

The Clear Lake City Council met in regular session on Monday, Aug. 8, 2016, at 6:30 p.m. in the Conference Room of the Municipal Building with Mayor Gordon Lee presiding. Those present were Aldermen Gary Eide, Carey Holt, Tim Hulscher, John Keimig, and Ellen Schmahl. Also present were Val Lundquist, Don Ebbers, Todd Boyd and Ken Rieste. The Pledge of Allegiance was said. Gary Eide gave a short invocation on the passing of our Finance Officer Karen Harford.

The agenda for the Aug. meeting was presented for review. Alderman Holt made a motion to approve the agenda, Hulscher seconded.

The consent agenda, which consisted of the following items, was presented for review: (1) Approval of Consent Agenda; (2) Approval of Minutes of Regular Meeting July 11, 2016; (3) Sales Tax Subsidy \$11,8173.11; (4) Approve Monthly Financial Statement for the Month Ending 7/31/16; (5) SD Water & Wastewater Assn. Annual Meeting Sept 14, 15, 16, 2016 in Sioux Fall Don Ebbert to attend (6) Hot Dog Day Committee – Block off 3rd Ave between 2nd St to 6th St S from 5 pm to 9 pm Friday Aug 19, 2016. (7) Building Permits Blaine & Marcia Franken (605 9th Ave S) – ground level patio / Erik Wallert (203 7th Ave S) – front deck Eric Severson (108 9th Ave N) – Fence completion / Debra Best (108 4th Ave S) – Vinyl Fence, Danyal Haas – (315 9th Ave S) – House Addition/Alteration / SD Partners – (205 Hwy 22 E) Redesign concrete sidewalk, Will Brzica – Lewis Drug – (411 3rd Ave S) 2 new signs for new store (9) Demolition Permits: Richard Nielsen (307 2nd Ave S) house demolition / SD Partners (205 Hwy 22 E) remove portions of sidewalk to re-design. Moving: None. (10) Excavation Permit: None. (11) New Construction Permit: None. (12) Delinquent Water Bills; (13) Approval of Warrants. Approval of all permits are subject to the condition that they are in accordance with all building codes and ordinances of the city. 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(s).

Alderman Keimig made a motion, seconded by Holt, remove items # 3 & #4 from the consent agenda. Roll call vote Holt-yes, Schmahl-yes, Keimig-yes, Hulscher-yes, Eide-yes. Motion passed. Items #3 & # 4 approved subject to verification.

Motion by Alderman Eide, seconded by Keimig to approve items # 1-#2 & #5 - # 13 of the consent agenda items. Upon a roll call vote Holt-yes, Schmahl-yes, Keimig-yes, Hulscher-yes, Eide-yes. Motion carried.

Appointment at 6:40 with Kent Simon regarding City Ordinances and Enforcement. Kent wanted to discuss the need to move all trailers, campers, etc. parked in the city streets. Why are these items allowed to only be parked in a spot for a limited time? He was also concerned about the snow build up at the end of his street and the ability to get at his fire hydrant. Don Ebbers mentioned that he was not responsible for keeping the fire hydrant cleared, but it would be a good gesture on his part to do so. Discussion was held on doing something to resolve the snow issue.

Mayor Lee declared the council in recess. The City Attorney swore in the new Alderman Kelli Bauman from Ward II for a 3 yr. term.

Second Reading and Passage of Ordinance No. 536, Amending 3-2-1 Regarding Domestic Animals Limited. No kennel for either cats or dogs shall be maintained or operated within the limits of the City. Furthermore, it is unlawful to have, harbor, keep, own or possess more than three (3) domestic pets in any combination over the age of six months in any apartment, dwelling, household or single residence, or on any lot or premises in the city. The city animal shelter, and veterinary offices and birds and fish are exempt from the provision of this section. Motion by Schmahl. Seconded by Hulscher, to adopt Ordinance No. 536 as amended and upon roll call vote; Holt-yes, Schmahl-yes, Bauman-yes, Keimig-yes, Hulscher-yes, Eide-yes, the motion carried.

At 7:00 p.m., Beth Neimeyer of Banner Associates updated the council on the status of the sewer relining project and current change requests and pay requests. Discussion followed. Motion by Schmahl, seconded by Keimig, to approve Change Order #9 in the amount of \$64,923.79, contingent upon funding agency concurrence. Upon a roll-call vote, the following votes were cast: Bauman-yes; Eide-yes; Holt-yes; Hulscher-yes; Keimig-yes; Schmahl-yes. Motion carried.

Motion by Holt, seconded by Eide, to approve Contractor's Pay Request #11 from United Pipe Renewal, Inc., in the sum of \$259,802.12 contingent upon funding agency concurrence. Upon a roll-call vote, the following votes were cast: Eide-yes; Holt-yes; Hulscher-yes; Keimig-yes; Schmahl-yes, Bauman-yes. Motion carried.

Motion by Keimig and seconded by Hulscher to approve Resolution # 2016-6 to extend the Maturity Date of Bond Anticipation Note to Oct 15, 2016. Roll call vote; Holt-yes, Schmahl-yes; Bauman-yes; Keimig-yes; Hulscher-yes; Eide-yes.

Resolution 2016-6

A RESOLUTION EXTENDING MATURITY DATE OF BOND ANTICIPATION NOTE TO OCTOBER 15, 2016.

WHEREAS, the City issued a Bond Anticipation Note on July 15, 2015 and

WHEREAS, the Maturity Date of the Bond Anticipation Note is August 10, 2016; and

WHEREAS, the City deems it necessary that the Maturity Date be extended.

BE IT RESOLVED by the City Common Council of the City of Clear Lake, South Dakota (the "City"), as follows:

1. Extension of Maturity Date for the Bond Anticipation Note. The Maturity Date of the Bond Anticipation Note dated July 15, 2015 shall be extended to October 15, 2016.
2. The Mayor, Finance Officer and other officers of the city are authorized to take such action as they deem necessary to carry out the intent of this resolution.

The above and foregoing Resolution was read by Mayor Lee and was moved for adoption by Alderman Keimig and seconded by Alderman Hulscher and upon roll call vote, Holt-yes, Schmahl-yes; Bauman-yes; Keimig-yes; Hulscher-yes; Eide-yes. voted aye, all voted nay, none

WHEREUPON the Mayor declared the Resolution to be duly passed and adopted.

Gordon Lee, Mayor

(Seal)

Attest:

Val Lundquist, Assistant Finance Officer

Scott Mohrer from Banner & Associates was on the agenda to discuss 6th St W from 9th Ave to Wildlife Estates. However, the project has been completed, so Scott had nothing to discuss. Surplus Property approved at July meeting, Don would like to put on an upcoming auction. Motion by Eide and seconded by Holt to put items on auction sale. All voted yes, motion carried.

Comments were heard from the City Superintendent; the new weather siren is up and operational in the NW corner of town. The city crew is finishing up patching streets that are scheduled for chip sealing. Chip sealing should commence the week of Aug. 15. They will continue working on the rest of the streets that need patching. Comments were heard from the Assistant Finance Officer. Val needs to be gone on Friday Aug. 12, 2016. Council agreed to allow the office to be closed on Friday.

Comments were heard from the Mayor and Council, and City Attorney.

Motion by Hulscher, seconded by Bauman, to move into executive session per SDCL 1-25-2(1), regarding personnel, and SDCL 1-25-2(3), regarding consult with legal counsel. All voted yes. Motion carried. The Mayor declared the council out of executive session at 8:15 p.m. Motion made by Schmahl, seconded by Keimig to start advertising for the Finance Officer's position. All voted yes. Motion carried. Schmahl would work up the ad. The personnel committee wants to meet with interim Pool Manager Jacob Carter at 7:00 pm on Aug. 11, 2016.

CLAIMS APPROVED: Salaries: Council-780.00; Mayor-230.00; Finance Officer-3166.03; General Gov't Building-493.80 Streets-5088.31 Rubble Site-308.23; Airport-300.34; West Nile-330.00; Summer Rec-3392.51; Swimming Pool-8205.15; Park & Rec-1627.93 Library-1294.75; Community Center-294.00; Water-3174.46; Sewer-3133.34; Consecocancer ins.-81.15; SD Retirement System-1985.54; Health Pool of SD-health ins-4466.74; Delta Dental-dental ins-201.00; DNB-FICA/WH-7131.12; Amy Tvedt-web design-25.00; AT&T Mobility-cell phones-143.09; Betty Mundahl – deposit refund 50.00; Bjerke Sanitation-garbage-6170.45; Boyd Law Firm-legal fees-585.00; Brookings Deuel RWS-water-10196.30; Cengage/Gale Learning-ig. print books-91.97; Chris Adam-meter deposit refund/acct credit refund -196.51; City of Clear Lake-mo dept wtr use/2 final pymts-1050.01; Clear Lake Courier-publications & supplies-134.40; Consumer Reports-subscription 29.00; D&L Digging wtr repair-1020.00; Deuel County Farmers Union Oil-supplies-1291.40; Deuel County Motor Supply-supplies-90.11; Deuel County Memorial Hospital-sales tax subsidy-11817.11; Dept of Revenue-water testing-193.00; Deuel County Auditor-police contract-5680.34; 00; DNE Trucking 3545.28;Dunnick, Inc. Hwy & Str repairs-2147.30; Ed Atyeo meter deposit refund-10.00; H-D Electric-electricity & GFCI Rcpt-477.02; Hawkins Inc-pool chemical-1901.49; ITC-phone-723.38; Karen Harford HR/FO Travel Expense-207.90; Leah Schwiesow sw lesson refund-20.00; LG Everist snow supplies-502.00; Lifeguard Store-pool supplies-251.24; Lonson Fog Inc-West Nile supplies-60.57; Matthew Schmalz-meter refund-100.00; Maynard's Foods-pool supplies, park& rec 643.74; Menards-sw pool supplies-74.99; Milbank Winwater Works-supplies-534.44;Northern Conn-AGG LLP-hwy&str supplies-2557.86; Northwestern Energy-natural gas-286.98; Ottetail Power-electricity-3863.22; Pitney Bowes Rental & Supplies-postage meter qtrly rental fee-183.57; Pitney Bowes Reserve Acct-postage-1520.99; Runnings-hwy&str supplies-17.98; SD One call-one calls 79.52; SDARWS-annual dues-500.00; Servall Towel & Linen-mats & mops-35.91; Shipley's Garment Spa-clean mop heads-17.60; Sodak Gardens-gov't bldg. landscaping&revitalization-806.30; Steve Rhody Services-wash windows-38.00; Stephanie Hansen-cc deposit refund-200.00; SD Dept of Rev-sales tax garbage-395.75.

CLAIMS REJECTED: none.

There being no further business, Alderman Eide made a motion to adjourn at 8:23 p.m., seconded by Bauman. All voted yes. Motion carried.

Val Lundquist
Assistant Finance Officer

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