

The Clear Lake City Council met in regular session on Monday, December 7, 2015, at 6:30 p.m. in the Conference Room of the Municipal Building with Mayor Gordon Lee presiding. Those present were Alderman Gary Eide, Jamie Hintz, Carey Holt, Kris Moyer and Ellen Schmahl. Alderman Tim Hulscher called in for the entire meeting. Also present were Todd Boyd, Don Ebbers, Karen Harford and Ken Reiste.

The Pledge of Allegiance was said.

The regular agenda for the December meeting was presented for review. Motion by Moyer, seconded by Hulscher, to approve the regular agenda. Roll-call votes: Eide-yes; Hintz-yes; Holt-yes; Hulscher-yes; Moyer-yes; Schmahl-yes. Motion carried.

Motion by Eide, seconded by Schmahl, to approve the consent agenda, which included the following items: Approval of Consent Agenda; Approval of Minutes of Regular Meeting 11/9/15; Approve Monthly Financial Statement for the Month Ending 11/30/15; Sales Tax Subsidy \$7,373.00; SD Rural Water Annual Conference, Tues.-Thurs., Jan. 12-14, 2016-Pierre (Don); Building Permits: James Kielty (636 sq ft wooden deck), Chris Andres – 2nd re-issue expired permit - (30'x40' unattached garage); Moving Permits/Demolition Permits: Duane Dohman (demolish house); Excavation Permits-none; New Construction Hook-up Permits: none; Delinquent Water Bills; Approval of Warrants. Approval of all permits being subject to the condition that they are in accordance with the building codes and ordinances of the City. Roll-call votes: Eide-yes; Hintz-yes; Holt-yes; Hulscher-yes; Moyer-yes; Schmahl-yes. Motion carried.

At 6:35 p.m., Ron Burmood, South Dakota Public Assurance Alliance (SDPAA), presented information and a quote to provide property insurance coverage for the City. The City could retain its local agent with that commission to be negotiated. The SDPAA quote showed a substantial savings for the City. Discussion followed. Tabled until the year-end council meeting.

At 6:45 p.m., Beth Niemeyer of Banner Associates met with the council to discuss the sewer relining project and current pay requests. The sewer project has wrapped up for the winter and crews will return in the Spring to complete the project.

Motion by Moyer, seconded by Eide, to approve pay request #6 from United Pipe Renewal, Inc., in the sum of \$118,398.22, contingent on funding agency concurrence. Roll-call votes: Eide-yes; Hintz-yes; Holt-yes; Hulscher-yes; Moyer-yes; Schmahl-yes. Motion carried.

Motion by Hintz, seconded by Holt, to approve pay request #7 from United Pipe Renewal, Inc., in the sum of \$53,606.28, which includes all quantities from Change Order #4 (overages for point repair work, additional point repairs, asphalt removal and gravel), additional manhole installation, root removal and transitions, all contingent upon funding agency concurrence. Roll-call votes: Eide-yes; Hintz-yes; Holt-yes; Hulscher-yes; Moyer-yes; Schmahl-yes. Motion carried.

Motion by Holt, seconded by Schmahl, to approve Water & Environmental Fund Reimbursement Request #6 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: Architectural & Engineering Basic Fees \$2,313.74; Project Inspection Fees \$1,807.41; Construction & Project Improvement Cost \$25,929.21, for a Total Reimbursement Amount of \$30,050.36. Roll-call votes: Eide-yes; Hintz-yes; Holt-yes; Hulscher-yes; Moyer-yes; Schmahl-yes. Motion carried.

Todd Boyd presented the following Resolution 2015-14 Fee for Nonsufficient Funds, which raises the fee for nonsufficient funds to \$40.00, as per SDCL 57A-3-422. Motion by Schmahl, seconded by Hulscher, to approve Resolution 2015-14 regarding fees for non-sufficient funds. Roll-call votes: Eide-yes; Hintz-yes; Holt-yes; Hulscher-yes; Moyer-yes; Schmahl-yes. Motion carried.

RESOLUTION 2015-14

WHEREAS, the City Finance Office for the City of Clear Lake, Deuel County, South Dakota, receives checks returned for non-sufficient funds and/or uncollected funds; and

WHEREAS, a fee is needed to reimburse the city for the additional costs, fees and time necessary to resolve the check returned for non-sufficient funds and/or uncollected funds; now therefore,

IT IS HEREBY RESOLVED that any check received at the City Finance Office hereafter which is returned for non-sufficient funds and/or uncollected funds shall be assessed a fee in the sum of \$40 as authorized by South Dakota Codified Law 57A-3-422, together with all accrued interest and penalties incurred, until payment in full has been received and thereby satisfied in full the debt due, plus the foregoing fee, and any interest and penalties.

Dated this 7th day of December, 2015.

CITY OF CLEAR LAKE

Gordon H. Lee, Mayor

(SEAL)

ATTEST:

Karen Harford, Finance Officer

Motion by Holt, seconded by Eide, to hold the second reading and passage of Ordinance #534, AN ORDINANCE AMENDING ORDINANCE NO. 533, REGARDING ZONING ORDINANCE NO. 500, DATED NOVEMBER 10, 2010, AS AMENDED. Roll-call votes: Eide-yes; Hintz-yes; Holt-yes; Hulscher-yes; Moyer-yes; Schmahl-yes. Motion carried.

Motion by Holt, seconded by Moyer, to hold the 1st reading of Ordinance No. 535, AN ORDINANCE SUPPLEMENTING APPROPRIATIONS FOR THE CITY OF CLEAR LAKE, DEUEL COUNTY, SOUTH DAKOTA FOR THE YEAR 2015. Roll-call votes: Eide-yes; Hintz-yes; Holt-yes; Hulscher-yes; Moyer-yes; Schmahl-yes. Motion carried.

Motion by Eide, seconded by Hulscher, to set the date and time for the year-end council meeting to approve final vouchers on Monday, December 28, 2015 at 5:30 p.m. Roll-call votes: Eide-yes; Hintz-yes; Holt-yes; Hulscher-yes; Moyer-yes; Schmahl-yes. Motion carried.

Motion by Hintz, seconded by Schmahl, to declare the following as surplus property, having no value or of value less than \$500.00, and authorize disposal of same: 425 library books, 129 audio cassettes and 119 childrens VHS movies. Roll-call votes: Eide-yes; Hintz-yes; Holt-yes; Hulscher-yes; Moyer-yes; Schmahl-yes. Motion carried.

Discussion was held on camping revenues and expenses for the years 2009-2015. Tabled until the year-end meeting.

Comments were heard from the City Superintendent. Winter hours are now in effect at the rubble site, by appointment only. The airport is closed for the winter. Discussion was held on purchasing a used sander unit to go in the back of one of the city trucks. Tabled until the year-end meeting.

Comments were heard from the Finance Officer. Applications are being accepted for a part-time janitor to clean the city building and community center due to an employee resignation. Comments were also heard from the City Attorney, Mayor and council members.

CLAIMS APPROVED: SALARIES: Council-690.00; Mayor-300.00; Finance Officer-3031.44; Streets-3729.15; Snow-126.80; Rubble Site-488.55; Parks-142.98; Library-1461.54; Community Center-53.01; Water-4352.06; Sewer-3292.30; Conseco-cancer ins.-81.15; SD Retirement System-retirement-1893.34; Health Pool of SD-health ins-4097.74; Delta Dental-dental ins-195.00; DCNB-FICA/WH-4107.63; 4-H Shooting Sports-refund cc deposit-200.00; Amy Tvedt-web design-25.00; AT&T Mobility-cell phones-71.50; Avera Queen of Peace Health-(2) random drug tests-175.80; Banner Associates-prof svc DOT grant application-145.50; Bjerke Sanitation-garbage-5807.54; Brookings Deuel RWS-water-7284.75; Deuel County Farmers Union-fuel & supplies-1517.34; Gale/Gengage Learning-library books-161.18; Clear Lake City Library-reimb. books & supplies-526.44; City of Clear Lake-mo dept wtr use/mtr dep bills-396.47; Clear Lake Building Center-supplies-30.80; Clear Lake Courier-ads & publications-148.71; D&L Digging-(4) water leak repairs-6349.50; Days Inn Oacoma-street travel-76.99; Deuel County Motor Supply- supplies-238.07; Deuel County Memorial Hospital-sales tax subsidy-7373.00; Department of Revenue-water testing-30.00; Deuel Area Development-pledged

support-2500.00; Deuel County Auditor-police contract-5596.39; Don Ebberts-reimb gas city vehicle travel-57.41; Electric Pump-sewer parts-219.90; F.J. McLaughlin Co.-hot mix-716.51; Gunderson Law Firm-legal fees-95.00; Hospital & Home Auxilliary-refund cc deposit-200.00; Hillyard/Sioux Falls-repair cc vacuum-73.20; ITC-phone-559.65; The JP Cooke Co-pet tags-52.25; Mantek-snow supplies-269.74; Maynard's Food-supplies-41.42; Mike Corothers-meter deposit refund rental house-150.00; Mike Lammers- meter deposit refund-100.00; Milbank Winwater Works-water supplies-2269.48; Northwestern Energy-natural gas-270.78; Office Peeps-supplies & copier repair-119.33; Ottetail Power Co-electricity-3085.35; Pitney Bowes Purchase Power-late fee-postage-31.19; Postmaster-library box rent-114.00; SD State Treasurer-garbage sales tax-357.69; Servall Towel & Linen Supply-mats & mops-35.91; Shipley's Garment Spa-cleaning mop heads-32.96; Steve Rhody Services-wash windows-38.00; Steve Rhody-meter deposit refund-rental house-150.00; Sturdevants Auto Parts-snow repairs-168.55; Swenson Sales & Service Inc-street supplies-10.32; Tesch Auto, Towing & Body Work-parts-water dept pickup-50.00; The Library Store Inc-library supplies-52.60; TrueNorth Steel-culvert-198.60; United Methodist Women-refund cc deposit-200.00;Upstart-library supplies-22.45; VanDiest Supply Co-West Nile supplies-801.00; Wheelco-supplies-50.12.

CLAIMS REJECTED: none.

There being no further business, Alderman Moyer made a motion to adjourn at 7:45 p.m., seconded by Holt. Roll-call votes: Eide-yes; Hintz-yes; Holt-yes; Hulscher-yes; Moyer-yes; Schmahl-yes. Motion carried.

Karen Harford
Finance Officer