

The Clear Lake City Council met in regular session on Monday, July 11, 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 Karen Harford, Don Ebbers, Todd Boyd and Ken Rieste. The Pledge of Allegiance was said.

The agenda for the July meeting was presented for review. Alderman Holt made a motion, seconded by Keimig, to approve the agenda as presented. All voted yes. Motion carried.

Motion by Eide, seconded by Schmahl, to move into executive session per SDCL 1-25-2(1), personnel, and SDCL 1-25-2(3), consult with legal counsel. All voted yes. Motion carried. The Mayor declared the council out of executive session at 6:43 p.m.

Motion by Eide, seconded by Schmahl, to accept the resignation of Pool Manager Donna Pauli, effective 8:00 p.m. Saturday, June 25, 2016. Upon a roll-call vote, the following votes were cast: Eide-yes; Holt-yes; Hulscher-yes; Keimig-yes; Schmahl-yes. Motion carried.

Motion by Hulscher, seconded by Eide, to accept the Personnel Committee's recommendation to appoint Jacob Carter as interim Pool Manager, at \$11.50 per hour, effective July 1, 2016. Upon a roll-call vote, the following votes were cast: Eide-yes; Holt-yes; Hulscher-yes; Keimig-yes; Schmahl-yes. Motion carried.

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 June 6, 2016; (3) Sales Tax Subsidy \$19,880.96; (4) Approve Monthly Financial Statement for the Month Ending 6/30/16; (5) Approve Temporary One-day Permits: Wedding Dances Aug. 6 & 13, 2016 (Paul's Place); (6) Building Permits: Bruce Schake -28'x30' concrete patio; Richard Schmahl-10'x19'storage shed & small concrete area; (7) Moving Permits/Demolition Permits/Excavation Permits: Demolition: Melvin Maass-front concrete steps; Excavation: Duane & Dorothy Dohman- dirt work for new house & digging to hook up to city water & sewer mains; Moving: Don Ebbers-move out 8x12 utility shed; Richard Schmahl-move out 10'x10' utility shed; (8) New Construction Hook-up Permit: Duane & Dorothy Dohman-water main & sewer; (9) Delinquent Water Bills; (10) 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).

Motion by Holt, seconded by Keimig, to remove item #2 from the consent agenda list. All voted yes. Motion carried.

Motion by Keimig, seconded by Eide, to approve item #1 and #3-#10 of the consent agenda items. Upon a roll call vote, the following votes were cast: Eide-yes; Holt-yes; Hulscher-yes; Keimig-yes; Schmahl-yes. Motion carried.

Motion by Schmahl, seconded by Hulscher, to amend the June 6, 2016 council meeting minutes to show that Attorney Boyd was not present. All voted yes. Motion carried.

At 6:35 p.m., a Public Hearing was held regarding a Package Off-Sale Malt Beverage & SD Farm Wine License Application by Maynard's Food Center of Westbrook, Inc., d/b/a Maynard's of Clear Lake. The applicants were present. No one from the public appeared with concerns or objections to the license application. Motion by Hulscher, seconded by Holt, to approve the Malt Beverage license application for Package Off-Sale Malt Beverage & SD Farm Wine, contingent upon all State and local licensing requirements being met. Upon a roll-call vote, the following votes were cast: Eide-yes; Holt-yes; Hulscher-yes; Keimig-yes; Schmahl-yes. Motion carried.

At 6:40 p.m., local daycare providers Savannah Redlin and Marian Rosdahl, met with the council to discuss the Clear Lake swimming pool's adult-to-child ratio for children under 6 years old. Currently, children under age 12 in groups of 6 or more need a supervisor present in the big pool. All children age 6 and under need to be accompanied by an adult. For children age 3 and

under in the big pool, the adult-to-child ratio is one adult per 3 children. The daycare providers feel that ratio is too strict. Clear Lake's policy matches or is close to most swimming pools in the area. The City will check with their liability insurance carrier.

At 6:50 p.m. District Senate candidate Kathy Tyler introduced herself to the council and thanked them for their service to Clear Lake.

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. The substantial completion date was Jun 3<sup>rd</sup>. She estimates the project is still about one month from substantial completion. Discussion followed. Motion by Schmahl, seconded by Keimig, to approve Change Order #8 in the amount of \$2,400.00, contingent upon funding agency concurrence, in regards to additional mobilization for more hydro excavating after the City added more laterals to the project. Upon a roll-call vote, the following votes were cast: Eide-yes; Holt-yes; Hulscher-yes; Keimig-yes; Schmahl-yes. Motion carried.

Motion by Holt, seconded by Eide, to approve Contractor's Pay Request #10 from United Pipe Renewal, Inc., in the sum of \$273,709.58, 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. Motion carried.

Discussion was held on the city's cost-share to asphalt 6<sup>th</sup> Street curb to curb from 9<sup>th</sup> Avenue west to the entrance of Wildlife Estates. The cost share estimate for the City would be approximately \$15,795.00. This item was not budgeted. Since it wasn't on this meeting agenda, no action was taken.

At 7:15 p.m. a Public Budget Request Hearing was held for the 2017 budget. The following organizations requested funding for 2017: Clear Lake Volunteer Fire Department, Clear Lake Baseball Association, 18 & Under Softball, Clear Lake Summer Rec, Historical Society & Museum, Interlakes Community Action Partnership (ICAP), Wildlife Estates Housing Development (formerly ECDC), Deuel Area Development Inc. (DADi). The following people represented their groups: Blaine Franken (fire dept), Don Cassels (baseball), Ellen Schmahl (softball), Larisa Harmon (Summer Rec), Sue DeJong (Historical Soc), Craig Evenson (DADi & Wildlife Estates Housing Dev).

Tabled from last month, Ordinance No. 536, Amending 3-2-1 Regarding Domestic Animals Limited, was presented for its first reading. This ordinance limits the number of household pets to no more than three, and eliminates a kennel license which would allow more than 3 pets per household. Motion by Keimig, seconded by Hulscher, to hold the first reading of Ordinance No. 536, An Ordinance Regarding Domestic Animals Limited. All voted yes. Motion carried.

Because of the sales tax increase, Second Amendment to Solid Waste Disposal Agreement was presented, increasing the monthly residential garbage fee in order to collect adequate sales tax. Motion by Schmahl, seconded by Eide, to increase the monthly garbage rate charged residential customers to the sum of \$13.85 per month, for weekly garbage pickup, effective July 1, 2016, due to the recent sales tax increase. Upon a roll-call vote, the following votes were cast: Eide-yes; Holt-yes; Hulscher-yes; Keimig-yes; Schmahl-yes. Motion carried.

Motion by Schmahl, seconded by Holt, to offer free swimming at the pool from 1:00 pm-6:00 pm on Friday, August 19, 2016, during Hot Dog Day. All voted yes. Motion carried.

Motion by Holt, seconded by Keimig, to declare the following as surplus property, having no value or of value less than \$500.00, and authorize disposal of same: 1 computer monitor, 2 computer under-desk foot rests, Laars Lite 2 Pool Spa and Heater, miscellaneous broken pool toys, (8) worn out life vests, 1984 Ford pickup truck, Gallion rubber-tired roller, 1975 International sander truck. Upon a roll-call vote, the following votes were cast: Eide-yes; Holt-yes; Hulscher-yes; Keimig-yes; Schmahl-yes. Motion carried.

Discussion on Final Rule on Overtime Pay, a federal ruling effective December 1, 2016, which changes overtime exemption pay for certain exempt employees.

Two citizens in Ward II expressed interest in the current council vacancy, Kelli Bauman and Scott Ruby. Mayor Lee nominated Kelli Bauman. A unanimous ballot was cast for Bauman

to fill the Ward II council seat until the next election. She will be installed at the August council meeting.

Comments were heard from the City Superintendent. Minor issues over the rodeo. Hiring the extra deputy worked well.

Comments were heard from the City Finance Officer. The city was awarded a mosquito control grant in the amount of \$763.00.

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

CLAIMS APPROVED: Salaries: Council-600.00; Mayor-185.00; Finance Officer-3121.03; General Gov't Building-406.06; Streets-5632.04; Rubble Site-789.27; Airport-672.18; West Nile-330.00; Summer Rec-1930.89; Swimming Pool-6059.95; Park & Rec-1496.06; Library-1701.86; Community Center-420.60; Water-3043.23; Sewer-3691.12; Conseco-cancer ins.-81.15; SD Retirement System-2033.02; Health Pool of SD-health ins-4466.74; Delta Dental-dental ins-201.00; DNB-FICA/WH-6464.64; Amy Tvedt-web design-25.00; AT&T Mobility-cell phones-71.52; Avera Occ Medicine-Mitchell-random drug test-74.90; Bailey Johnson Lanners-refund cc deposit-200.00; Bjerke Sanitation-garbage-5813.05; Brookings Deuel RWS-water-10,188.85; Brown & Saenger-utility bill forms-270.00; Butler Machinery Co-street supplies-1520.61; Cengage/Gale Learning-lg. print books-123.16; Certified Laboratories-street supplies-625.19; Clear Lake City Library-reimb library books-312.35; City of Clear Lake-mo dept wtr use/3 final pymts-1129.40; Clear Lake Building Center-park supplies-67.99; Clear Lake Courier-publications & supplies-597.49; Clifford Motor-meter deposit refund-44.00; Clinton Hewitt-meter deposit refund-76.70; Connecting Point-support contract-1098.20; Deuel County Farmers Union Oil-supplies-176.39; Deuel County Motor Supply-supplies-71.86; Deuel County Register of Deeds-copies-6.00; Deuel County Memorial Hospital-sales tax subsidy-19,880.96; Deb Hintz-meter deposit refund-37.40; Dept of Revenue-water testing-30.00; Deuel County Auditor-police contract-5680.34; DJO/Empi-meter deposit refund-175.00; Dollar General Corp-sw pool supplies-37.00; Duininck Inc-hot mix-2703.80; Fawn Nowick-refund sw lessons fees-40.00; Federal Signal Corp-weather warning siren-13,507.00; Office of Fire Marshal-sw pool boiler inspection-50.00; H-D Electric-electricity-499.34; Hawkins Inc-pool chemical-2685.00; HD Supply Waterworks-water supplies-394.44; Hillyard Sioux Falls-janitor supplies-815.27; Holiday Inn-Spearfish-FO travel-407.80; Interstate Telecom Coop Inc-main street camera-1591.06; ITC-phone-775.92; Jodi Lee-refund (2) swimming lessons-40.00; Jodi Severson-refund cc deposit-200.00; Jodie Bjerke-refund swim lesson-20.00; The Lifeguard Store-sw pool supplies-77.57; Maynard's Foods-supplies-1139.95; Menards-sw pool supplies-404.10; Michael Burns-city share 1/2 cost rodeo deputy-360.00; Milbank Winwater Works-supplies-942.24; Northwestern Energy-natural gas-204.75; Office Peeps-supplies-695.73; Ottetail Power-electricity-3033.19; Pitney Bowes Rental & Supplies-postage meter qtrly rental fee-117.00; Riley Krause-refund cc deposit-200.00; Ron's Saw Shop-park supplies-78.74; SD Dept of Rev/Div of Motor Vehicles-vehicle fees '04 Chev pickup-16.20; SD Federal Property Agency-2004 Chev pickup-7100.00; SD Magazine-renew library buscription-23.00; SD State Treasurer-sales tax/contractors tax-1921.69; Servall Towel & Linen-mats & mops-35.91; Shipley's Garment Spa-clean mop heads-26.27; Sodak Gardens-revitalization & funeral flowers-123.50; Steve Rhody Services-wash windows-38.00; Titan Machinery-S.Falls-street supplies-89.50; Unemployment Ins of SD-unemployment ins-211.53; Voss Apts-Marty Voss-meter deposit refund-50.00; Wells Fargo Brokerage Services-STRB pymt-19,302.68; Winwholesale-sw pool repairs-255.65.

CLAIMS REJECTED: none.

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

Karen Harford  
Finance Officer

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