

December 12, 2016
Regular Meeting

The Clear Lake City Council met in regular session on Monday, December 12, 2016, at 6:30 p.m. in the Conference Room of the Municipal Building with Mayor Gordon Lee presiding. Those present were Aderman Kelli Bauman, Gary Eide, Carey Holt, Tim Hulscher, and John Keimig. Also present were Ramona Drake, Todd Boyd, Don Ebbers, Ellen Schmahl and Ken Reiste.

The Pledge of Allegiance was said.

The regular agenda for the December meeting was presented for review. Motion by Hulscher, seconded by Eide to approve the regular agenda. All voted yes. Motion carried.

Motion by Holt, seconded by Keimig to give Clear Lake Bucks for Christmas to the full-time and regular part-time employees, per the Finance Officer's recommendation. Roll-call votes: Bauman-yes, Eide-yes, Holt-yes, Hulscher-yes, Keimig-yes. Motion carried.

Motion by Keimig, seconded by Holt to revise the Restricted Use Site fees to the following: Pickup/Small Single Axle Trailer \$5.00; Tandem Axle Trailer less than 14' \$20.00; Tandem Axle Trailer 14' or longer \$35.00; Dump Truck \$75.00, Side Dump \$150.00. Roll-call votes: Bauman-yes, Eide-yes, Holt-yes, Hulscher-yes, Keimig-yes. Motion carried.

Motion by Hulscher, seconded by Eide to ratify approval of earlier liquor license application by the Mayor for Dolgen Midwest, LLC. Roll-call votes: Bauman-yes, Eide-yes, Holt-yes, Hulscher-yes, Keimig-yes. Motion carried.

At 6:35 p.m. Beth Niemeyer with Banner presented Sewer Relining Project Pay Request #13-Final R2. Motion by Eide, seconded by Holt to approve revised Pay Request #13-Final R2. Roll-call votes: Bauman-yes, Eide-yes, Holt-yes, Hulscher-yes, Keimig-no. Motion carried.

At 6:40 p.m. John DeBoer appeared before the Council to ask that the \$283.10 Pipe Masters bill that was sent to him be paid by the City of Clear Lake. Motion by Eide, seconded by Holt to pay the bill. Roll-call votes: Bauman-yes, Eide-yes, Holt-yes, Hulscher-yes, Keimig-yes. Motion carried.

Mayor Lee declared the council in recess. City Attorney Boyd swore in new Ward III Alderman Ramona Drake appointed through April 2017.

The consent agenda was presented for review, which included the following items: Approval of Consent Agenda; Approval of Minutes of Regular Meeting November 7, 2016; Approval of Monthly Financial Statement for the Month Ending November 30, 2016; Sales Tax Subsidy \$25,485.40; Building Permits: Approved: Julie Newberg (108 5th St W) – Steps & Deck, Good Sam for Donna McTague (323 Railroad Ave) – Hand Rail; Denied: None; New Construction Hook-Up Permit: None; Moving Permit/Demolition Permit/Excavation Permit: Approved Moving Permit: Rudy Cutler (308-324 Railroad Ave) – 1997 Mobile Trailer; Approved Demolition Permit: Julie Newberg (108 5th St W) – Demolish Decks; Delinquent Water Bills; and Approval Of Warrants. Motion by Keimig, seconded by Hulscher to approve the consent agenda items. Roll-call votes: Bauman-yes, Eide-yes, Holt-yes, Hulscher-yes, Keimig-yes, Drake-yes. Motion carried.

Motion by Holt, seconded by Bauman to adjourn as regular Council and reconvene as the Board of Adjustment. All voted yes. Motion carried.

Ordinance No. 538 Amending Zoning Ordinance No. 500, an ordinance establishing zoning regulations for the City of Clear Lake and for the repeal of all ordinances in conflict

herewith, was discussed. No one appeared to object to the proposed ordinance. The Board of Adjustment agreed to recommend the ordinance be adopted to the Council.

Motion by Keimig, seconded by Eide to adjourn as Board of Adjustment and reconvene as the Regular Council. All voted yes. Motion carried.

At 6:50 p.m. – Jon Klockman visited with the Council regarding a Fly-In at the airport sometime during the summer of 2017. Jon will propose some dates at a later time to the Council and will meet with Emergency Management and the Fire Chief.

Motion by Keimig, seconded by Bauman to hold the first reading of Ordinance No. 538, An Ordinance Amending Ordinance No. 500. Roll-call votes: Bauman-yes, Eide-yes, Holt-yes, Hulscher-yes, Keimig-yes, Drake-yes. Motion carried.

Motion by Holt, seconded by Eide to waive the Community Center fee for the Deuel County Zoning Board for their 12/12/2016 meeting subject to the cleaning fee being paid or the County will clean the building. Roll-call votes: Bauman-yes, Eide-yes, Holt-yes, Hulscher-yes, Keimig-no, Drake-yes. Motion carried.

There is a Deuel County Pre-Disaster Mitigation Planning Meeting Thursday, December 15, 2016, at 7:00 p.m. at the Fire Hall. They would like a representative from the City to attend.

The First District Association of Local Governments Surveys will be completed by the individual elected officials and the Finance Officer and brought back to the December 29, 2016, meeting.

The Methodist Soup Day group requested a \$25.00 discount for having to clean the sidewalks at the Community Center. No action was taken.

Federal Judge Halts Overtime Rule information was given to the Council. No action was taken so current practice will stay in place.

Motion by Holt, seconded by Keimig to approve an Automatic Supplemental Budget Request for the General Fund – West Nile for \$763.00. Total means of finance is a Mosquito Control Grant. Roll-call votes: Bauman-yes, Eide-yes, Holt-yes, Hulscher-yes, Keimig-yes, Drake-yes. Motion carried.

Motion by Hulscher, seconded by Bauman to approve an Automatic Supplemental Budget Request for General Fund – Highway & Street for \$20,863.28. Total means of finance is a Homeland Security Grant. Roll-call votes: Bauman-yes, Eide-yes, Holt-yes, Hulscher-yes, Keimig-yes, Drake-yes. Motion carried.

Year End Meeting set for Thursday, December 29, 2016, at 5:45 p.m.

Council approved to have AFLAC representative Mary Nosbush meet with the full-time and part-time City staff.

Executive Session not held.

Comments were heard from the City Attorney regarding Marsy's Law and United Pipe status. Comments were heard from the City Superintendent regarding concerns with the sewer relining project and needing to purchase new tires for the blade. Comments were also heard from the City Finance Officer, Mayor and Council Members.

CLAIMS APPROVED: SALARIES: Council-690.00; Mayor-185.00; Finance Officer-3,403.86; Gen Gov't Bldg-572.87; Streets-3,886.38; Snow-2,630.43; Rubble Site-497.18; Parks-300.35; Library-1,501.15; Community Center-258.00; Water-3,528.57; Sewer-2,799.50; Conseco-cancer ins-81.15; SD Retirement System-2,135.18; HealthPool of SD-4,466.74; Delta Dental of SD-160.80; DNB-FICA/WH-4,776.65; A&B Business Solutions 459.12 Copier Repair; Amy Blastick 200.00 CC Deposit Refund; Amy Tvedt 25.00 Web Page; AT&T Mobility 72.52 Cell Phones; Baymont Inn & Suites 59.94 Hotel - Streets Workshop; Bjerke Sanitation

5,915.53 Garbage & Rubble Site Utilities; Book Systems, Inc 439.00 Library Supplies; Boyd Law Firm, Prof. L.L.C. 927.79 Legal Fees & Expenses; Brookings-Deuel RWS 7,464.15 Water Utilities & Purchase, Park Utilities; Butler Machinery Co. 1,076.78 Street & Snow Repair & Maint; Gale/Cengage Learning 115.50 Library Books; Charles & Darlene Hartway 86.76 WM Deposit Refund; Chris Fields/Kaylie Buriak 71.95 WM Deposit Refund; Christianson Plbg Htg & AC Inc 562.76 Water Leak Repair; Clear Lake City Library 336.13 Library Books - Oct & Nov 2016; City Of Clear Lake 425.57 Water Bills; Clear Lake Building Center 75.30 Snow Supplies; Clear Lake Courier 239.03 Advertising & Business Cards; Clear Lake Fire Dept 16,400.00 Fire Dept Funding; Clear Lake Historical Society 2,500.00 2016 Historical Preservation Funding; D & L Digging 816.00 Water Repairs & Maint; Deuel County Farmers Union Oil 1,400.58 Snow & Street Supplies; Deuel Co Motor Supply 177.18 Street, Snow, Sewer & CC Supplies; Deuel County Memorial Hospital 34,621.12 Oct & Nov Sales Tax; Department of Revenue 426.00 City Water Testing; Department of Treasury 324.80 Tax Deposit Penalty; Deuel Area Development 2,500.00 2016 DADI Funding - 4th Qtr; Deuel County Auditor 5,680.34 Police Contract; Display Sales Company 96.00 Bulbs for Christmas Lights; Don Ebbers 32.12 Gas – Workshop; H-D Electric Coop, Inc 660.31 Street Light Supplies; Harry's Septic & Sewer Service 293.80 D Kluckman Bill; HD Supply Waterworks 623.30 Water Repairs & Supplies; ITC Telecom 571.00 Telephone Bill; Jeff Collins 200.00 CC Deposit Refund; JP Cooke Co 52.35 Pet License Tags; Maynard's Food 11.33 Sewer, Street & FO Supplies; Menards 24.99 Water & Sewer Supplies; Northwestern Energy 338.05 CC, Shop, & Pool Nat Gas; Ottetail Power Co 1,430.40 Electricity; Ottetail Power Co 4,901.33 Electricity; Postmaster 110.00 Library PO Box Annual Rent; Mary E Schmahl 235.06 Mileage & Meal; SD Federal Property Agency 173.00 Air Comp, Tools, Chains; SD State Treasurer 394.62 Garbage Sales Tax; Servall Towel & Linen Supply 35.91 Rugs; Steve Rhody Services 38.00 Window Cleaning; Supreme Welding Inc 20.00 Snow Repair & Maint; Tech Ord 200.00 CC Deposit Refund; United Methodist Women 200.00 CC Deposit Refund; United States Dept Of Ag 6,107.00 Sewer Relining Loan Pmt.; Meierhenry Sargent LLP 20,560.00 services as bond counsel.

CLAIMS REJECTED: none.

There being no further business, Motion by Eide, seconded by Bauman to adjourn at 8:12 p.m. All voted yes. Motion carried.

Ellen Schmahl
Finance Officer

Published one at an approximate cost of \$_____.