

August 10, 2015
Regular Meeting

The Clear Lake City Council met in regular session on Monday, August 10, 2015, at 6:30 p.m. in the Conference Room of the Municipal Building with Mayor Gordon Lee presiding. Those present were Aldermen Gary Eide, Jamie Hintz, Carey Holt, Tim Hulscher and Ellen Schmahl. Also present were Karen Harford, Don Ebbers, Todd Boyd, Ken Rieste, and Kristopher Moyer. Kaylee Ostrander, Jan Moter, Pam Nyvold, Lynn Paulsen, Kay Vandenberg and Carol Olson were present for a portion of the meeting. The Pledge of Allegiance was said.

The regular agenda for the August meeting was reviewed. Motion by Eide, seconded by Holt, to approve the regular agenda. All voted yes. Motion carried.

Mayor Gordon Lee presented a written resignation from Ward II Alderman Scottie Hagen, dated July 7, 2015. Motion by Eide, seconded by Hulscher, to accept Alderman Hagen's resignation. All voted yes. Motion carried. Discussion was held on the vacant council seat. Kristopher Moyer expressed interest in the position.

The consent agenda was presented as follows: (1) Approval of Consent Agenda; (2) Approval of Minutes of Regular Meeting 7/6/15; (3) Sales Tax Subsidy \$25,836.82; (4) Approve Monthly Financial Statement for the Month Ending 7/31/15; (5) SD Water/WW Assn. (SDWWA) Annual Conf., Wed.-Fri. Sept. 16-18, 2015-Spearfish (Don); (6) Deuel County Ambulance-Approve Additional EMT Member (Cody Doren); (7) Hot Dog Day Committee-block off 3rd Ave between 2nd St S to 6th St S from 5-9 pm Fri. Aug. 21, 2015; (8) Building Permits: Nathan Sime (16x12 shed), Harry Mewherter (deck extension), Michael Gohring (24x14 deck), Maynard's Food Center (replace cement parking lot); (9) Demolition Permit: none; (10) Excavation Permit: none; (11) New Construction Permit: none; (12) Delinquent Water Bills; (13) Approval of Warrants. Approval of building permits subject to the condition that they are in accordance with the building codes and ordinances of the City. Motion by Hintz, seconded by Schmahl, to approve the consent agenda items. Upon a roll call vote, the following votes were cast: Eide-yes; Hintz-yes; Holt-yes; Hulscher-yes; Schmahl-yes. Motion carried.

At 6:35 p.m., a Public Hearing was held to consider the applications of Rick's Bar, Toronto, SD, for temporary one-day on-sale liquor licenses, September 5, 2015, and September 12, 2015, at the following location: Clear Lake Community Center, 216 3rd Ave South, Clear Lake, SD. Motion by Schmahl, seconded by Hulscher, to authorize the City Finance Officer to issue one-day temporary on-sale liquor permits to Rick's Bar of Toronto, SD, for wedding dances September 5th and September 12, 2015, at the Clear Lake Community Center, provided all paperwork is completed, all fees paid, and proof of special events insurance coverage is provided for each event. All voted yes. Motion carried.

Discussion was held on an item tabled from the June council meeting when Dennis Hardy applied for a building permit to build a shed on an empty lot without a principal residence. Mr. Hardy also requested a variance to build the shed larger than ordinances allow. Comments were heard and questions answered from those in attendance. Mr. Hardy was not present, and has not made contact with adjoining landowners or the city building official since the last meeting. No action was taken by the Council.

Beth Niemeyer of Banner Associates met with the council at this time to discuss the sewer relining project regarding a change order and pay requests.

Motion by Holt, seconded by Hintz, to approve pay request #2 from United Pipe Renewal, Inc., in the sum of \$178,440.30, contingent on funding agency concurrence. Upon a roll-call vote, the following votes were cast: Eide-yes; Hintz-yes; Holt-yes; Hulscher-yes; Schmahl-yes. Motion carried.

Motion by Holt, seconded by Schmahl, to approve change order #2 in the amount of \$22,568.96, contingent on funding agency concurrence, in regards to replacing approximately 130 ft. of pipe along Highway 22, and replacing 6" pipe with 8" pipe from the new manhole on 7th Avenue going north to MH #4-17. Upon a roll-call vote, the following votes were cast: Eide-yes; Hintz-yes; Holt-yes; Hulscher-yes; Schmahl-yes. Motion carried.

Motion by Hulscher, seconded by Hintz, to approve Water & Environmental Fund Reimbursement Request #2 to SD Dept. of Environment & Natural Resources Water & Waste Funding

Program as prepared by First District, contingent on funding agency concurrence for the following project-eligible expenses: Administrative Expenses \$13.14; Architectural & Engineering Basic Fees \$11,568.68; Project Inspection Fees \$2,215.40; Construction & Project Improvement Cost \$39,078.43, for a Total Reimbursement Amount of \$52,875.65. Upon a roll-call vote, the following votes were cast: Eide-yes; Hintz-yes; Holt-yes; Hulscher-yes; Schmahl-yes. Motion carried.

Discussion was held on proposed Ordinance No. 530. Motion by Holt, seconded by Hulscher, to hold the second reading and passage of Ordinance No. 530, AN ORDINANCE REPEALING PART OF ORDINANCE NO. 434, that the first sentence of Ordinance No. 434, requiring perlins to be installed before steel roofing is applied, is repealed. Upon a roll-call vote, the following votes were cast: Eide-yes; Hintz-yes; Holt-yes; Hulscher-yes; Schmahl-yes. Motion carried.

Motion by Hintz, seconded by Schmahl, to hold the second reading and passage of Ordinance No. 531, AN ORDINANCE AMENDING CHAPTER 4.03, ACCESSORY BUILDINGS, OF ZONING ORDINANCES OF THE CITY OF CLEAR LAKE, SOUTH DAKOTA, changing the roof pitch requirement on private garages to no less than 4/12 or to conform to the design of the house. Upon a roll-call vote, the following votes were cast: Eide-yes; Hintz-yes; Holt-yes; Hulscher-yes; Schmahl-yes. Motion carried.

Motion by Holt, seconded by Hulscher, to table the request by Deuel County Emergency Management for members to serve on the pre-disaster mitigation planning team until the September meeting. All voted yes. Motion carried.

Motion by Eide, seconded by Hintz, to reschedule the regular monthly council meeting in September for Tuesday, September 8, 2015 at 6:30 p.m., because of the Labor Day holiday. All voted yes. Motion carried.

Discussion was held on the SDML Annual Conference to be held in Watertown October 6-9, 2015.

Motion by Schmahl, seconded by Eide, to authorize the Mayor to sign the Certificate of Occupancy application for Dollar General, contingent upon passing all final inspections, with copies of same promptly provided to the City Finance Office upon completion. All voted yes. Motion carried.

Discussion on request by citizen to revise Ordinance No. 2-7-4, Burning Waste, regarding fire pits. No action taken.

Comments were heard from the City Superintendent. Cleanup from the heavy rain this past Thursday is ongoing. Street patching is under way. Chip sealing will be done soon.

City Attorney Todd Boyd reviewed the activities his office has had in the past month.

Comments were heard from the City Finance Officer. She is working with the insurance company on recovering damages to the municipal building and equipment from a lightning strike on July 25th. The swimming pool will close for the season at 6:00 p.m. Friday, August 21st. Budget Committee will meet Tuesday, August 18th at 6:00 p.m. Several citizens have contacted the city regarding deteriorating condition of a building on main street. The owner has been contacted to remedy the situation.

Comments were heard from the Mayor and Council. Discussed mowing the Ulven Park Nature Trail and the need to post signs in the area.

Motion by Holt, seconded by Eide, to enter into executive session per SDCL 1-25-2(1), and SDCL 1-25-2(3), and SDCL 1-25-2(5) for personnel, contractual and competitive marketing/pricing matters, at 7:48 p.m. All voted yes. Motion carried. The Mayor declared the council out of executive session at 8:07 p.m.

Motion by Hintz, seconded by Eide, to approve hiring Bethany Canaan as a fill in assistant in the library on a part-time as-needed basis at \$8.50 per hour. Upon a roll-call vote, the following votes were cast: Eide-yes; Hintz-yes; Holt-yes; Hulscher-yes; Schmahl-yes. Motion carried.

Motion by Hulscher, seconded by Schmahl, to accept the personnel committee recommendation for a part time rubble site attendant at the wage recommended. Upon a roll-call vote, the following votes were cast: Eide-yes; Hintz-yes; Holt-yes; Hulscher-yes; Schmahl-yes. Motion carried.

Motion by Eide, seconded by Hintz, to approve the sum of \$21,950.00 set forth by the insurance company as the value of the city's 2010 Chevrolet Silverado pickup involved in an accident in June. Upon a roll-call vote, the following votes were cast: Eide-yes; Hintz-yes; Holt-yes; Hulscher-yes; Schmahl-yes. Motion carried.

Motion by Holt, seconded by Hintz, to work off the State bid or equivalent in purchasing a replacement pickup. Upon a roll-call vote, the following votes were cast: Eide-yes; Hintz-yes; Holt-yes; Hulscher-yes; Schmahl-yes. Motion carried.

CLAIMS APPROVED: Salaries: Council-1,115.50; Mayor-255.00; Finance Officer-3,076.44; General Gov't Building-229.62; Streets-3,953.25; Rubble Site-953.00; Airport-496.35; West Nile-250.00; Summer Rec-4,104.13; Swimming Pool-9,061.19; Park & Rec-2,773.19; Library-1,363.37; Community Center-123.60; Water-2,043.65; Sewer-4,943.99; Consecoco-cancer ins.-81.15; SD Retirement System-2,027.16; Health Pool of SD-health ins-4,097.74; Delta Dental-dental ins-195.00; DNB-FICA/WH-7,495.73; Allied Ins-addit premium-add item-13.00; Amy Tvedt-web design-25.00; AT&T Mobility-cell phones-84.88; Avera Queen of Peace-random drug test-175.80; Bjerke Sanitation-garbage-6,009.50; Brenda Ronne Hansen-refund cc dep-200.00; BDRWS-water-9,240.10; Cenex-fuel & supplies-4,184.45; Gale/Cangage Learning-lg print books-74.72; Clear Lake City Library-reimb library books-257.86; City of Clear Lake-meter dep-final bills/mo dept wtr-845.79; Clear Lake Building Center-supplies-31.22; Clear Lake Computer Service-configure internet router-40.00; Clear Lake Courier-ads, supplies & publications-427.63; Connecting Point-computer repair-storm damage-313.50; Connie Hoftiezer-meter dep refund-33.50; Consumer Reports-library subscr renewal-29.00; Dakota Pump & Control-rebuild spare pump-per budget-3,433.37; Davis Typewriter-copy paper-61.98; Deuel County Motor Supply-supplies-98.70; Deuel County Memorial Hospital-sales tax subsidy-25,836.82; DCN Insurance-ambulance ins-2,724.50; Department of Revenue-water/WW/pool testing-300.00; DeRoy Electric-electrician-comm ctr & govt bldg.-3,871.77; Deuel County Auditor-police contract-5,596.39; DNE Trucking-haul sand & pea rock-3,348.60; F.J. McLaughlin Co-hot mix-1,864.75; Gates Heating & Air-pool & govt bldg. repairs-297.03; Grant Martinmaas-meter dep refund-150.00; H-D Electric Coop, Inc-electricity-811.89; Hach Company-pool supplies-186.79; Hawkins Inc-pool chemical-2,003.85; Hillyard/Sioux Falls-park supplies-101.67; ITC-phone-730.42; Karen Harford-FO travel exps-143.76; LG Everist-icing sand-613.40; Larry's Heating & Repair-swimming pool repairs-335.00; Leslie DeBoer-meter dep refund-70.20; The Lifeguard Store-sw pool supplies-34.71; Matt & Teresa Funke-meter dep refund-73.35; Maynard's Foods-supplies-650.50; Menards-pool chemicals-52.99; Milbank Communications-replace radio/antenna-storm damage-1,478.80; Northern Conn-Ag LLP-pea rock-2,716.68; Northwestern Energy-natural gas-366.29; Office Peeps-library supplies-80.47; Office Peeps-repair fax machine-336.90; Ottetail Power-electricity-3,497.76; Phoebe Kolbeck-meter dep refund-84.07; Rick Hansen-meter dep refund-50.00; Ron's Saw Shop-park supplies-93.80; Sarah Hagberg-refund sw lesson-20.00; Schwartz Septic Service-pump lift station-300.00; South Dakota One Call-locates-110.88; SD State Treasurer-garbage sales tax-369.69; SDARWS-annual dues-475.00; SD Water & WW Assn-registration-70.00; Servall Towel & Linen Supply-mats & mops-35.91; Shipley's Garment Spa-laundry mops-12.36; Sodak Gardens-trim bushes-city hall-190.00; Steve Rhody Services-wash windows-38.00; State Flag Account-US flags-84.94; Supreme Welding-GC lift station control panel-554.14; Titan Machinery-Watertown-blades-262.80; Val Lundquist-travel exps-61.53.

CLAIMS REJECTED: none.

There being no further business, Alderman Schmahl made a motion to adjourn at 8:11 p.m., seconded by Hintz. All voted yes. Motion carried.

Karen Harford
Finance Officer

Published once at an approximate cost of \$_____.