible for passes not received or lost. No duplicate passes will be given. Upon roll call, all voted aye. Motion carried.

Motion by Drake, seconded by Hintz to approve hiring Gary McNall for part-time Rubble Site Attendant to start May 1, 2025 at a rate of \$11.50/hr. Upon roll call, all voted aye. Motion carried.

Motion by Mewherter, seconded by Pauli to declare the following as surplus property, having no value or value less than \$2500 and authorize disposal of the same: Water meters:

Sensus Iperl 3/8 75027718, MXU 1300481 and Sensus 61040751. Upon roll call, all voted aye. Motion carried.

Discussion was held on the various certifications obtained by all the Public Works Employees. Currently the City's policy is to only allow for a wage increase upon obtaining water/sewer collection, treatment, and distribution certifications. Each public works employee has obtained or will obtain spray certifications in all 6 categories. The Council will take the request for increase in pay for the extra certifications under advisement and review again next meeting.

Discussion was held regarding water meter replacement and reading services for the City. Furman led discussion and investigated if this falls under bid law requirements or if he could send an RFP to trusted vendors. Furman and Finance Officer Krueger contacted Rod Fortin of State Legislative Audit for advice. Fortin agreed this is a very gray area regarding meters (equipment) and the software system (technology). Technology is exempt from bid laws. Fortin also agreed that meters are a public improvement and that threshold before bid requirements is \$100,000.00. Will the city's meters be more or less than this amount? Meters generally have more technological parts than mechanical. Other cities have used these reasons to be exempt from bidding according to SDCL 5-18A-22(5). City Attorney Boyd suggested that the City of Clear Lake be as transparent as possible and avoid any liability. Specifications for bids or an RFP will be limited to the City's needs.

Motion by Pauli, seconded by Drake to approve advertising for notice of bids for a water meter system for the City of Clear Lake. Upon roll call vote: Bjerke-no, Drake-yes, Hintz-no, Mewherter-no, Pauli-yes, Reppe-no. Motion failed.

Motion by Hintz, seconded by Reppe to approve a Request for Proposal submitted to interested vendors with the specifications tailored to the City for a water meter system for the City of Clear Lake. Upon roll call vote: Bjerke-yes, Drake-no, Hintz-yes, Mewherter-yes, Pauli-no, Reppe-yes. Motion carried.

The Policies Committee gave their report. Many ordinances and policies were reviewed for updates.

Motion by Pauli, seconded by Bjerke to approve the City Attorney to draft agreements with the Summer Rec Board, Baseball, and Softball as entities falling under municipal government. Upon roll call vote, all voted aye. Motion carried.

The first reading of Ordinance No. 645 Regarding Mobile Food Vendors/Special Event Merchants was held.

City Council regular meetings were discussed. Meetings have been getting longer, and it was suggested to move the meeting time up one-half hour to 6pm rather than 6:30pm. The council would like to see an amendment in the Ordinance regarding meeting times. Finance Officer Krueger will present a first reading next meeting.

The reading of Resolution 2025-2 repealing Resolution Nos. 2022-9 and 2018-7 Regarding Curb and Gutter Reimbursement was held.

Motion by Bjerke, seconded by Pauli to approve Resolution 2025-2 repealing Resolution Nos. 2022-9 and 2018-7 Regarding Curb and Gutter Reimbursement. Upon roll call vote, all voted aye. Motion carried.

The first reading of Ordinance No. 646 An Ordinance Regarding Snow Removal and Penalty was held.

The reading of Resolution 2025-3 regarding the Snow Removal Policy was held.

Motion by Hintz, seconded by Drake to approve Resolution 2025-3 regarding the Snow Removal Policy. Upon roll call vote, all voted aye. Motion carried.

The reading of Resolution 2025-4 Regarding Fines was held.

Motion by Bjerke, seconded by Pauli to approve Resolution 2025-4 regarding Fines. Upon roll call vote, all voted aye. Motion carried.

The reading of Resolution 2025-4 Regarding Penalties was held.

Motion by Pauli, seconded by Reppe to approve Resolution 2025-5 regarding Penalties. Upon roll call vote, all voted aye. Motion carried.

The first reading of Ordinance No. 647 regarding Garbage and Refuse was held.

The first reading of Ordinance No. 648 regarding Rodents and Junk was held.

The first reading of Ordinance No. 649 regarding How to Abate Nuisances was held.

The first reading of Ordinance No. 650 An Ordinance Regarding Civil Penalties was held.

Public Works Superintendent Furman updated the Council that the Community Center floor finish was nearly completed. No further comments from Furman.

City Attorney Todd Boyd updated the Council on legal matters he had been addressing.

Finance Officer Krueger and Mayor Lundberg had no comments.

Alderswoman Drake had comments on a small motorcycle or dirt bike that is disturbing the peace in her neighborhood.

No other comments from any other council members.

There was no executive session this meeting.

There being no further business, motion by Bjerke, seconded by Pauli to adjourn at 9:22 PM. All voted aye. Motion carried.

Mary Krueger
Finance Officer

“This institution is an equal opportunity provider.”

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